The 30th session of the Universal Periodic Review (UPR) took place from 7-18 May 2018. The following 14 countries were under review by the Human Rights Council during this session: Azerbaijan, Bangladesh, Burkina Faso, Cameroon, Canada, Cape Verde, Colombia, Cuba, Djibouti, Germany, Russian Federation, Turkmenistan, Tuvalu, Uzbekistan.

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 Bangladesh (with the Statelessness Network Asia Pacific), Cameroon, Canada (with the Canadian Centre on Statelessness), Colombia (with the Americas Network on Nationality and Statelessness), Germany (with the European Network on Statelessness) and Russia (with the Anti-Discrimination Centre Memorial and the European Network on Statelessness). ISI also prepared a summary document which outlined key nationality and statelessness issues in all countries under review.

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.¹

Overview

A total of 37 recommendations related to the right to nationality, birth registration and statelessness were made, with 11 out of 14 countries under review at least receiving one relevant recommendation.

The Russian Federation received most (7), followed by Cameroon, Canada and Cape Verde (5). Azerbaijan, Burkina Faso and Tuvalu did not receive any recommendations.

28 countries made recommendation to the countries under review. The Philippines was most active in making relevant recommendations to states under review (5), followed by Burkina Faso, Côte d’Ivoire and Brazil (each made 2 recommendations).

Topics addressed

- Accession to Statelessness Conventions (13)
- Non-Discrimination (6)
- Prevent/Reduce/End Statelessness (5)
- Birth Registration (5)
- Access to justice/rights (3)
- National law reform (3)
- Statelessness Determination Procedure (2)
Summary of recommendations per country

Azerbaijan (0)

No recommendations made by any country

No recommendations on:

2. Ensuring the right to a nationality of all stateless persons born in the country, and all people born in the former Soviet Republic of Azerbaijan.
3. Ensuring universal birth registration, regardless of the place where the person is born or the legal or nationality status of the parents.
4. Conducting a mapping study on issues of statelessness in Azerbaijan and make this information publicly available.

Bangladesh (3)

Recommendations made by Argentina, Iceland, Brazil

3 recommendations on ensuring rights for refugees and stateless persons.

No recommendations on:

1. Ensuring that all children born in the territory of Bangladesh, or to a Bangladeshi parent, are guaranteed without discrimination, their right to a nationality.
3. Protecting all stateless Rohingya refugees on Bangladeshi territory, including by seeking the cooperation of the international community with sustainable integration efforts and through negotiating resettlement programmes with third countries.
4. Cracking down on the people trafficking and human smuggling industries and protect all stateless Rohingya refugees and Bangladeshi citizens from trafficking.
5. Ensuring that no Rohingya refugees are returned to Myanmar in violation of the principle of non refoulement, until basic conditions required under international human rights and humanitarian law are met by Myanmar.
6. Ensuring universal and immediate access to birth registration with a special emphasis on eradicating discrimination and other barriers to access faced by vulnerable populations, such as members of the Urdu speaking community.
7. Addressing all concerns related to the right to nationality, statelessness and discrimination in the draft citizenship bill, and produce a new draft citizen.

Burkina Faso (0)

No recommendations made by any country

No recommendations on:

1. Ensuring the full implementation of the 1954 and 1961 Statelessness Conventions.
2. Realising universal free birth registration, issuing birth certificates to all children and strengthening the awareness of the importance of birth registration.
3. Preventing and resolving statelessness among people living in border regions.

Cameroon (5)

Recommendations made by Benin, Mexico, Portugal, Côte d’Ivoire, Nigeria.

1 recommendation on ratifying the 1954 and 1961 Statelessness Conventions; 1 recommendation on ensuring universal birth registration; 2 recommendations on elimination discrimination in the nationality code; and 1 recommendation on combatting discrimination among its population.

No recommendations on:

1. Ensuring that all national laws, regulations and policies are in line with Cameroon’s obligations under international law and its Constitution, ensuring the right of every child to acquire a nationality, and protecting against childhood statelessness.
2. Preventing discrimination against the Bakassi Peninsula, children whose births have not been registered, extra-marital children, disabled children, children born to foreign parents, adopted children and children whose parents have been deprived their nationality.
3. Fully implementing the safeguards against statelessness in the Nationality Code to ensure that any child born in Cameroon who would otherwise be stateless may acquire Cameroonian nationality, whatever the place of birth of his or her parents.
4. Undertaking, as soon as possible, a full population census with a view to improving the available data on the stateless people and those at risk of statelessness.

Canada (5)

Recommendations made by Georgia, Costa Rica, Côte d’Ivoire, Paraguay, Chile

4 recommendations on ratifying international and regional conventions and 1 recommendation on establishing a statelessness determination procedure.

No recommendations on:

1. Fully promoting, respecting, protecting and fulfilling its obligations towards stateless persons under international human rights law.
2. Adopting and applying the 1954 Convention definition of ‘stateless person’ in all national legislation and policy documents.
3. Ensuring that all children of Canadian citizens have the right to acquire Canadian citizenship, eliminating any risk of statelessness.
4. Collecting and make publicly available reliable, disaggregated data on statelessness

Cape Verde (5)
Recommendations made by the Philippines, Togo, Germany, Azerbaijan, Algeria

1 recommendation on acceding to the 1954 and 1961 Statelessness Conventions; 3 recommendations relating to the National Commission on Human Rights and Citizenship; and 1 recommendation on ending statelessness.

No recommendations on:
Collecting and making publicly available reliable data on statelessness.

Colombia (1)

Recommendations made by the Philippines

1 recommendation on acceding to and implementing the 1954 Convention.

No recommendations on:

1. Ensuring that all children born in the territory of Colombia, or to Colombian parents, are guaranteed their right to a nationality without discrimination. Allow for automatic acquisition of Colombian nationality for all children born in Colombia who would otherwise be stateless.
2. Fully promoting, respecting, protecting and fulfilling its obligations towards stateless persons under international human rights law.
3. Acceding to and fully implementing the 1954 Convention relating to the Status of Stateless Persons.
4. Establishing a statelessness determination procedure, in line with international law and UNHCR Guidelines, and ensuring that the definition of statelessness in national legislation is in accordance with international standards.
5. Ensuring universal and immediate access to birth registration with a special emphasis eradicating discrimination and other barriers to access faced by vulnerable populations.
6. Collecting and making publicly available reliable, disaggregated data on statelessness.

Cuba (1)

Recommendation made by Namibia

1 recommendation on reducing cases of statelessness

No recommendations on:

1. Acceding to and fully implementing the 1954 and 1961 Statelessness Conventions.
2. Ensuring the right to nationality of all otherwise stateless children, in particular the right to a nationality for children born abroad to Cuban parents.
3. Collecting and making publicly available reliable, disaggregated data on statelessness.

Djibouti (2)
recommendations made by the Philippines

1 recommendation on acceding to the 1954 and 1961 statelessness conventions and 1 recommendation on ensuring on universal birth registration.

No recommendations on:

1. Acceding to and fully implementing both the 1954 and 1961 Statelessness Conventions.
2. Conducting and making publicly available, mapping studies and data collection on statelessness in the country.
3. Ensuring birth registration for all, including children born to irregular migrants.

Germany (3)

Recommendations made by Burkina Faso, Ecuador, the Philippines

1 recommendation on establishing a statelessness determination procedure and 2 recommendations on birth registration, particularly for children born to irregular migrants.

No recommendations on:

1. Gathering and making 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.
2. Ensuring that the right of every child to acquire a nationality, as set out in CRC Article 7 is respected, and that all – otherwise stateless – children born in Germany, irrespective of the legal status of their parents, are granted German citizenship.

Russian Federation (7)

Recommendations made by Honduras, Burkina Faso, Angola, Thailand, Serbia, Mali, Peru

2 recommendations on acceding to international human rights instruments, including the 1954 and 1961 Statelessness Conventions; 1 recommendation on reducing the number of unregistered stateless persons; 2 recommendations on stepping up efforts to end/reduce statelessness; and 2 recommendations on combating discrimination.

No recommendations on:

1. Fully promoting, respecting, protecting and fulfilling its obligations towards stateless persons under international Human Rights law.
3. Creating an effective procedure to grant legal status and nationality to stateless persons.
4. Ensuring the right of every child to acquire a nationality, as enshrined under CRC Article 7.
5. Prohibiting the practices of separating families, and expelling children separately from their parents. Also, while deportation proceedings are carried, ensure that at all times and in all decisions the principle of the best interests of the child is upheld.

6. Granting legal stay and work rights to all persons who are released from detention centres without being removed. In the case of stateless persons, grant them legal stay, documentation and rights in line with the 1954 Convention.

7. Reviewing the provisions for the deprivation of nationality of naturalised Russian citizens, taking into consideration that deprivation of nationality is not an appropriate punishment, and ensuring at the very least, that no person is made stateless as a result.

**Turkmenistan (3)**

**Recommendations made by the Philippines, Uruguay and Algeria**

1 recommendation on acceding to the 1954 and 1961 Statelessness Conventions; 1 recommendation on adopting legislation against discrimination on the basis of nationality; and 1 recommendation on access to rights, including birth registration, for non-citizens.

No recommendations on:

1. Ensuring the right to a nationality for former USSR citizens in born or residing in the country, conducting.
2. Making publicly available, mapping studies and data collection on all stateless persons in the country.

**Tuvalu (0)**

No recommendations made by any state

No recommendations on:

1. Acceding to and fully implementing the 1954 and 1961 Statelessness Conventions.
2. Collecting and making publicly available reliable data on statelessness.

**Uzbekistan (2)**

**Recommendations made by Slovakia and Brazil**

2 recommendations on ratifying the 1954 and 1961 Statelessness Conventions.

No recommendations on:

1. Ensuring the right to a nationality for former USSR citizens in born or residing in the country, conducting.
2. Making publicly available, mapping studies and data collection on all stateless persons in the country.
ANNEX: Full text of recommendations relevant to nationality and statelessness

Azerbaijan (0)
From the draft report of the working group on the UPR
No recommendations made by any country

Bangladesh (3)
From the draft report of the working group on the UPR
3 recommendations on ensuring rights for refugees and stateless persons
7.23 Strengthen those measures that had been taken to ensure that all children and young persons among the refugees have effective access to the right to education, as well as guarantee the registration of all refugee children born in Bangladesh regardless of race, religion, national origin or citizenship of their parents, particularly those children of Bangladeshi and Rohingya couples (Argentina).
8.52 Ensure that all refugee and stateless women and girls have effective access to justice without being threatened with arrest, by amending the 1946 Foreigners Act (Iceland).
8.61 Ensure access to justice to refugees and stateless individuals, in particular women and girls, including those belonging to ethnic minorities (Brazil).

Burkina Faso (0)
From the draft report of the working group on the UPR
No recommendations made by any country

Cameroon (5)
From the draft report of the working group on the UPR
1 recommendation on ratifying the 1954 and 1961 Statelessness Conventions
1 recommendation on ensuring universal birth registration
6.86 Ensure universal birth registry without discrimination, by developing information systems with solid databases that would include information on the number of people yet to be registered, the creation of mobile registration units to reach the most remote areas, and to hold campaigns to inform all families about the deadlines and ways to register their children (Mexico).
2 recommendations on elimination discrimination in the nationality code
6.87 Eliminate all discriminatory provisions from the Nationality Code relating to the acquisition of nationality by children born outside of wedlock and the naturalization of children with disabilities (Portugal).
6.89 Review the nationality code to ensure equal rights between men and women in the area of nationality (Côte d’Ivoire).
1 recommendation on combating discrimination among its population
6.90 Continue with its efforts aimed at combating all forms of discrimination among its population (Nigeria).

Canada (5)
From the draft report of the working group on the UPR
4 recommendations on ratifying international and regional conventions
6.29 Consider becoming a party to the 1954 Convention relating to the Status of Stateless Persons (Georgia);
6.30 Ratify the 1954 Convention relating to the Status of Stateless Persons (Costa Rica); (Côte d’Ivoire).
6.31 Ratify the American Convention on Human Rights (Paraguay).
1 recommendation on establishing a statelessness determination procedure
6.275 Establish a procedure for the determination of statelessness as well as stateless status that is protected and facilitates the naturalization process for people in this situation (Chile).

**Cape Verde (5)**

From the draft report of the working group on the UPR

1 recommendation on acceding to the 1954 and 1961 Statelessness Conventions

6.17 Consider acceding to the 1954 and 1961 Statelessness Conventions (Philippines).

3 recommendations relating to the National Commission on Human Rights and Citizenship

6.27 Bring the National Commission on Human Rights and Citizenship in line with the Paris Principles (Togo).
6.28 Expedite plans to reform the National Commission on Human Rights and Citizenship in order to comply with the Paris Principles for National Human Rights Institutions and to strengthen its independence (Germany).
6.29 Make further efforts towards implementation of the National Human Rights and Citizenship Plan (Azerbaijan).

1 recommendation on ending statelessness

6.159 Take necessary steps to put an end, in law and in practice, the cases of statelessness (Algeria).

**Colombia (1)**

From the draft report of the working group on the UPR

1 recommendation on acceding and implementing the 1954 Convention

7.14 Accede to and fully implement the 1954 Convention relating to the Status of Stateless Persons (Philippines).

**Cuba (1)**

From the draft report of the working group on the UPR

1 recommendation on reducing statelessness

6.339 Continue taking further measures aimed at reducing cases of statelessness (Namibia).

**Djibouti (2)**

From the draft report of the working group on the UPR

1 recommendation on ratifying the 1954 and 1961 statelessness conventions

6.21 Ratify the 1954 and 1961 Conventions on Statelessness (Portugal).

1 recommendation ensuring on universal birth registration

6.192 Ensure the birth registration of all children of migrants regardless of the immigration status of their parents (Philippines).

**Germany (3)**

From the draft report of the working group on the UPR

1 recommendation on establishing a statelessness determination procedure

6.257 Establish a specific procedure to determine statelessness which would guarantee the protection of the rights provided in the 1954 Convention on the Status of Stateless Persons (Burkina Faso).

2 recommendations on birth registration, particularly for children born to irregular migrants

6.258 Guarantee birth registration and pre-natal care and post-natal care of new born children regardless of their migration status, in particular through the dissemination of information on health services, the improvement of shelters and reception centres for migrants and refugees, and additionally avoid that the irregular migratory status of new born children be a barrier to their registration (Ecuador)
6.259 Take urgent steps to guarantee the right of every child born on the German territory to be registered, irrespective of the migration status of their parents (Philippines).
Russian Federation (7)

From the draft report of the working group on the UPR

2 recommendations on acceding to the 1954 and 1961 Statelessness Conventions
6.23 Accede to international human rights instruments that the country is not a party yet, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ILO Convention 169 on indigenous and tribal peoples and the 1954 Convention related to the status of stateless persons (Honduras).
6.24 Consider ratifying the 1954 Convention relating to the Status of Stateless Persons as well as the 1961 Convention on the Reduction of Statelessness (Burkina Faso).

1 recommendation on reducing the number of unregistered stateless persons
6.305 Strengthen the implementation of policies to reduce the number of unregistered persons, specially statelessness persons, refugees, holders of temporary residence permit and individuals belonging to certain minority groups (Angola).

2 recommendations on stepping up efforts to end/reduce statelessness
6.306 Step up efforts to end statelessness, especially by establishing safeguards to guarantee birth registration to all children born in the country, including stateless children and those belonging to minority groups (Thailand).
6.300 Take additional measures to decrease statelessness among representatives of minority groups (Serbia).

2 recommendations on combatting discrimination
6.74 Focus efforts on combatting racism, racial discrimination, xenophobia and related intolerance, step up these efforts and efforts in the protection of minorities and vulnerable groups (Mali).
6.303 Continue measures for the elimination of discrimination against the Roma population (Peru).

Turkmenistan (3)

From the draft report of the working group on the UPR

1 recommendation on acceding to the 1954 and 1961 Statelessness Conventions
6.3. Accelerate its efforts towards acceding and fully implementing the 1954 and 1961 Statelessness Conventions (Philippines).

1 recommendation on adopting legislation against discrimination on the basis of nationality
8.37. Consider the adoption of a general law against discrimination based on gender, race, nationality, sexual orientation and gender identity, or any other form of intolerance (Uruguay).

1 recommendation on access to rights, including birth registration, for non-citizens
6.98. Ensure that non-citizens have access to education, housing, health care, employment and birth registration without discrimination (Algeria).

Tuvalu (0)

From the draft report of the working group on the UPR

No recommendations given by any state

Uzbekistan (2)

From the draft report of the working group on the UPR

2 recommendations on ratifying the 1954 and 1961 Statelessness Conventions
6.37 Ratify the Convention relating to the Status of Refugees and the Convention relating to the Status of Statelessness (Brazil).