The 32nd session of the Universal Periodic Review (UPR 32) took place from 21 January – 1 February 2019. The following countries were under review by the Human Rights Council during this Session: Afghanistan, Cambodia, Chile, Comoros, Cyprus, Dominican Republic, Eritrea, North Macedonia, New Zealand, Slovakia, Uruguay, Vanuatu, Viet Nam, Yemen.

The Institute on Statelessness and Inclusion (ISI) collaborated with civil society partners to prepare country submissions on nationality and statelessness issues in Cambodia (with the Minority Rights Organisation, Khmer Kampuchea Krom for Human Rights and Development Association, the Statelessness Network Asia Pacific, and Minority Rights Group International); Cyprus (with a Research Team from Maastricht University); Dominican Republic (with the Dominicanos por Derechos and The Center for Justice and International Law); Macedonia (with the Macedonian Young Lawyers Association, European Network on Statelessness, European Roma Rights Centre, and Minority Rights Group International), and Viet Nam (with Boat People SOS and the Statelessness Network Asia Pacific). The Institute also prepared an all country summary, which provides an overview of the right to nationality and statelessness related challenges in all countries under review.

This document provides an overview and analysis of all recommendations on the right to nationality and statelessness that were made during the 32nd Session of the UPR, on the basis of the draft reports adopted by the UPR Working Group, which can be accessed via UPR-Info.2

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1 The Institute also made a summary document which outlines all key nationality and statelessness issues in all of the countries under review. See: http://www.institutesi.org/UPR32.pdf.

2 https://www.upr-info.org/en
General overview

A total of 52 recommendations related to the right to a nationality, statelessness and birth registration were made, with 9 out of 14 countries under review receiving at least one recommendation.

The Dominican Republic and Cyprus received the most recommendations. Chile, Eritrea, New Zealand, Uruguay and Yemen did not receive any recommendations related to the right to a nationality, statelessness or birth registration. Mexico, Spain and the United States of America were most active in making relevant recommendations.

Topics addressed

- Accession to Statelessness Conventions (21)
- Resolve existing situations of statelessness (10)
- Non-discrimination (8)
- Birth Registration (8)
- Gender Discrimination in nationality law (4)
- Rights of non-citizens and stateless persons (2)
- Prevention of child statelessness (2)

Summary of recommendations

Afghanistan (1)

Recommendation made by Thailand

1 recommendation on birth registration

Cambodia (3)

Recommendations made by Benin, Mexico, Spain
1 recommendation to accede to the 1954 and 1961 Statelessness Conventions
1 recommendation on birth registration
1 recommendation to ensure that no child is born stateless

Chile (0)
No relevant recommendations

Comoros (5)
Recommendations made by Central African Republic, Argentina, Iceland, Mexico, Kenya
4 recommendations to address gender discrimination in the nationality law
1 recommendation to accede to the 1954 Convention relating to the Status of Stateless Persons

Cyprus (12)
Recommendation made by Uruguay, Brazil, Moldova, Spain, Slovakia, Ukraine, Germany, Ireland, Netherlands, Argentina, United Kingdom of Great Britain and Northern Ireland, United States of America
7 recommendations to ratify and implement the 1954 and 1961 Statelessness Conventions, including one to develop a national plan and procedures to address all issues related to stateless persons
6 recommendations to ensure equal treatment of all those applying for Cypriot nationality

Dominican Republic (23)
Recommendation made by Honduras, Mexico, Spain, Montenegro, Costa Rica, Haiti, Peru, Uruguay, Mexico, Barbados, Argentina, France, Australia, United States of America, Canada, Germany, Ireland, Italy, Brazil
10 recommendations to resolve existing situations of statelessness
9 recommendations on ratify and implement the 1954 and 1961 Statelessness Conventions
2 recommendations on birth registration
2 recommendations on combatting discrimination in access to nationality
1 recommendation to take steps to guarantee the rights of persons who have received temporary non-resident permits under the national plan for the regularisation of foreigners

Eritrea (0)
No relevant recommendations

North-Macedonia (3)
Recommendation made by Honduras, Ukraine, United States of America
2 recommendations to accede to the 1961 Convention on the Reduction of Statelessness

1 recommendation on birth registration

**New Zealand (0)**

No relevant recommendations

**Slovakia (1)**

Recommendation made by Serbia, Hungary

1 recommendation on the rights of stateless persons

**Uruguay (0)**

No relevant recommendations

**Vanuatu (2)**

Recommendation made by Sri Lanka, United States of America

2 recommendations on birth registration, including one also on data collection

**Viet Nam (2)**

Recommendation made by Honduras, Kenya

1 recommendation on ratification of the 1954 Convention relating to the Status of Stateless Persons

1 recommendation on prevention and reduction of statelessness through among others reacquisition of nationality and prevent children statelessness

**Yemen (0)**

No relevant recommendations

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**Recommendations – Full text**

All recommendations are copied from the draft reports of the working group on the UPR which can be found by clicking on the country name or by clicking on the following link: [https://www.upr-info.org/en/session/Session-32--January-2019](https://www.upr-info.org/en/session/Session-32--January-2019).

**Afghanistan**

6.231. Take appropriate measures to ensure birth registration of all children born in the country, in order to reduce the risk of statelessness (Thailand)
Cambodia

6.10. Accede to the 1954 Convention Relating to the Status of Stateless Persons, and to the 1961 Convention on the Reduction of Statelessness (Benin)

6.135. Strengthen efforts to guarantee birth registration for all persons born in Cambodia, including minorities and populations difficult to access, such as border communities (Mexico)

6.136. Adopt all necessary measures to ensure that all those born in Cambodia might acquire Cambodian nationality and that they have access to identity papers (Spain)

Chile

No relevant recommendations

Comoros

6.144. Take all necessary measures to enable Comorian women to pass on the nationality to their foreign spouses (Central African Republic)

6.153. Take the necessary measures to modify its national legislation so that men and women may enjoy the same rights in terms of transmitting nationality (Argentina)

6.154. Amend legislation to enable Comorian women to enjoy equal rights to pass on their Comorian nationality to non-Comorian spouses (Iceland)

6.155. Reform the necessary laws in order to ensure that men and women can transmit their nationality on an equal footing (Mexico)

6.163. Ratify the 1954 Convention relating to the Status of Stateless Persons (Kenya)

Cyprus


6.13. Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and develop a national plan and procedures to address all issues related to stateless persons (Brazil)


6.96. Ensure an equal treatment of all those applying for the Cypriot nationality (Germany)
6.97. Take adequate measures to ensure that nationality laws are applied universally on the basis of clearly defined criteria (Ireland)

6.98. Ensure the non-discriminatory application of the law regulating Cypriot nationality, so as to guarantee equal access to fundamental rights for all people on its territory, and to prevent statelessness by acceding to the 1954 Convention on the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness and the 2000 European Convention on Nationality (Netherlands)

6.99. Take the necessary measures in order to eliminate from the national legislation all provisions that restrict rights and discriminate against persons belonging to certain groups or minorities, in particular guaranteeing the transmission of nationality (Argentina)

6.100. Review and amend relevant legal provisions, guaranteeing the right of all persons who have one Cypriot parent to obtain Republic of Cyprus nationality, on an equal basis with others, irrespective of the other parent’s ethnicity, gender, place of residence or means of entering the country (United Kingdom of Great Britain and Northern Ireland)

6.101. Process citizenship applications for children of mixed Turkish Cypriot and Turkish parents within a reasonable timeframe (United States of America)

**Dominican Republic**

6.2. Consider acceding to those international human rights instruments to which the Dominican Republic is not yet a party, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the 1954 Convention relating to the Status of Stateless Persons, inter alia (Honduras)

6.7. Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and Convention relating to the Status of Stateless Persons (Mexico)

6.19. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the Optional Protocol to the International Covenant on the Rights of the Child concerning a communications procedure and the conventions on statelessness (Spain)

6.24. Ratify the 1954 Convention relating to the Status of Statelessness (Montenegro)


6.27. Consider the possibility to ratify the 1961 Convention on the Reduction of Statelessness and to accede to the 1954 Convention relating to the Status of Stateless Persons, to protect human rights of all foreigners born in the Dominican territory (Peru)

6.28. Consider acceding to the Convention relating to the Status of Stateless Persons and consider ratifying the Convention on the Reduction of Statelessness (Uruguay)

6.160. Strengthen the institutional framework for birth registration to ensure that all persons born in the Dominican Republic are promptly registered (Mexico)
6.161. Continue to promote policies that allow persons to effectively register births in a non-discriminatory manner (Barbados)

6.172. Deepen the measures aimed at combatting discrimination suffered by migrants and their descendants, in particular by guaranteeing their right to nationality and providing necessary safeguards to prevent statelessness of persons born in the Dominican Republic (Argentina)

6.173. Adopt the necessary legislative and administrative measures to combat all forms of discrimination in the access to nationality for the children of Haitian immigrants born in the country as well as in the situation of Haitian migrants (Spain)

6.178. Fulfill its obligations under Article 18 of the Dominican Constitution, whereby those who enjoyed Dominican nationality prior to the 2010 Constitution coming into effect continue to do so (Barbados)

6.179. Issue rapidly the documents recognizing Dominican nationality for all members of Group A under Law 169-14; adopt new legislation recognizing the right of those born in the Dominican Republic before 26 January 2010 to obtain citizenship; and introduce fast-track naturalization process for persons in Group B under Law 169-14 (France)

6.180. Take steps to guarantee the rights of persons who have received temporary non-resident permits under the national plan for the regularization of foreigners (France)

6.181. Ensure that the naturalization process is adequately resourced to ensure all applicants can access fair and timely adjudication of claims to restore their citizenship (Australia)

6.185. Provide fair judicial processes regarding the issuance of identity and citizenship documents to eliminate deportations of legal residents, legal migrants, and persons with a credible claim to Dominican citizenship (United States of America)

6.186. Take steps to protect the fundamental rights of all individuals born in the Dominican Republic, including the offspring of undocumented foreigners who have not yet received their Dominican nationality as stipulated by Law 169/14 and who may be still at risk of becoming stateless as a consequence of Constitutional Tribunal ruling 168/13 (Canada)

6.187. Prevent and reduce statelessness, especially by implementing Law 169-14, which provides for the registration of those applying for citizenship and recognizes the right of those born in the Dominical Republic before 26 January 2010 to obtain citizenship, including those in Group B of the Law whose births have so far not been registered in the Dominican Republic (Germany)

6.188. Restore the Dominican nationality of all persons affected by Constitutional Court ruling 168/13 and adopt all necessary legal and practical measures to prevent and reduce cases of statelessness, including by considering accession to the 1961 Convention on the Reduction of Statelessness (Ireland)

6.189. Maximize efforts to tackle the issue of statelessness (Italy)

6.190. Comply with the judgments of the Inter-American Court of Human Rights, the recommendations of the Inter-American Commission on Human Rights, and those formulated by other states in past UPR cycles to implement a legal framework on the effective restitution of nationality to Dominicans of Haitian descent and to develop a national registry to identify stateless persons or those at risk of being stateless (Uruguay)

6.191. Promote the necessary legislative changes to prevent, reduce and solve cases of statelessness in its territory (Brazil)
Eritrea

No relevant recommendations

North-Macedonia

6.6. Consider to adhere to international and human rights instruments which is not a party yet, including: the 169 ILO Convention on Indigenous and Tribal Peoples and the Convention on the Reduction of Statelessness, among others (Honduras)


6.156. Fully implement the recommendations of the Ministry of Labor and Social Policy Strategy for the Roma 2014-2020, including recording every individual in the Registry of birth, in order to combat socio-economic marginalization and labour discrimination faced by individuals belonging to the Roma community (United States of America)

New Zealand

No relevant recommendations

Slovakia

6.195. Continue with the implementation of measures to strengthen the protection of stateless persons, in particular through quality legal assistance (Serbia)

Uruguay

No relevant recommendations

Vanuatu

6.81. Continue its ongoing work to ensure universal registration of births (Sri Lanka)

7.39. Conduct and make publicly available mapping studies and data collection on statelessness, access to legal identity, and birth registration in the country (United States of America)

Viet Nam

6.9. Continue efforts to adhere to international human rights instruments to which it is not party, including: [The] 1954 Convention relating to the Status of Stateless Persons, […] (Honduras)

6.289. Continue its efforts on prevention and reduction of statelessness through among others reacquisition of Vietnamese nationality and prevent children statelessness (Kenya)

Yemen

No relevant recommendations