

**Rethinking the Advocacy Tools of the EU in
Exporting Legal Principles to the MENAT
Region to Tackle Childhood Statelessness**

By Katalin Berényi

Statelessness Working Paper Series
No. 2016/05

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Statelessness Working Paper Series No. 2016/05
December 2016

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*Statelessness Working Paper Series No. 2016/05
Institute on Statelessness and Inclusion
December 2016*

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Key words

childhood statelessness – EU legal principles – EEAS – external action on human rights – equal nationality rights – MENA

Abstract

This paper by Katalin Berényi reflects on the understudied yet pressing issue of the potential advocacy tools of the EU in reducing childhood statelessness beyond its borders, with a special focus on Syria and those MENAT countries that host and/or produce stateless populations having emerged due to biased nationality laws and deficient civil registration practices. Even though statelessness is not yet an explicit priority area of EU external human rights action, the article argues that the EU has the potential to pursue more ambitious foreign policy endeavors towards MENAT countries. By integrating the promotion of EU legal principles, such as gender equality translating into equal nationality rights in the context of the MENAT region, into its external engagements with these countries, there is further scope for the EU to mainstream the rights of stateless persons and those at risk of statelessness. Thereby, the EU could assume a crucial role also in facilitating the long-term readmission and reintegration of Syrian ‘non-nationals’ in post-war Syrian society. The paper concludes that the EU disposes of the necessary tools, negotiating and influencing power to address statelessness in its foreign policy both at the bilateral and multilateral level, especially in the UN context and through its policy framework which is currently under development raising issues of statelessness with third countries beyond the already existing legal, quasi-legal and policy instruments.

1. Introduction

In light of the emerging awareness of the strong connection between the continuing refugee crisis in Europe and the greatly overlooked issue of statelessness¹ in the European context, the arrival of stateless asylum-seekers² to Europe raised particular attention. The mass displacement of Syrians fleeing the war coupled with gender-discriminatory nationality laws applied in Syria and other MENAT countries³(where nationality is dependent on the father) hosting millions of Syrian refugees, put a generation of Syrian children at high risk of statelessness. Not possessing the nationality of the country they have effective bonds with shall not only prevent Syrian children from accessing basic human rights⁴ but also keep them away from post-conflict repatriation to Syria and from asserting their Syrian citizenship upon return. This would have a long-lasting effect on the EU, by facing the challenge to resettle Syrian non-nationals in need of international protection beyond refugees. In addition, the persistence of statelessness in itself could be the cause of the mass displacement of stateless minorities driven by the despair of non-existence.

Considering the undeniable link between statelessness and displacement, including those seeking refuge in the EU,⁵ the latter has an incited interest to prevent, reduce and eventually eradicate statelessness. This engagement must be prevalent not only in the area of freedom, security and justice but also beyond it in order to mitigate the scale of the escalating refugee crisis in Europe and its neighborhood and to make a positive impact on millions of stateless peoples' lives, with special regard to Syrian minors without a nationality, to get a chance to lead a meaningful life in a country where they belong.

The external focus of research papers on stateless persons is usually rather limited in terms of the EU's potential role in addressing the issue of statelessness as an integral part of its external policy, both at the multilateral and bilateral levels. Among other considerations, relevant EU policy papers, scholarly works and NGO publications⁶ seem to share the assumption that without the establishment of consistent measures within the EU (elaboration of dedicated national statelessness determination procedures, development of minimum standards to protect and identify stateless persons throughout all 28 Member States), it has yet to demonstrate its full engagement in implementing the protection of stateless persons. This will indeed greatly contribute to establish its credibility to legitimately export and promote relevant standards in its external engagement vis-à-vis third countries. To this end, this paper strives to assess the already existing tools and platforms, together with those under development of EU foreign policy that could positively influence non-EU countries where childhood statelessness is an emerging issue. Its geographic scope is the MENAT region with a primary focus on

¹ The international legal definition of a stateless person is proclaimed in Article 1(1) of the 1954 New York Convention on the Status of Stateless Persons defining a stateless person as "a person who is not considered as a national by any State under the operation of its law" establishing it as a status under international law.

² Those individuals who meet the criteria set out in Article 1 of the 1951 Convention Relating to the Status of Refugees, including those who did not have a nationality prior to their departure.

³ For the purposes of this article, the MENAT region comprises Algeria, Bahrain, Egypt, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, the Occupied Palestinian Territories, Oman, Qatar, Saudi Arabia, Syria, Tunisia, United Arab Emirates (UAE), Yemen and Turkey.

⁴ Most importantly, the right to education and health care, later the right to work legally, get married, vote, etc.

⁵ K Berényi, *Statelessness and the refugee crisis in the EU*, Forced Migration Review, Issue 53, Refugee Studies Center, University of Oxford, 2016, pp. 69-71.

⁶ See, e.g. *Addressing the human rights policy impact of statelessness in the EU's external action*, European Parliament, DG for External Policies, November 2014, p 22; K Swider: *Protection and Identification of Stateless Persons through EU Law*, Amsterdam Centre for European Law and Governance, Working Paper Series, 2014 – 05, p 21-22; *European Network on Statelessness Submission to the European Commission Consultation on the future of Home Affairs policies: An open and safe Europe – what next?*, 2014, p 5.

Jordan, Lebanon and Turkey, precisely because most Syrian refugees are mostly hosted in these countries.

2. Syrian childhood statelessness in the context of the refugee crisis and biased nationality laws

International legal instruments guarantee each individual the right to a nationality⁷ which constitutes a legal bond between an individual and the state.⁸ The UN Convention on the Rights of the Child (CRC)⁹ requires that “each child shall be registered immediately after birth and shall have the right from birth to a name [and] the right to acquire a nationality,”¹⁰ as well as it provides that „every child has the right to a nationality, and states shall ensure that this right is fulfilled.”¹¹ Further to this, the International Covenant on Civil and Political Rights (ICCPR) equally establishes that “each child has the right to acquire a nationality”.¹² The 1961 Convention on the Reduction of Statelessness suggests that children are to acquire the nationality of the country in which they are born if they do not acquire any other nationality.¹³ These provisions gain additional importance in case of children born to (stateless) refugees, considering that in the lack of appropriate birth registration they are legal ghosts being extremely vulnerable to early marriage, trafficking in human beings and recruitment as child soldiers.¹⁴

Childhood statelessness in the MENAT region has a historical background that needs to be understood in order to duly address the emerging problem of statelessness deeply rooted in the region of concern and put it in the context of the refugee crisis of today. Prior to the outbreak of the Syrian conflict in 2011, statelessness was already a major human rights challenge in Syria with respect to the Kurdish minority¹⁵ which was not only an unintended by-product of nationality legislation but rather a political tool.¹⁶ As a result of an arbitrary census conducted in 1962,¹⁷ a great number of Kurds lost their nationality and became stateless.¹⁸ This arbitrary measure itself constitutes a severe violation of a distinct international human rights norm, namely the *prohibition of arbitrary deprivation of nationality*.¹⁹ As an interesting development at the dawn of the Arab Spring in 2011, President Assad passed a decree allowing one group of stateless persons (‘the foreigners’) to restore their nationality by applying for naturalisation²⁰. Notwithstanding, it is important to see that many of the newly-naturalized Syrian Kurds and the remaining stateless population (‘the unregistered’) soon became either internally displaced within Syria or stateless refugees seeking shelter in other neighbouring countries together with other refugees. However, there is a significant difference between stateless refugees and those with an established Syrian nationality in terms of readmission to post-conflict Syria.

⁷ Including, for instance, Article 15 of the 1948 Universal Declaration on Human Rights.

⁸ Article 2 (a) of the European Convention on Nationality.

⁹ The most widely ratified human right treaty in history, ratified by the concerned MENAT countries as well.

¹⁰ Article 7 of the UNCRC.

¹¹ Ibid. Article 8.

¹² Article 24(1) of the ICCPR.

¹³ Article 1 (3), Article 5 (2).

¹⁴ Birth registration in Turkey: Protecting the future for Syrian children, Refugees International (2015).

¹⁵ L Tas, Stateless Kurds and their multiple diaspora, IMI Working Papers Series 2016, No. 125, January 2016, p 1-21.; L Tas: How international law impacts on statelessness and citizenship: the case of Kurdish nationalism, conflict and peace, International Journal of Law in Context, Volume 12 / Issue 01 / March 2016, pp. 42-62.

¹⁶ Z Albarazi on the stateless Syrians, Tilburg Law School Legal Studies Research Paper Series No. 011/2013.

¹⁷ The census was conducted in one day, therefore, those who were not present on the day of the census, were not registered as citizens.

¹⁸ After 1962 two groups of stateless persons emerged; the ‘foreigners’ and the ‘unregistered’.

¹⁹ T Molnar: The Prohibition of Arbitrary Deprivation of Nationality under International Law and European Law: New Perspectives, Hungarian Yearbook of International Law and European Law (2014), Eleven Publishing, The Hague, 2015, pp. 67-92.

²⁰ Even though foreigners could apply for naturalization, the applicable fees were so high that in reality very few people had the means to apply, as explained by Ms. Aven Ahmad, Kurdish Center for Legal and Studies and Consultancies: Side event of the 9th session of the Forum on Minority issues, ‘Excluded: stateless minorities in times of crisis’, Geneva, November 2016.

Unless their nationality is resolved until their return, these two factors may result in a lost generation of Syrians rendering the restabilization of the post-war country extremely difficult.²¹ Thus, addressing the avoidance of statelessness with the concerned countries would be crucial in light of the ongoing massive displacement and the avoidance of future ones driven by the despair of statelessness.

Beyond Syrian stateless Kurds, the refugee crisis has put children born in exile into Syrian female-headed family units at high risk of statelessness as well. The continuing war has left so far roughly one quarter of Syrian refugee households fatherless²² in Iraq, Jordan, Lebanon and Egypt which makes it very problematic for Syrian mothers to prove the fatherhood of their children.²³ The problem is that even if a birth is properly recorded, Syrian nationality cannot be transmitted through maternal descent²⁴ according to the Syrian Nationality Code putting these children born in exile directly at stake of statelessness. In the neighbouring countries hosting Syrian refugees very similar gender-discriminatory nationality laws,²⁵ poor birth registration practices²⁶ and the principle of *jus sanguinis*²⁷ prevail leaving newborns without a nationality and substantial proof of their parental lineage, effective territorial link and legal bond to Syria. Even though both Syria²⁸ and Lebanon²⁹ have incorporated comprehensive safeguards against statelessness, prescribed by international law,³⁰ in practice they are hardly implemented.³¹

In Jordan, Article 3(3) of Law No. 6 of the 1954 on Nationality (last amended in 1987) grants nationality to all persons born of a Jordanian father (regardless of the place of birth according to Article 9) and to all persons born of a Jordanian mother and a stateless father in light of Article 3(4). Furthermore, the law gives nationality to all Palestinians resident in Jordan between December 20, 1949, and the issuance of the law in 1954,³² yet leaving a great number of Palestinian refugees stateless. Nevertheless, to showcase a positive shift, in 2015 Jordanian authorities began granting certain privileges to children of Jordanian women married to non-Jordanian men, including free education and access to health services in government institutions, as well as provision of Jordanian ID cards and drivers' licenses, without granting them any political rights.³³ In addition, in order to tackle birth registration of Syrian newborns in Jordan, Jordan established civil registry departments and courts in refugee camps which proactive approach yet has to reach refugees outside the camps.

Decree No. 15 on Lebanese nationality dating back to 1925 also dooms the children of Lebanese women marrying non-Lebanese men to live as foreigners in the country where they were born. From

²¹ Addressing the human rights policy impact of statelessness in the EU's external action, DG External Policies, 2014, p 42.

²² UNHCR, Woman Alone. The Fight for Survival by Syria's Refugee Women, 2014, available at: <http://www.unhcr.org/ar/53bb8d006.pdf>, p. 8.

²³ Due to the following possible scenarios entailed by the gender-discriminative provision of Syrian Nationality Law: the unknown whereabouts of the father, the child being born out of wedlock, the marriage not having been properly registered, no proof of the father being the national of the given country (therefore, unable to transmit his nationality to the child) or the father is stateless himself.

²⁴ Despite the fact that certain nationality laws in the region do allow women to transmit their nationality in case the child's father is stateless, unknown, or of unknown nationality, these safeguards are simply not implemented and thus remain theoretic.

²⁵ Yet it must be pointed out that Turkish nationality law is not gender-discriminatory, as children who are born either to a Turkish mother or a Turkish father (in or out of wedlock) acquire Turkish citizens at birth.

²⁶ The Jordanian, Lebanese, and Syrian nationality law acquis requires marriage certificates as well prior to registering a baby, along with a birth notification from a hospital, doctor/midwife.

²⁷ Based on this nationality law principle, nationality is transmitted by descent.

²⁸ Article 3 (d) of Decree No. 276. on Syrian Nationality.

²⁹ Article 1 of Decree No. 15 on Lebanese Nationality.

³⁰ Article 1 of the 1961 Convention requires that states incorporate safeguards in their nationality laws to prevent statelessness at birth and later in life.

³¹ Stateless Kurds in Syria, Illegal Invaders or victims of a nationalistic policy?, KurdWatch, 2010, pp. 16

³² Article 3 (2).

³³ Jordan Events of 2015, Human Rights Watch, available at: <https://www.hrw.org/world-report/2016/country-chapters/jordan#49dda6>.

2010 to 2013, three nationality-law proposals were submitted to the Lebanese parliament which did not even acknowledge receiving them in the first place.³⁴ This ignorance may be partly attributed to the common fear that Palestinian refugees marrying Lebanese women may be one day nationalized as Lebanese citizens, thereby, increasing considerably the number of Sunni Muslims within the country which could generate tension within the society of tangible Sunni-Shi'i balance. This balance is now challenged again by the Syrian refugee crisis and the hence growing numbers of refugees of Sunni Muslims.³⁵ However, this fear may not be a hindering factor in removing gender-based discrimination from nationality laws. Costly, complex and timely civil registration procedures prevalent in Lebanon further obstruct childrens' access to nationality.³⁶

Turkish citizenship law is based primarily on the principle of *jus sanguinis* as well. There are limited provisions for the acquisition of Turkish citizenship based on the principle of *jus soli* as well,³⁷ in line with the principle to avoid statelessness.³⁸ As a result, children born in Turkey, who do not acquire any other citizenship through their parents by birth, shall acquire Turkish citizenship, if the child is born from stateless mother and father or he/she cannot follow the citizenship of his/her parents under the law of the state which the parents belong. By registering in Turkey, Syrian refugees are recorded as guests. Nonetheless, deficient refugee registration practices applied by the Turkish government bodies are unable to provide newborns with adequate proof of parental lineage that could effectively support their post-war acquisition of Syrian citizenship. As an interesting development, it is now possible to apply for an *international birth certificate in Turkey*, by submitting a newborn's birth report to the local population department during a difficult, lengthy and costly procedure which makes it even more difficult and frustrating for Syrian parents to document the birth of a child and legally link the child to a Syrian father.³⁹

In this context, the aforementioned **Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)** has paramount significance in the fight against (childhood) statelessness⁴⁰ arising from gender-biased nationality laws. The Convention addresses some of the underlying root causes of statelessness by advocating for equal nationality rights in Article 9(1),⁴¹ providing for the conferral of nationality on equal terms with men in Article 9(2),⁴² as well as dealing with marriage and family relations in Article 16(1).⁴³ Even though Jordan ratified CEDAW as early as in 1992, it maintains certain reservations, relating to Article 9(2) and Article 16 (1) (d) and (g). Similarly, Lebanon having acceded to the Convention in 1997 maintains reservations also with regard to Article 9(2), and Article 16(1) (d) and (g). Upon accession Turkey made certain reservations relating to articles on family relations (not in line with the provisions of the Turkish Civil Code).⁴⁴ Yet, it made a statelessness-related

³⁴ M Saidi: Lebanon's sexist citizenship law hurts mothers and babies, Al Jazeera, May 2015, available at: <http://america.aljazeera.com/opinions/2015/5/lebanons-sexist-citizenship-law-hurts-mothers-and-babies.html>.

³⁵ The vast majority of both Syrian and earlier arrived Palestine refugees are Sunni Muslims.

³⁶ For instance, in Lebanon proof of legal entry and stay within the country is prerequisite to register a baby which does not correlate with today's reality in an era of mass displacement.

³⁷ This principle of nationality law refers to the 'right of the soil' constituting the right of any individual born in the territory of a state to nationality.

³⁸ As set out in Article 8 of Turkish Citizenship Law.

³⁹ Sarnata Reynolds and Tori Duos, Refugees International: A Generation of Syrians Born in Exile Risk a Future of Statelessness, ENS blog entry, 15 July 2015, available at: <http://www.statelessness.eu/blog/generation-syrians-born-exile-risk-future-statelessness>.

⁴⁰ See also: <http://www.institutesi.org/ourwork/genderequality.php>.

⁴¹ Article 9(1) CEDAW: „States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.”

⁴² Article 9(2) CEDAW: „States Parties shall grant women equal rights with men with respect to the nationality of their children.”

⁴³ Article 16(1) CEDAW: „States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations (...).”

⁴⁴ In particular, Article 15 (2) and (4), Article 16 (1) (c), (d), (f) and (g), Article 29 (1), Article 29 (2).

declaration, setting out that "*Article 9, paragraph 1 of the Convention is not in conflict with the (...) provisions of the Turkish Law on Nationality, relating to the acquisition of citizenship, since the intent of those provisions regulating acquisition of citizenship through marriage is to prevent statelessness.*"⁴⁵ Later in 1999, Turkey decided to withdraw its reservations made upon accession with regard to Article 15 (2) and (4), and Article 16 (1) (c), (d), (f). Nonetheless, it maintained that its reservation and declaration made with respect to Article 9(1) of the Convention.⁴⁶ As a result, equal nationality rights are not yet guaranteed in Turkey either. Further to that, for Syrian babies born outside their home country, acquiring a birth certificate that provides evidence of the name of the Syrian father is absolutely crucial, regardless of the country where they are actually born. Consequently, beyond the shortcomings of biased national legislations explained above, addressing *birth registration practices* applied in MENAT countries of concern hosting millions of Syrian refugees are an absolute prerequisite to address childhood statelessness in the region. Failing to provide Syrian newborns with appropriate *birth certificates*⁴⁷ contributes to the creation of new cases of statelessness.

3. Relevant EU external policy framework to address statelessness

3.1. EU legal principles in the context of the fight against statelessness

The EU acknowledges and stands for certain core values that it deems important to promote within and beyond its borders with a view to fostering them in the Member States, as well as in non-EU countries. These values are generally shared by the international community at large and may be translated into international norms which evolved over time, including the respect of human rights⁴⁸ and the rule of law among others. These norms inspired the emergence of widely accepted principles of EU law, including *proportionality, legal certainty, gender equality, equality before the law, non-discrimination, subsidiarity, equity, good faith, solidarity, effective remedies, respect for human rights, including the rights of persons belonging to minorities*; all having due relevance to statelessness.⁴⁹ Statelessness as a human rights issue intersects not only with other EU human rights priorities⁵⁰ but with most of the aforementioned EU legal principles as well. For instance, relating to the proportionality of state actions rendering populations stateless, touching upon gender-discriminative nationality laws in the light of the principle of non-discrimination and gender equality, as well as considering the principle of legal certainty in cases of determining statelessness.

3.2. Putting statelessness higher on the European foreign policy agenda

Nationality issues, including prevention and reduction of statelessness, are primarily regulated through nationality laws, which are within the competence of the Member States. This is because nationality law is generally considered to be politically sensitive in many regards and treated as a sovereign issue accordingly. The protection of stateless persons, however, might be regulated through migration law where the EU has competence,⁵¹ established by Article 67(2) in conjunction with Article 352 of the

⁴⁵ Available at: <http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm>.

⁴⁶ The reservation and declaration made with respect to Article 29 and Article 9 continue to apply.

⁴⁷ Birth certificates help to confirm a child's nationality by providing proof of birth. Thus, problematic birth registration practices, similarly to biased nationality laws, directly prevent children from acquiring their right to a nationality, provided under international law, by creating a lack of due evidence of the facts of birth.

⁴⁸ Including the prohibition of arbitrary deprivation of nationality set out in Article 15 (2) of the Universal Declaration of Human Rights.

⁴⁹ Widely recognized general principles of EU law stem from both international norms and the jurisprudence of the European Court of Justice and the Member States' courts in application of primary sources of EU law (inter alia EU Treaties, the EU Charter of Fundamental Rights).

⁵⁰ Including minority rights, children's rights, women's rights, freedom of religion, etc.

⁵¹ M den Heijer, K Swider, Why Union Law Can and Should Protect Stateless Persons, ACIL Research Paper 2016-14, Amsterdam Center for International Law, University of Amsterdam, August 2016.

Treaty on the Functioning of the European Union (TFEU)⁵² as primary source of EU law providing that *"stateless persons must be treated equally as third country nationals"*. Nevertheless, EU law does not provide explicit normative guidance on how to address statelessness. The initial efforts to put the issue of statelessness on the European agenda were made by the Hungarian Presidency of the Council of the EU back in 2011 inviting Member States to engage in discussions about the prevention and reduction of statelessness, considering that statelessness as a major human rights challenge continues to prevail also in the EU context.

Following the Hungarian Presidency, in November 2011 the EU Global Approach on Migration and Mobility (GAMM) was adopted which provided that: „The EU should also encourage non-EU countries to address the issue of stateless persons, who are a particularly vulnerable group, by taking measures to reduce statelessness.” In June 2012, the EU Strategic Framework and Action Plan on Human Rights and Democracy was adopted which included among its actions the development of “a joint framework between Commission and EEAS⁵³ for raising issues of statelessness [...] with third countries” by 2014.⁵⁴ The Commission and EEAS were mandated as primary facilitators in the implementation of this action. Shortly, a pledge⁵⁵ was made by the EU Delegation (EUDEL) to the UN in New York calling upon Member States to accede to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.⁵⁶

However, the above-mentioned policy framework to address statelessness with third countries was not developed by the end of 2014, which seemed to put the pressing issue of statelessness with non EU-countries on hold within EU policy discussions. Then the subsequent EU Action Plan on Human Rights and Democracy for 2015-2019 was adopted setting the following objective: „Continue to address the issue of statelessness in relations with priority countries; focus efforts on preventing the emergence of stateless populations as a result of conflict, displacement and the break-up of states.”⁵⁷ Relating to the implementation of this engagement (marked as ‘ongoing’), Member States were also put in charge further to the Commission and EEAS, which is of paramount importance.

Then another major break-through occurred in December 2015, not long after the European Parliament had elaborated a study on the existing practices in EU Member States to prevent statelessness.⁵⁸ The Council of the European Union adopted conclusions on statelessness,⁵⁹ under the aegis of the Luxembourg Presidency, inviting the European Commission to launch an avenue for the exchange of information and good practices on the prevention and reduction of statelessness and protection of stateless persons within the framework of the European Migration Network.⁶⁰ Beyond the policy

⁵² As suggested by T Molnar, ‘Moving Statelessness Forward on the International Agenda’, *Tilburg Law Review* 19 (2014), footnote 21 on p. 198.

⁵³ European External Action Service.

⁵⁴ Action 14d of the EU Action Plan on Human Rights and Democracy (2012-2015), available at:

https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/131181.pdf.

⁵⁵ The pledge made by the Delegation of the European Union at the High-level meeting on the rule of law at the national and international levels, New York, 19 September 2012, available at:

<https://www.un.org/ruleoflaw/files/Pledges%20by%20the%20European%20Union.pdf>.

⁵⁶ Hereinafter: Statelessness Conventions.

⁵⁷ Action 24h of the EU Action Plan on Human Rights and Democracy (2015-2019), available at:

https://eeas.europa.eu/human_rights/docs/eu_action_plan_on_human_rights_and_democracy_en.pdf.

⁵⁸ Practices and Approaches in EU Member States to Prevent and End Statelessness, available at:

[http://www.europarl.europa.eu/RegData/etudes/STUD/2015/536476/IPOL_STU\(2015\)536476_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/536476/IPOL_STU(2015)536476_EN.pdf).

⁵⁹ Council Conclusions available at <http://www.consilium.europa.eu/en/press/press-releases/2015/12/04-council-adopts-conclusions-on-statelessness/>.

⁶⁰ The European Migration Network is an EU-funded network under the aegis of the European Commission (established by Council Decision 2008/381/EC adopted on 14th May 2008) with the aim of providing up-to-date, objective, reliable and comparable information on migration and asylum for institutions of the European Union plus authorities and institutions of the Member States via their National Contact Points. It provides a complex platform for expert discussions and exchanges of

development, it *per se* constitutes a robust moment of addressing statelessness at the policy and EU level within its own borders which finally gives the EU a solid basis and credibility to strengthen its engagement in pursuing such endeavors beyond EU territory.

3.3. Institutional, legal, quasi-legal and policy instruments of EU external human rights action

Throughout the recent years, the EU has developed an explicit engagement in promoting the right to a nationality; it has started to increasingly address the issue by including it in its human rights action plans (as political documents), guidelines,⁶¹ as well as it has raised the issue of statelessness at the multilateral level as well, primarily by making a pledge at the UN towards its own Member States. Nonetheless, the EU has not yet incorporated the advocacy and mainstreaming of the rights of stateless persons in its external relations in a consistent manner. It may be assumed that the EU could and should be able to address third countries to join the cause of reducing statelessness within their own territories, pass legislative reforms of biased nationality laws and eventually sign and duly implement the 1954 and 1961 Statelessness Conventions. Further to that, implementing CRC and CEDAW, as well as lifting the reservations made relating to them would be all necessary to duly implement the objectives of the Statelessness Conventions, considering that they guarantee the right of every child to have a nationality⁶² and the right of every woman to be able to confer their nationality on their children.⁶³

In terms of EU foreign policy, the distinguished roles of the **High Representative of the European Union for Foreign Affairs and Security Policy** and the **EU Special Representative for Human Rights** are of utmost importance, as they can speak on behalf of the EU referring to all relevant UN Conventions (1954 and 1961 Statelessness Conventions, CEDAW, CRC, ICCPR) as platforms for advocacy. They have the mandate to address third-countries and engage them in proactive, high-level dialogue on the issue of statelessness, including making joint declarations with other leaders of international/regional organizations (Council of Europe, African Union, Arab League) on the occasion of statelessness-related events and addressing top-level government officials of the concerned state actors responsible for nationality law-making.

Similarly, the Council's **Working Party on Human Rights** (also referred to as the **COHOM**) has an outstanding role in supporting the Council's decision-making process on the EU's external human rights engagements. COHOM is in charge of the identification of relevant strategic human rights priorities and coordination of Member States' position on issues of concern in multilateral human rights fora, including the **UN General Assembly** (UNGA) and the **UN Human Rights Council** (HRC).⁶⁴ Within the Council, COHOM together with the Council's working party on fundamental rights (FREMP) are the primary EU bodies to establish greater policy coherence and consistency in the EU's internal and external human rights policy. Therefore, COHOM would have the mandate to make recommendations on specific external statelessness-related policy actions to the Council. Besides, an **EU human rights guideline on statelessness determination** could be equally put forward by COHOM,⁶⁵ and used as reference tool for statelessness advocacy with third countries.

Driven by the same purpose, the **European Commission** could initiate the adoption of a legally binding **EU Directive** on statelessness determination procedures obliging all EU Member States to put in place

good practices among Member States, NGOs and international organisations. See more: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/index_en.htm.

⁶¹ E.g: EU Guidelines on human rights dialogues with non-EU countries, available at: http://eeas.europa.eu/human_rights/guidelines/dialogues/docs/16526_08_en.pdf.

⁶² Article 7 CRC.

⁶³ Article 9 CEDAW.

⁶⁴ See: <http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/working-party-human-rights/>.

⁶⁵ COHOM is also in charge of EU human rights guidelines.

dedicated procedures⁶⁶ after thorough consultations with EU and national stakeholders. This endeavor could be facilitated by the **European Migration Network** (DG HOME) which was mandated to deal with statelessness by the aforementioned Council Conclusions in December 2015. This would be a very important step towards the coherency of the EU's internal and external statelessness-related human rights policy and hence the credibility of the EU to address statelessness beyond its borders.

Furthermore, the **European Parliament** could equally play a crucial role in this process not only by the means of resolutions, statements and policy debates on relevant issues of concern but also by lobbying for the engagement of national parliaments of countries of concern with a view to passing legislative reforms.⁶⁷ To give a positive example, the European Parliament adopted relevant resolutions concerning the situation of stateless populations in the United Arab Emirates⁶⁸ and Bahrein.⁶⁹

Considering the related policy areas of the aforementioned diplomatic service of the EU in charge of external relations and strategic partnerships (**EEAS**), namely human rights and democracy, together with migration and asylum, it is apparent that both areas directly intersect with the incidence of statelessness. EEAS means are extensive, including guidelines (prepared by the Council) and bilateral agreements on Political Dialogue and Cooperation, allowing for extra room for manoeuvre. The **EU Delegations** (EUDELS) may be perceived as the diplomatic corps of the EU in third countries and multilateral organisations, thus, they play a key role in coordinating the EU policy dialogue at the duty stations, among all diplomatic missions of the EU Member States. In possession of a due mandate, EUDELS based in Jordan, Lebanon and Turkey could assume an additional advocacy role in channeling the EU position on statelessness through various instances. EUDEL could release joint statements briefly reflecting on statelessness concerns on the occasion of the International Human Rights Day or important anniversaries of the adoption of the Statelessness Conventions.⁷⁰ In terms of statelessness concerns, heads of EUDELS, together with interested heads of missions (HoMs) are destined to meet high-ranking government officials in charge of nationality issues. In addition, other staff members of EUDELS in key countries of origin and transit, **Human Rights (Gender) Focal Points** and **European Migration Liaison Officers** may also further advance the protection of stateless persons at the local level. Encouraging these countries to sign and align themselves with the objectives of the Statelessness Conventions could indeed give a powerful incentive to prevent childhood statelessness in the MENAT region.

Therefore, the EU has been advocating for the protection of the rights of stateless persons by the means of non-binding, declaratory **quasi-legal** (action plans, guidelines, communications, Council Conclusions, regulations and statements)⁷¹ and **legal instruments** (recommendations and opinions) in its external engagement with non-EU countries. However, there remains a lot of room for development through the application of further non-binding means in terms of both quasi-legal (joint declarations, joint statements) and legal (policy recommendations) tools, as explained above. Further to these means, the EU disposes of other **policy frameworks** which could be put at the forefront of mainstreaming the rights of stateless persons, including negotiations relating to bilateral political dialogues, mobility partnerships, migration dialogues, enlargement negotiations as an integral part of

⁶⁶ K Berényi: Statelessness and the refugee crisis in the EU, Forced Migration Review, Issue 53, Refugee Studies Center, University of Oxford, 2016, pp. 69-71.

⁶⁷ Addressing the human rights policy impact of statelessness in the EU's external action, DG for External Policies, 2014, p. 6.

⁶⁸ Resolution 2012/2842(RSP): "Whereas evidence indicates that national security is the pretext for a crackdown on peaceful activism designed to stifle calls for constitutional reform and reform on human rights issues such as statelessness".

⁶⁹ Resolution 2013/2513(RSP): "Calls on the Bahraini authorities to ensure that the 31 Bahrainis whose citizenship was withdrawn can appeal the decision before a court, as it is clear that the revocation of the nationality of political opponents by the Bahraini authorities is contrary to international law".

⁷⁰ 28 September, the day of the adoption of the 1954 Convention relating to the status of stateless persons, has been under consideration to be adopted as the international day dedicated to the fight against statelessness.

⁷¹ These instruments do not intend to have legal effects; they rather reflect on the political position of the EU regarding issues of concern.

the EU's Global Approach of Migration and Mobility. **Mobility partnerships** (MPs) are the principal framework for bilateral cooperation between the EU and non-EU partner countries. MPs are political agreements concluded between certain EU Member States and third countries covering bilateral and multilateral projects relating to mobility, migration and asylum issues. MPs are based on reciprocal commitments and seek to advance a comprehensive approach to migration management with third countries, with a primary focus on the countries in the EU Neighbourhood. Within the GAMM, MPs could provide an excellent channel for the promotion of the issue of statelessness. To give a regional example, after the signature of the **EU-Jordan Mobility Partnership** (MP) in October 2014, a technical assistance project (JEMPAS) was put in place with the overall aim to support the implementation of the MP with a specific focus on strengthening the capacity of the government to develop and implement the Jordanian national migration policy.⁷² Thus, this project had an immense potential to help the Jordanian government to duly reflect on the rights of children born in the migratory context in Jordan who are at high stake of statelessness.

Migration Dialogues are also excellent tools to advance the case of statelessness on the international agenda on a bilateral basis with countries of concern by fostering governmental discussions on statelessness along with migration issues and enhance international migration cooperation. Certain migration dialogues may be excellent vehicles for engaging the MENAT countries in the fight against statelessness, especially the Dialogue on Mediterranean Transit-Migration (MTM Dialogue), the Rabat Process and the EUROMED Migration III, having their respective operative framework, agenda and thematic priorities. The MTM Dialogue provides a consultative platform engaging migration officials in countries of origin, transit and destination, including Europe and the MENAT countries as well. Its scope of activities has extended to several thematic areas of irregular and mixed migration, as well as migration and development. Therefore, there would be room to incorporate a focus on the rights of stateless refugees. In addition, the Rabat Process provides a further avenue for relevant discussion for more than 60 African and European countries, including the MENAT countries of concern, especially by reviewing the Dakar Strategy under implementation in a way to support the implementation of concrete statelessness-related actions at a later stage. EUROMED Migration III is yet another migration dialogue that seeks to foster cooperation on migratory issues between the European Neighbourhood Instrument (ENI) South partner countries and EU countries, as well as among themselves.⁷³

Within the framework of formalized bilateral political dialogues, the **Human Rights Dialogues** mechanism was established by the EU, together with specific sub-committees and groups dealing with human rights issues, including those dealing with Jordan and Lebanon as well. This instrument provides an excellent platform for the EU to reach out to third countries putting the issue of stateless persons on the political agenda in countries of concern, such as in Jordan and Lebanon. The implementation of these human rights dialogues is also overseen by COHOM, as well as the co-ordination of the related EU position. The EU has also engaged in human rights dialogues with other regional organisations, *inter alia* the African Union, the UN's Economic Commission for Africa, the League of Arab States, the Organisation of the Islamic Conference and the Association of South East Asian Nations (ASEAN).

The next advocacy platform suggested for consideration is the funding mechanism of the **European Neighbourhood Instrument** (ENI) supporting the European Neighbourhood Policy (ENP). Its priority sectors seek to tackle areas, such as irregular migration, human smuggling and trafficking in human beings; areas of human rights violations stateless persons are particularly vulnerable to. Considering that one of the axes of cooperation with ENP-countries is explicitly the approximation of legislation and enhancing the UN's Sustainable Development Goals (whose fifth objective is to reach gender equality), reform talks about removing gender-based discrimination from nationality laws could be

⁷² See for further details: <http://www.icmpd.org/our-work/capacity-building/multi-thematic-programmes/support-to-the-mobility-partnership-between-the-european-union-and-the-hashemite-kingdom-of-jordan-jempas/>.

⁷³ See more: <http://www.icmpd.org/our-work/migration-dialogues/>.

directly channeled into political dialogues within the framework of the ENP. ENI funding is mainly used for bilateral cooperation, in the form of ENP Action Plans which provide the political framework setting the priorities for cooperation, an agenda of political and economic reforms with short and medium-term objectives.⁷⁴ For instance, bilateral relations with **Lebanon** are based on the EU-Lebanon Association Agreement signed in 2002 establishing a framework for political dialogue with a view of enhancing cooperation in economic and social fields. Under the ENP, the EU/Lebanon Action Plan lays out that "the implementation of the Action Plan will significantly advance the approximation of Lebanon's legislation, norms and standards to those of the European Union". It reflects on human rights issues by defining the aim of promoting gender equality in various fields "including review of legislation [...] on nationality" which directly collides with the subsequent point of "the lifting of reservations to the Convention on the elimination of all forms of discrimination against women (CEDAW) to which Lebanon is a party".⁷⁵ Therefore, the Action Plan as a tool of the European Neighbourhood Policy allows the EU to support the Government of Lebanon in its efforts to further the national reform agenda, as well as to address statelessness.

As a combination of the aforementioned policy tools, the European Commission has recently announced the **new results-oriented partnership framework with third countries under the European Agenda on Migration**⁷⁶ in the form of **migration compacts** which are tailored to the circumstances of each partnership with key third countries of origin and transit, mobilizing all EU policies and instruments to deliver concrete results⁷⁷. The objective of such tailor-made compacts is to tackle the causes and drivers of migration. Taking account of the realization that statelessness may itself give rise to displacement, this policy framework should also address statelessness as a root cause of migration in the implementation of the compacts. In this context it remains equally important to exclude any conditionality based on migration control indicators in the allocation of development aid to third countries in line with the Humanitarian Principles.

The **European Instrument for Democracy and Human Rights**⁷⁸ was established under the aegis of EuropeAid, the European Commission's Directorate-General (DG) for International Cooperation and Development. It may also have the potential to support the case of statelessness through the EU's external human rights action applying a bottom-up approach helping civil society of countries of concern to induce political reform and respect of human rights⁷⁹. However, the strength of this instrument is also its weakness; it does not involve the host government which is in charge of (nationality) legislation. Nevertheless, the role of non-state actors in driving change in sensitive political issues requiring the involvement of the state (government) remains of paramount significance, especially in terms of human rights. In addition, it may also provide grants to finance projects submitted by civil society and/or international/intergovernmental organizations, including UNHCR which has a global mandate to protect stateless persons.

3.4. How to promote equal nationality rights in the MENAT region at the multilateral level?

In its efforts to export its commitment to prevent, reduce and eradicate statelessness, the EU may assume its advocacy role both in the multilateral and bilateral fora. At the multilateral level, there have been collaboration efforts on statelessness between the EU, the United Nations, the Council of Europe, as well as the Organization for Security and Co-operation in Europe. To pursue international engagements, the Lisbon Treaty was a major milestone giving the EU legal personality allowing to sign international agreements, as well as to accede to international conventions and international

⁷⁴ See more: http://www.enpi-info.eu/main.php?id=344&id_type=2.

⁷⁵ See: <http://eur-lex.europa.eu/legal-content/HU/TXT/?uri=CELEX:52006PC0365>.

⁷⁶ Communication of the European Commission on the European Agenda on Migration, COM(2015) 240 final, 13 May 2015.

⁷⁷ Communication of the European Commission on establishing a new Partnership Framework with third countries under the European Agenda on Migration, COM(2016) 385 final, Strasbourg, 6 June 2016.

⁷⁸ See: <http://www.eidhr.eu>.

⁷⁹ Addressing the human rights policy impact of statelessness in the EU's external action, DG External Policies, 2014, p 31.

organisations. As a result, it has joined to more than 50 UN multilateral agreements and conventions. Considering that the **UN and its Human Rights Council**⁸⁰ (HRC) gather not less than 193 sovereign countries, including all MENAT countries, consistent interorganizational synergies enjoy primary preference in terms of the EU's external human rights policy. The EU is an observer within the UN system; hence it is not entitled to vote. Nonetheless, in light of Resolution A/65/276 adopted by the UNGA in 2011,⁸¹ the EU was granted a wider range of participating rights in the UN system, allowing EU representatives to present (previously circulated) EU positions, to make interventions, present proposals and circulate EU communications as official documents. In the HRC, the EU position is articulated either by EUDEL or an EU Member State representative intervening on behalf of the EU. Even though both Member and Observer States of the HRC can make individual and collective statements to raise a particular concern, Members of the HRC have greater room for action, considering that they have voting rights in the HRC sessions on all resolutions. Therefore, EU Member States who are **Members of the HRC** have more influencing power to intervene and reach out to other regional groups on behalf of the EU, with special regard to the African and Asia-Pacific Group, including MENAT countries, on the margins of tabling resolutions in the **HRC or the Third Committee of the UNGA**⁸² which have **already adopted resolutions relating to statelessness**.⁸³

Then the UN has dedicated **Special Procedures** most countries choose to align themselves with; Special Procedures constitute Mandate Holders (Special Rapporteur, Independent Expert, Commission of Independent Experts, Working Group) appointed by the HRC in line with related resolutions⁸⁴. For instance, in case of consent of the host government, the Special Procedure may visit the country of concern, meet with government and NGO stakeholders, as well as visit places of interest, reporting on it to the HRC. Very importantly, Special Procedures cover all states, irrespective of their UN membership or accession to UN treaties. Thematic Special Procedures relating to statelessness include the Special Rapporteurs on Discrimination against Women in Law and Practice, on Minorities, on the Right to Education, on the rights of Indigenous Peoples, as well as on the human rights of Migrants. Nevertheless, so far no resolution has mandated a thematic Special Rapporteur on statelessness that would cover the issue globally making specific statelessness-related recommendations to concerned governments. The willingness of the concerned government to cooperate with the rapporteur and engage in the implementation of the recommendations depends also on the personal competences of the mandate holder.⁸⁵ To give a personal reflection related to the work of Special Procedures on statelessness, in a recent conference in November 2016 approaching to the end of her mandate, Ms. Rita Izsák-Ndiaye, Special Rapporteur on minority issues concluded that sadly the vast majority of the conclusions and recommendations made by her predecessor in 2008 remain mostly relevant today.⁸⁶

The **Universal Periodic Review** provides further direct platform for advocacy efforts for EU Member States within the HRC mechanism; in the framework of the UPR cycles, UN Member States are all

⁸⁰ The HRC may adopt resolutions condemning states for human rights abuses, appointing Mandate Holders to monitor and report on particular situations of concern, as well as establishing commissions of inquiry and fact-finding missions to investigate country-specific human rights abuses. Through these mechanisms, the HRC seeks to put political pressure on governments to put an end to violations in their territories.

⁸¹ See: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/65/276.

⁸² The Social, Humanitarian and Cultural Affairs Committee of the UN General Assembly generally discusses agenda items relating to human rights issues, examining reports of the special procedures of the Human Rights Council and interacting with them. In its work the Committee examines issues relating to the advancement of women, the protection of children, indigenous issues, the treatment of refugees, the promotion of fundamental freedoms through the elimination of racism and racial discrimination, and the promotion of the right to self-determination. All of these areas directly relate to the persistence of statelessness.

⁸³ General Assembly Resolutions Relating to Statelessness available at: http://www.unhcr.org/cgi-bin/texis/vtx/search?page=&comid=4a2527ca6&cid=49aea93a20&scid=49aea93a1a&keywords=stateless_res.

⁸⁴ R Brett, Using the UN Human Rights Special Procedures to address statelessness, October 2015, ENS blog entry.

⁸⁵ *ibis* at 79.

⁸⁶ Report of the independent expert on minority issues, Ms. Gay McDougall, A/HRC/7/23, adopted at the 7th HRC session under Agenda Item 3 on 28 February 2008.

subject to periodic human rights reviews. During these UPR sessions, State Parties and NGOs make national statements (including specific recommendations) on the human rights situations of the respective countries. This provides a direct opportunity to address states, including those with stateless populations, to accede to the Statelessness Convention and align themselves with their objectives. Considering that these recommendations are subject to high-level, ministerial consultations in the countries under review, there is certainly a chance to channel an EU position reflecting EU Member States' joint position. Likewise, **treaty bodies**⁸⁷ closely monitor the implementation of 10 landmark UN Conventions, including CEDAW and CRC, through monitoring Committees. Despite the fact that CEDAW enjoys wide ratification by MENAT countries, several reservations were made in relation to its provisions as listed earlier. However, these treaty bodies (engaging all EU Member States) do have influential power over those UN Member States that have acceded to the treaties but failed to align themselves with them. The Committees may conduct country inquiries and adopt **General Comments** interpreting treaty provisions. In addition, six of the treaty bodies (CCPR, CERD, CAT, CEDAW, CRPD, CED,) may receive petitions from individuals claiming their rights under the relevant treaty have been violated by a State party to that treaty. They may bring a communication before the relevant committee, provided that the State has recognized the competence of the committee to receive such complaints and that domestic remedies have been exhausted. In case they find it well-founded, the treaty bodies may initiate country inquiries if they receive reliable information containing well-founded indications of serious, grave or systematic violations of the conventions in a State party.⁸⁸

In addition, the 2030 Agenda for Sustainable Development adopted on 25 September 2015 in the framework of the landmark New York Declaration sets 17 **Sustainable Development Goals** (SDGs) and 169 targets to be implemented by 2030;⁸⁹ goal 16, target 9, call upon States to provide legal identity for all, including birth registration. Accordingly, the SDGs provide a powerful reference tool for influencing those countries that have severe shortcomings in terms of statelessness through the UN avenues.

Further to the UN Special Procedures, enhanced co-operation must be established with MENAT regional stakeholders in particular, both in the governmental and non-governmental sphere to further discussion on issues of mutual interest relating to statelessness. All regional organisations that the EU has established human rights dialogues with have recognised the right to a nationality through adopting (both binding and non-binding) legal instruments. Therefore, statelessness has been touched upon in their human rights agendas, suggesting that there is scope for including the issue of statelessness within these collaborations. For example, ASEAN, where the liberalisation of visa requirements is envisaged to enhance labour migration within the region, is often challenged by stateless individuals coming from ASEAN Member States. Thus, multilateral talks addressing the issue of statelessness could be mutually beneficial in the long term.⁹⁰ Nevertheless, reflecting back to the underlying context of statelessness in the MENAT region, it must be understood and duly addressed that statelessness *per se* is often used as a political tool to maintain a certain status quo within the respective societal order of these countries. According to this narrative, they may be counter-interested in changing the societal order, unless there is some kind of leverage at hand. On the other hand, to give a positive example from the MENAT region, Algeria and Morocco have recently reformed their nationality law allowing Algerian and Moroccan women to transmit their nationality to their children born of non-Algerian and non-Moroccan fathers. It is of paramount importance that these legislative reforms have been achieved as a result of collaborative efforts of multiple stakeholders,

⁸⁷ Treaty bodies are committees of 5 independent experts who monitor the implementation of the 10 major international human rights treaties, including the mentioned landmark Conventions CEDAW, CRC and CERD.

⁸⁸ <http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx>.

⁸⁹ The goals are set out in paragraph 54 United Nations Resolution A/RES/70/1 of 25 September 2015.

⁹⁰ Addressing the human rights policy impact of statelessness in the EU's external action, DG for External Policies, 2014, p. 27-28.

including women's groups and other civil society actors.⁹¹ These two countries should hence be invited to take an active part in the legislative reform process in the region which could inspire other countries of concern to make progress in this regard.

4. Conclusion

To conclude, there is a scope for the EU to make use of the realm of institutional, legal and policy frameworks at its disposal for concerted advocacy purposes to export its legal principles, including gender equality and non-discrimination with a view to translating them into equal nationality rights and minority rights, respectively, in the MENAT region. With the ongoing mass movements towards Europe, the time is ripe for the EU to reconsider its political commitment and readiness at the highest levels to expand its endeavors in combatting urgent human rights issues with global implications, such as statelessness beyond its borders. In case of proactive and consistent interinstitutional synergies between EU actors and the political will of the Member States, the elaboration and due implementation of the envisaged framework to advocate for the rights of stateless persons with third countries shall make a tangible regional impact on the MENAT. To this end, it remains a prerequisite for the EU that beyond the universal accession to both Statelessness Conventions among its Member States, all of its Member States put appropriate nationality laws and policies in place with due regard to the rights of stateless persons that fully comply with their obligations under international law.

Accordingly, the EU Member States through the manifold UN Special Procedures should ultimately urge the accession of the MENAT countries to the Statelessness Conventions, the removal of gender-based discrimination in nationality laws, the adoption and implementation of safeguards against statelessness at birth, as well as push for the withdrawal of reservations made in connection to CEDAW, especially relating to Article 9 on nationality rights. To this end, both bilateral and multilateral engagements are necessary, yet, it is important to see the strong nexus between them; concrete legislative reforms at the bilateral level may be accelerated and legitimated through the multilateral fora. Forms and tools of engagement must comply with the nature of each concerned bilateral relation based on individual country strategies in order for the EU to have maximum regional impact and to help prevail the fundamental rights of stateless persons in the countries of concern with a view to achieving gender-equal nationality law reforms in each of the concerned twelve countries of the MENAT region, especially those hosting Syrian refugees. Succeeding in this endeavor is largely dependent on the concerted willingness of stakeholders to build a strong collaboration between the EU, its Member States, other state and non-state actors of the concerned countries. In the context of the deteriorating Syrian crisis, the accomplishment of equal nationality laws would bring about hope to those without an effective nationality to be readmitted and to reintegrate into post-war Syria as citizens.

⁹¹ Preventing and Reducing Statelessness: Good Practices in Promoting and Adopting Gender Equality in Nationality Laws, UNHCR (2014), available at <http://www.unhcr.org/protection/statelessness/531a001c9/preventing-reducing-statelessness-good-practices-promoting-adopting-gender.html>.