

## Expert Workshop on the Right to a Nationality: Equality in Nationality Rights in Law and in Practice

Tuesday 06 May 2025, 14:00 – 17:00 CET  
Online

Registration: <https://indico.un.org/event/1017390/>

### CONCEPT NOTE

**Mandate:** In its [resolution 53/16](#) on “The Right to a Nationality: Equality in Nationality Rights in Law and in Practice”, the Human Rights Council requested the United Nations High Commissioner for Human Rights, in coordination with the Office of the United Nations High Commissioner for Refugees ‘to organize, prior to the fifty-sixth session of the Human Rights Council, a half-day expert workshop, in an accessible format, to showcase best practices in the promotion of equal nationality rights in law and in practice.’ Pursuant to [decision 55/115](#) adopted by the Human Rights Council on 3 April 2024 the event was postponed, to be held before the fifty-ninth session of the Human Rights Council.

**Objectives:** The intersessional workshop aims to:

- Raise awareness and promote dialogue on the right to a nationality and its linkages with other human rights, particularly the right to equality and non-discrimination;
- Highlight challenges and showcase good practices in ensuring equality in nationality rights in law and in practice, as well as identify possible ways forward to address statelessness and prevent its occurrence.

**Outcome:** A summary report on the workshop, including any recommendations stemming therefrom, will be presented to the Human Rights Council at its sixtieth session, pursuant to [decision 55/115](#).

**Format:** The event will be structured in two panel sessions of one hour and twenty minutes each, moderated by a representative from OHCHR and UNHCR, respectively, and followed by plenary discussion.

The workshop will commence with opening remarks by Ruvendrini Menikdiwela, UNHCR’s Assistant High Commissioner for Protection. Next, the workshop will delve into an overview of discrimination in nationality matters and the disproportionate impact on minorities and women. The second panel will go on to highlight examples of good practices from across the world to address unequal nationality laws and resolve statelessness for children, minorities, and other affected

populations. The event will conclude with closing remarks by Peggy Hicks, Director of OHCHR's Thematic Engagement Division.

**Modalities:** Due to the ongoing liquidity situation, the workshop will be held online.

The workshop will be open to all participants, including experts from Member States, relevant United Nations bodies, agencies, funds and programmes, intergovernmental organizations, the treaty bodies, the special procedures of the Human Rights Council, regional human rights mechanisms, civil society organizations, academia, national human rights institutions and stateless or formerly stateless persons.

**Background:** The right to a nationality is enshrined in article 15 of the Universal Declaration of Human Rights. Similarly, the general principles of equality and non-discrimination lie at the heart of international human rights law and guarantee the right of everyone, without any distinction, to equality in the enjoyment of all fundamental human rights, including the right to a nationality. The Human Rights Council, in its [resolution 53/16](#), reaffirms the right to a nationality as a fundamental human right and highlights that everyone has the right to a nationality without discrimination on any grounds, including sex, race, ethnicity, religion or disability. Nonetheless, it is estimated that at least 10 million people are stateless worldwide: they are not considered as nationals by any State under the operation of its law.

At its core, statelessness is a human rights issue which requires a human rights-based solution. Statelessness *results* from human rights violations, particularly discrimination, including multiple and intersecting forms of discrimination. In turn, statelessness *deprives* millions of people across the world from exercising and enjoying their human rights. As highlighted by stateless persons, lacking a nationality often means being unable to access birth registration, identity documentation, and rights to education, health, employment, property ownership, political participation, freedom of movement and development opportunities.<sup>1</sup>

Discrimination, including multiple and intersecting forms of discrimination, in nationality laws, policies and practices is a major cause of statelessness, and can, in turn, further heighten other forms of discrimination.<sup>2</sup> [Resolution 53/16](#) recognizes that the majority of the world's known stateless populations are persons belonging

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<sup>1</sup> See "Equality and Non-discrimination in Nationality Matters to End Statelessness: Outcome document prepared following OHCHR/UNHCR Roundtable on Equality and Non-Discrimination in Nationality Matters to End Statelessness" (2021), <https://www.ohchr.org/sites/default/files/documents/issues/OHCHR-UNHCR-Event-Outcome.pdf>.

<sup>2</sup> *Id.*

to national or ethnic, religious and linguistic minorities.<sup>3</sup> The resolution thus calls upon States to undertake initiatives to ensure that persons belonging to national or ethnic, religious and linguistic minorities are aware of and able to exercise their rights, including the right of everyone to a nationality, as set out in article 15 of the Universal Declaration of Human Rights and complemented by the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and in other international human rights instruments.

Similarly, women and children are disproportionately impacted by statelessness. Nearly 50 countries around the world have laws that deny women the equal right to confer nationality on their spouse, and 25 countries have nationality laws that deny women the same right as men to pass citizenship to their children.<sup>4</sup> Such laws frequently reflect patriarchal norms as stereotypical representations of women as dependent on their husbands have long been used to justify discriminatory laws preventing women from acquiring, retaining or transmitting their nationality irrespective of the nationality status of the husband.<sup>5</sup> Such gender discrimination in nationality laws is also a root cause of childhood statelessness in various countries. [Resolution 53/16](#) urges States to eliminate all forms of gender discrimination in their nationality laws and to ensure that women and men have equal rights to acquire, change, retain or confer their nationality to their children or spouses. The resolution also calls on States to prevent and reduce statelessness by granting nationality to children born on their territory who would otherwise be stateless, by allowing children to acquire the nationality of either parent, by facilitating the naturalization of stateless persons and by ensuring that no one is arbitrarily deprived of their nationality.

### Background Documents:

- UN High Commissioner for Refugees (UNHCR), Ending Statelessness, <https://www.unhcr.org/what-we-do/protect-human-rights/ending-statelessness>.

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<sup>3</sup> See Report of the Special Rapporteur on Minorities Issues, “Priorities and vision of the mandate” (2018), paras. 36-40 (A/HRC/37/66); UNHCR, “‘This is our home’: Stateless minorities and their search for citizenship” (2017), p. 1; Report of the Special Rapporteur on Minorities Issues, “Update on report on statelessness as a minority issue and the level of awareness-raising and visibility of minorities and their human rights” (2019) (A/HRC/40/64).

<sup>4</sup> See “Equality and Non-discrimination in Nationality Matters to End Statelessness: Outcome document prepared following OHCHR/UNHCR Roundtable on Equality and Non-Discrimination in Nationality Matters to End Statelessness” (2021), <https://www.ohchr.org/sites/default/files/documents/issues/OHCHR-UNHCR-Event-Outcome.pdf>; Report of the Special Rapporteur on violence against women and girls, its causes and consequences, “Violence against women and girls, nationality laws and statelessness” (2023) (A/78/256); Expert Workshop on Best Practices to Promote Women’s Equal Nationality Rights in Law and in Practice: Summary report of the United Nations High Commissioner for Human Rights (2017) (A/HRC/36/30).

<sup>5</sup> See “Equality and Non-discrimination in Nationality Matters to End Statelessness: Outcome document prepared following OHCHR/UNHCR Roundtable on Equality and Non-Discrimination in Nationality Matters to End Statelessness” (2021), <https://www.ohchr.org/sites/default/files/documents/issues/OHCHR-UNHCR-Event-Outcome.pdf>.

- Office of the UN High Commissioner for Human Rights (OHCHR), OHCHR and the right to a nationality, <https://www.ohchr.org/en/nationality-and-statelessness>.
- Global Alliance to End Statelessness, <https://statelessnessalliance.org/>.
- Report of the Special Rapporteur on violence against women and girls, its causes and consequences: Violence against women and girls, nationality laws and statelessness (2023) (A/78/256).
- OHCHR/UNHCR, Equality and Non-Discrimination in Nationality Matters to End Statelessness (2021), <https://www.ohchr.org/sites/default/files/documents/issues/OHCHR-UNHCR-Event-Outcome.pdf>.
- UN High Commissioner for Refugees (UNHCR), Background Note on Discrimination in Nationality Laws and Statelessness (2021), <https://www.refworld.org/reference/themreport/unhcr/2021/en/123937>.
- UN High Commissioner for Refugees (UNHCR), Background Note on Gender Equality, Nationality Laws and Statelessness (2021), <https://www.refworld.org/reference/themreport/unhcr/2022/en/123115>.
- Interim Report of the Special Rapporteur on Freedom of Religion or Belief, Elimination of All Forms of Religious Intolerance, paras. 26-29 (2020) (A/75/385).
- Report of the Special Rapporteur on Minority Issues, Update on the Special Rapporteur's First Thematic Report on Statelessness as a Minority Issue, paras. 85-87 (2019) (A/HRC/40/64).
- Report of the Special Rapporteur on Minority Issues, Statelessness: a Minority Issue (2018) (A/73/205).
- Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, Racial Discrimination in the Context of Citizenship, Nationality and Immigration Status (2018) (A/HRC/38/52).
- Report of the Special Rapporteur on Minorities Issues, Priorities and vision of the mandate (2018) (A/HRC/37/66).
- Summary report of the United Nations High Commissioner for Human Rights: Expert workshop on best practices to promote women's equal nationality rights in law and in practice (2017) (A/HRC/36/30).
- UN High Commissioner for Refugees (UNHCR), "This is Our Home" Stateless Minorities and their Search for Citizenship (2017), <https://www.unhcr.org/ibelong/stateless-minorities/>.
- Position Paper of the Working Group on discrimination against women and girls, Discrimination against women in nationality (2017), <https://www.ohchr.org/en/special-procedures/wg-women-and-girls/discrimination-against-women-nationality>.
- Report of the Secretary-General: Impact of the arbitrary deprivation of nationality on the enjoyment of the rights of children concerned, and existing

laws and practices on accessibility for children to acquire nationality, inter alia, of the country in which they are born, if they otherwise would be stateless (2015) ([A/HRC/31/29](#)).

- UN High Commissioner for Refugees (UNHCR), “I Am Here, I Belong: The Urgent Need to End Childhood Statelessness (2015), <https://www.unhcr.org/ibelong/the-urgent-need-to-end-childhood-statelessness/>.
- Human Rights Council resolution 53/16 of 13 July 2023 entitled “The right to a nationality: equality in nationality rights in law and in practice” ([A/HRC/RES/53/16](#)).
- Human Rights Council resolution 32/5 of 30 June 2016 entitled “Human rights and arbitrary deprivation of nationality” ([A/HRC/RES/32/5](#)).
- Human Rights Council resolution of 26 June 2014 entitled “Human rights and arbitrary deprivation of nationality” ([A/HRC/RES/26/14](#)).
- Human Rights Council resolution 20/5 of 5 July 2012 entitled “Human Rights and Arbitrary Deprivation of nationality” ([A/HRC/RES/20/5](#)).
- Human Rights Council resolution 20/4 of 5 July 2012 entitled “The Right to a nationality: women and Children” ([A/HRC/RES/20/4](#)).
- Human Rights Council resolution 13/2 of 24 May 2010 entitled “Human rights and arbitrary deprivation of nationality” ([A/HRC/RES/13/2](#)).
- Human Rights Council resolution 7/10 of 27 March 2008 entitled “Human rights and arbitrary deprivation of nationality” ([A\\_HRC\\_RES\\_7\\_10](#)).
- Human Rights Council resolution 10/13 of 26 March 2009 entitled “Human rights and arbitrary deprivation of nationality” ([A\\_HRC\\_RES\\_10\\_13](#)).