

## **Working paper “PMS”**

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**Signatories:** Belgium, Mexico, Ukraine, Republic of India, Costa Rica, Kingdom of Sweden, Georgia, Federal Democratic Republic of Nepal, Argentine Republic, United States of America, Ivory Coast, Kyrgyz Republic

*United Nations Human Rights Council,*

1. *Adoption* of the Bangalore Declaration on Stateless Persons, which provides for various commitments which countries would undertake in order to overcome obstacles that are required to implement the Global Action Plan on Statelessness;
2. *Further recommends* member states to take active measure to amend, revoke or repeal existing citizenship or nationality laws which:
  - a) Deny citizenship or naturalisation on the grounds of race, colour, sex, language, religion or political inclination,
  - b) Denial on the basis of cultural or religious traditions or norms;
3. *Recommends* member states to cooperate with United Nations organisations such as the International Organisation for Migration (IOM), the United Nations Children’s Fund (UNICEF), Office of the Coordination of Humanitarian Standing Committee (IASC), United Nations Population Fund (UNPF), World Health Organisation (WHO) and World Food Programme (WFP) through the Inter-Agency Standing Committee(IASC), through its cluster approach for the betterment of Stateless populations;
4. *Decides* to nominate a Special Rapporteur to enquire into the matter of statelessness with the following mandate:
  - a) To engage with relevant stakeholders in order to provide regular reports to the United Nations Human Rights Council on the progress of countries on dealing with issues of statelessness,
  - b) Follow any progress made in respect of removal of restrictions on the fundamental freedoms and social benefits which are enjoyed by stateless persons keeping in mind the right to nationality enjoyed by all persons;
5. Recommends nations to liberalise procedures for naturalisation of stateless children that have been rendered stateless owing to but not limited to:

- a) Succession of states,
  - b) Conflict,
  - c) Trafficking activities,
  - d) Migration of parents and lack of documentation;
6. *Suggests* countries to focus on capacity building measures which are required to ensure the appropriate implementation of the global action plan on statelessness and these measures include but are not limited to:
- a) Development of civil registry systems to ensure registration of children,
  - b) Ensuring appropriate data collection measures to keep track of number of stateless persons in the respective countries;
7. *Recommends* that countries adopt procedural safeguards for stateless persons in the process of determining their nationality which may include but not be limited to:
- a) Stateless individuals be given proper information on eligibility criteria, the procedure relating to determination and the rights pertaining to statelessness;
  - b) Persons are given the opportunity to interview and communicate with a decision making official to appeal their decisions;
  - c) Applications being made has to be taken in writing and any rejections shall be reduced in writing with appropriate reasons;
  - d) assistance is available for translation/interpretation in respect of written applications and interviews;
  - e) In case of a family of stateless persons, each individual shall be allowed to present their own application so as to prevent prejudice caused other applications;
  - f) Applications must be allowed to be produced by fathers/mothers on behalf of their children(s);
  - g) Every child has the right to be heard where he or she has the capacity to form and express a view;
  - h) Decisions about nationality claims are made on a case-by-case basis, taking into account information about nationality law and practice in the relevant countries which would include information about the law and practice in the past, if it is relevant to the case,
  - i) Any determination made in a judicial capacity should be adversarial rather than inquisitorial,
  - j) Decisions made have to be conveyed to the persons in an appropriate manner within a reasonable time and a right of appeal should be provided in accordance with the mechanism set in place by the concerned country;

8. Further recommends member states to establish, maintain, and update records or registers of births and other vital information, and promote universal birth registration in line with the Global Action Plan to End Statelessness;
9. Create and allocate sufficient resources for national human rights institutions and civil society organizations to raise awareness on statelessness, provide legal assistance and support stateless populations to obtain birth certificates;
10. Encourages countries to share best practices and create networks of experts to facilitate the exchange of information and technical collaboration;
11. Recommends member states contribute to the #IBelong awareness campaign and ensuring awareness among the various populations regarding the problem of statelessness.