

The 28th Session of the Universal Periodic Review (UPR) was held from 6-17 November 2017. The following countries were under review by the Human Rights Council during this Session: **Argentina, Benin, Czechia, Gabon, Ghana, Guatemala, Japan, Pakistan, Peru, Republic of Korea, Sri Lanka, Switzerland, Ukraine and Zambia.**

The Institute on Statelessness and Inclusion (ISI) and its Partners made country submissions on the right to nationality and Human rights of stateless persons in [Japan](#), [Switzerland](#) And [Ukraine](#). In addition, the Institute compiled and disseminated an all country summary report highlighting key issues and recommendations for all countries under review.¹

This document provides an overview and analysis of all recommendations on the right to nationality and statelessness, that were made during the 28th 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



¹ The Institute has worked with civil society partners to prepare country submissions on nationality and statelessness issues in **Japan** (with the Statelessness Network Asia Pacific); **Switzerland** (with Humanrights.ch, the European Network on Statelessness and Terre des hommes Foundation), including completing the matrix on implementation of previous recommendations to Switzerland on statelessness issues; and **Ukraine** (with DESYATE KVITNYA, R2P, the European Network on Statelessness and the European Roma Rights Centre). We also prepared a [summary document](#) which outlined key nationality and statelessness issues in all of the countries under review.

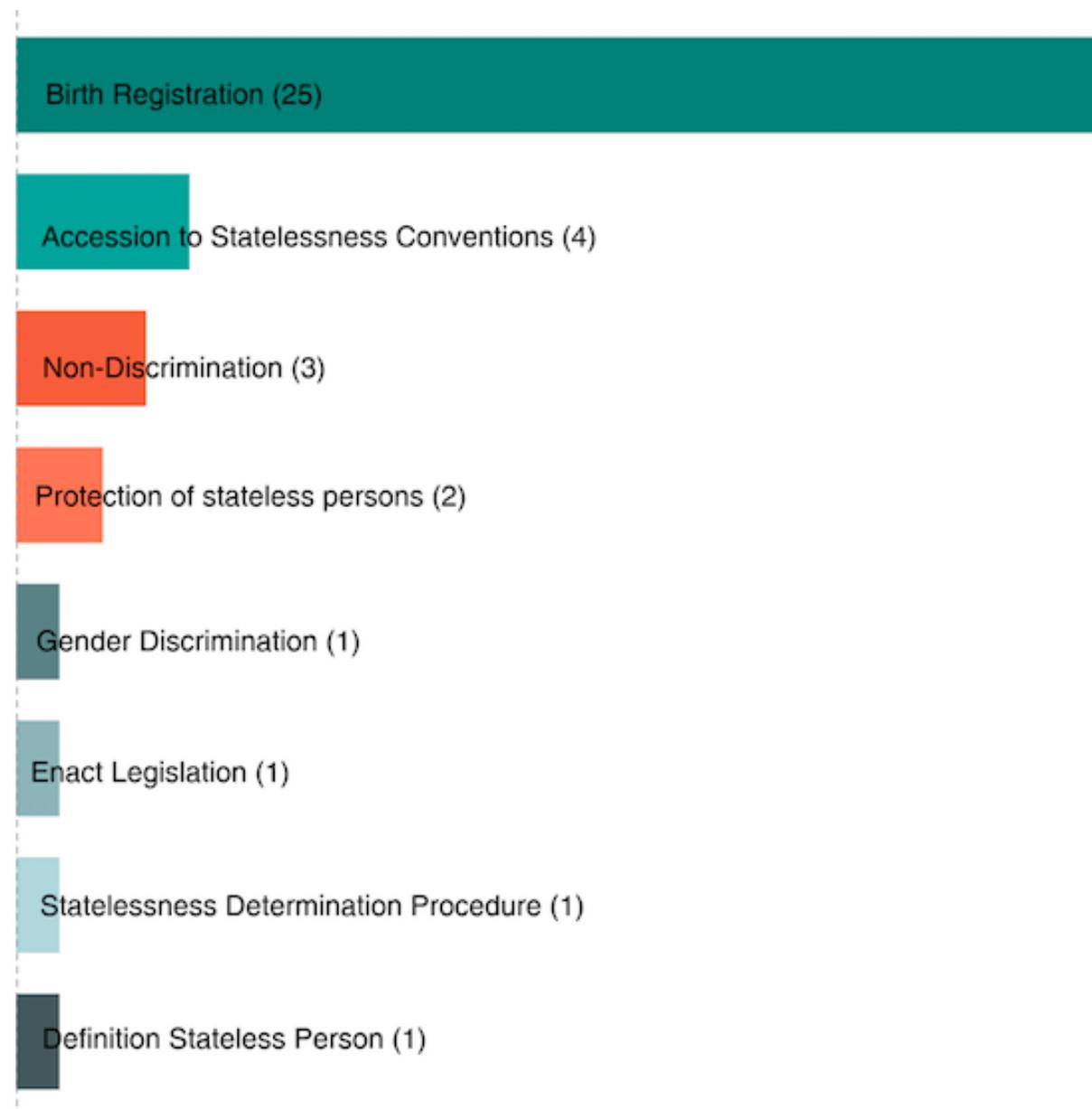
² <https://www.upr-info.org/en>.

Overview

A total of **39 recommendations** related to the right to nationality, birth registration and statelessness were made, with 12 of the 14 countries under review receiving at least one relevant recommendation.

The Republic of Korea and Benin received the most recommendations (7), followed by Argentina. Peru and Ukraine did not receive any recommendations. Côte d'Ivoire was most active state in making relevant recommendations.

Topics addressed



Summary of recommendations by country

Argentina (6)

Recommendations made by Côte d'Ivoire, Australia, Greece, Angola, India, Paraguay

1 recommendation on strengthening legislation to combat statelessness and 4 recommendations to ensure birth registration for all children.

No recommendations on establishing a statelessness determination procedure, despite this being an important protection gap.

Benin (7)

Recommendations made by Algeria, Holy See, Honduras, Turkey, Uruguay, Mauritius, Sudan.

1 recommendation on ending gender discrimination in relation to nationality and 6 recommendations on improving birth registration and providing birth certificates.

No recommendations on a safeguard against childhood statelessness.

Czechia (1)

Recommendation made by Belarus

1 recommendation on providing asylum for stateless persons, in line with international law.

No recommendations on key issues such as establishing a statelessness determination procedure, mapping statelessness in the country, introducing safeguards against statelessness or protecting stateless Roma from discrimination.

Gabon (2)

Recommendations made by India and Burkina Faso

2 recommendations to improve birth registration.

No recommendations on introducing a safeguard against statelessness, acceding to the UN Statelessness Conventions, mapping statelessness in the country or eliminating discrimination in relation to the acquisition of nationality.

Ghana (3)

Recommendations made by Côte d'Ivoire, Turkey, Togo

1 recommendation on acceding to the two UN Statelessness Conventions and 2 recommendations on birth registration and the issuance of birth certificates.

No recommendations on implementing a safeguard against childhood statelessness, mapping statelessness in the country, developing and implementing a national action plan to eradicate statelessness, as pledged in 2015 and protecting minority ethnic groups from statelessness.

Guatemala (1)

Recommendation made by Portugal

1 recommendation on ensuring birth registration and issuance of birth certificates.

No recommendations on mapping statelessness in the country.

Japan (3)

Recommendations made by Costa Rica, Ghana and Islamic Republic of Iran

1 recommendation on acceding to the two UN Statelessness Conventions and 2 recommendations on eliminating discrimination against non-citizens.

No recommendations on establishing a statelessness determination procedure, a safeguard against childhood statelessness, the recognition of statelessness as a protection grounds with related stay rights, the ending of indefinite immigration detention and mapping statelessness in the country.

Pakistan (1)

Recommendation made by Slovakia

1 recommendation on acceding to the 1961 Convention on the Reduction of Statelessness

No recommendations to introduce a safeguard against childhood statelessness, in particular, to protect Rohingya children born in the country from statelessness and no recommendations to protect and provide legal status to all Rohingya in the country.

Peru (0)

No recommendations made by any country

No recommendations on birth registration, mapping statelessness, establishing a statelessness determination procedure or introducing a safeguard against childhood statelessness.

Republic of Korea (7)

Recommendations made by Islamic Republic of Iran, Kyrgyzstan, Peru, Turkey, Kazakhstan, Sierra Leone, Botswana.

7 recommendations on ensuring birth registration, including for stateless people. No recommendations on acceding to the 1961 Statelessness Convention, establishing a statelessness determination procedure, introducing a safeguard against childhood statelessness or bringing the nationality law into conformity with international standards.

Sri Lanka (1)

1 recommendation made by Plurinational State of Bolivia

1 recommendation to promote the right to equality and non-discrimination for all persons (including the stateless).

No recommendations on acceding to the UN Statelessness Conventions, on the protection and economic development of the previously stateless Tamils of Indian origin, or in relation to the protection of stateless Rohingya refugees in the country.

Switzerland (5)

Recommendations made by Hungary, Côte d'Ivoire and Panama

1 recommendation on formalizing a statelessness determination procedure, 1 recommendation on ensuring that the definition of a stateless person is fully consistent with the definition provided in the 1954 Convention relating to the status of stateless persons, 2 recommendations on acceding to the 1961 convention on the reduction of statelessness and 1 recommendation on establishing safeguards to guarantee birth registration.

No recommendations to ensure that the national law definition of statelessness is in line with international standards, to ensure safeguards against childhood statelessness or to strengthen statistical data and information on statelessness in the country, including by undertaking a mapping study.

Ukraine (0)

No recommendations made by any country

No recommendations on ensuring the right of every child to acquire a nationality in accordance with the UN Convention on the Rights of the Child, ensuring free and immediate birth registration for all, ensuring that the national law definition of statelessness is in line with international standards, protecting stateless persons from arbitrary detention, protecting stateless Roma from discrimination or mapping statelessness in the country.

Zambia (2)

Recommendations made by Ethiopia and Zimbabwe

2 recommendations on further boosting birth registration.

No recommendations on ensuring the right of every child to acquire a nationality in accordance with the UN Convention on the Rights of the Child, removing reservations to the 1954 Statelessness Convention and acceding to the 1961 Statelessness Convention, ensuring facilitated naturalization for former refugee populations at risk of statelessness or mapping statelessness in the country

ANNEX: Full text of recommendations relevant to nationality and statelessness

Argentina UPR- 3rd cycle (8 November 2017)

From the [draft report](#) of the working group on the UPR

1 recommendation on legislation to combat statelessness

6.187. Strengthen the legislation to combat statelessness by adopting the new draft bill on the protection of the stateless (**Côte d'Ivoire**);

1 recommendation on enacting legislation to protect stateless persons

6.188. Accelerate its efforts to enact legislation on the protection of stateless persons (**Australia**).

4 recommendations on birth registration

6.155. Step up its ongoing efforts regarding the birth registration of all children (**Greece**); Take measures to improve the process of birth registration (**Angola**);

6.156. Strengthen measures to ensure access to free birth registration of children, in particular of indigenous children (**India**); Adopt the necessary measures to ensure universal birth registration with emphasis on indigenous children (**Paraguay**);

Benin

From the [draft report](#) of the working group on the UPR

1 recommendation on ending gender discrimination regarding nationality

118.143. Take the necessary measures in law and in practice to put an end to discrimination between men and women regarding nationality (**Algeria**);

6 recommendations on birth registration

118.181. Keep improving the system of child registration at birth and avoid any form of violence toward children (**Holy See**);

118.182. Create a system of easy access to the registration of newborns (**Honduras**);

118.183. Intensify efforts to raise awareness among the public on the importance of birth registration and birth registration process (**Turkey**);

118.184. Continue to step-up efforts to guarantee that all birth of children are registered, especially in rural areas (**Uruguay**);

118.185. Continue in its efforts to promote the rights of the child and consider setting up a centralized civil registration system (**Mauritius**);

118.186. Pursuit its awareness raising efforts as to the importance of birth registration and provide birth certificates and protect persons from the consequences of non-registration (**Sudan**);

Czechia

From the [draft report](#) of the working group on the UPR

1 recommendation on providing asylum for stateless persons, in line with international law

6.185. Ensure that the national practice on providing asylum is in line with international standards on the protection of migrants, refugees, asylum seekers and stateless persons (**Belarus**);

Gabon

From the [draft report](#) of the working group on the UPR

2 recommendations on birth registration

6.85. Intensify efforts to provide easy and free access to registration of birth to all children (**India**);

6.86. Continue its good cooperation with civil society organizations and UN agencies, especially UNICEF, for the full registration of children at birth (**Burkina Faso**);

Ghana

From the [draft report](#) of the working group on the UPR

1 recommendation on acceding to the Statelessness Conventions

7.4. Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, in accordance with the commitments made during the Ministerial Conference held in Abidjan on 23 February 2015 (**Côte d'Ivoire**);

2 recommendations on birth registration

6.194. Further improve the birth registration system so as to reach universal birth registration for children in rural areas, asylum seeking and refugee children (**Turkey**);

7.28. Ensure free birth registration and birth certificate issuance, at least for children up to five years of age (**Togo**);

Guatemala

From the [draft report](#) of the working group on the UPR

1 recommendation on birth registration

6.136. Ensure free, universal birth registration and provide all children born in the territory - particularly those born in indigenous communities - with a birth certificate (**Portugal**);

Japan

From the [draft report](#) of the Working Group on the UPR

1 recommendation on acceding to the statelessness conventions

6.28. Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (**Costa Rica**);

2 recommendations on discrimination against non-citizens

6.76. Continue with the on-going efforts to fight discrimination against noncitizens on the basis of race or nationality, including by ensuring that appropriate legislations sanctioning such acts are applied effectively and all alleged cases investigated (**Ghana**);

6.81. Take appropriate measures to eliminate exclusion of non-citizens from accessing some public places and facilities on the basis of race or nationality, by effectively applying legislation and investigating and sanctioning such acts (**Islamic Republic of Iran**);

Pakistan

From the [draft report](#) of the working group on the UPR

1 recommendation on ratifying the 1961 Convention on the Reduction of Statelessness

6.29. Ratify the Convention on the Reduction of Statelessness (**Slovakia**).

Peru

From the [draft report](#) of the working group on the UPR

No relevant recommendations made by any country

Republic of Korea

From the [draft report](#) of the working group on the UPR

7 recommendations on birth registration

8.118. Establish a universal birth registration system that includes children of the refugees and asylum seekers (**Islamic Republic of Iran**);

8.119. Establish a universal birth registration system to ensure that all children have access to birth registration immediately after birth, regardless of the status of their parents (**Kyrgyzstan**);

8.120. Adopt a universal system for birth registration, which includes children of refugees, asylum-seekers and stateless persons (**Peru**);

8.121. Further improve the birth registration system as to ensure universal birth registration to all children born in the territory of the Republic of Korea, regardless of the status of the parents (**Turkey**);

8.122. Consider establishing a system which guarantees all children, regardless of the parents' nationality and status, the right to birth registration (**Kazakhstan**);

8.123. Establish a comprehensive national birth registration system for foreign nationals to ensure the births of their children are registered (**Sierra Leone**);

8.124. Establish a national birth registration system to register all births in Korea irrespective of the nationality of parents (**Botswana**)

Sri Lanka

From the [draft report](#) of the working group on the UPR

1 recommendation on equal rights and non-discrimination

6.34. Strengthen measures to promote the right to equality and nondiscrimination against any citizen and/or community whatever their origin, age and identity (**Plurinational State of Bolivia**);

Switzerland

From the [draft report](#) of the working group on the UPR

1 Recommendation on formalizing a statelessness determination procedure

6.121. Formalize the statelessness determination procedure and ensure the procedure is fair, effective and accessible to all persons in Switzerland regardless of their legal status (..) ; **(Hungary)**.

1 Recommendation on the definition of statelessness

6.121. (...) ensure that the definition of “statelessness person” is fully consistent with the definition provided in the 1954 Convention relating to the Status of Stateless Persons **(Hungary)**.

2 recommendations on ratifying the 1961 convention on the reduction of statelessness & 1 recommendation on birth registration

8.13. Ratify the 1961 Convention on the Reduction of Statelessness **(Côte d’Ivoire)**;

8.14. Ratify the 1961 Convention on the Reduction of Statelessness and establish safeguards to guarantee birth registration to all children born in the country who would otherwise be stateless **(Panama)**;

Ukraine

From the [draft report](#) of the working group on the UPR

No relevant recommendations made by any country

Zambia

From the [draft report](#) of the working group on the UPR

2 recommendations on birth registration

6.89. Expand the programme to boost birth registration to cover more outlying areas **(Zimbabwe)**;

6.90. Further continue boosting birth registration rate by the existing nationwide awareness campaigns among the citizens **(Ethiopia)**.