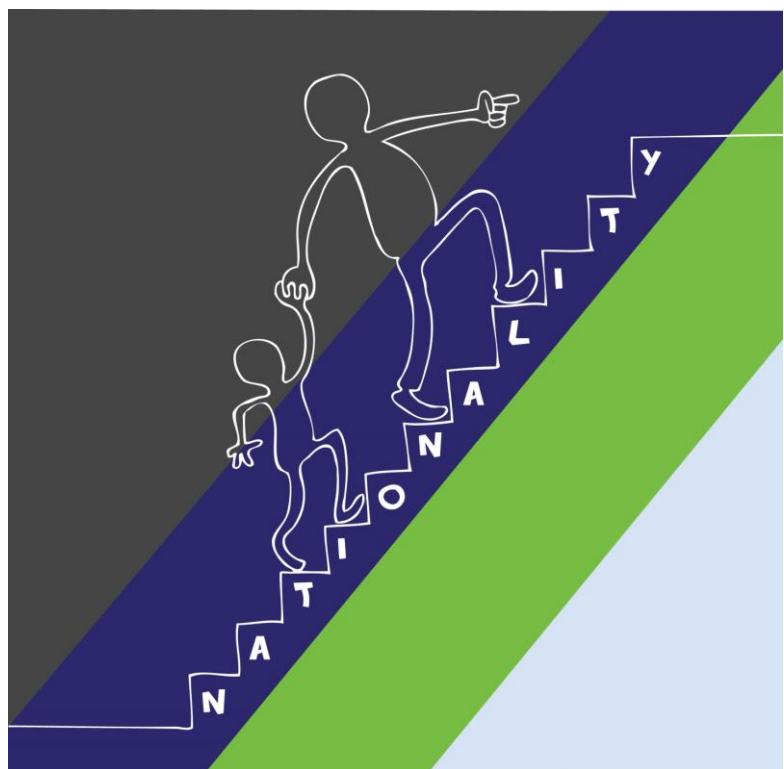


Addressing the Right to a Nationality through the Convention on the Rights of the Child

A Toolkit for Civil Society

Section 7: Instructions for using the CRC Concluding Observations database on the child's right to a nationality



7. Instructions for using the CRC Concluding Observations database on the child's right to a nationality

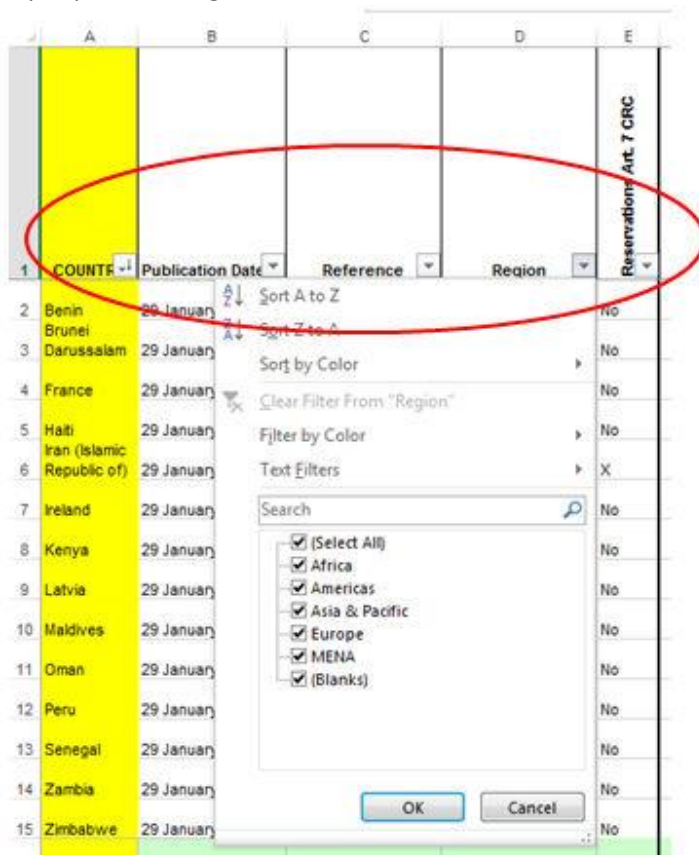
The Institute on Statelessness and Inclusion developed a comprehensive [Analytical Database](#)¹ of recommendations on the right to a nationality made by the Committee on the Rights of the Child (Committee) in its Concluding Observations.² With this database, a wide array of new insights into the interpretation of Article 7 CRC as recommendations has become easily accessible and can, among others, be filtered per country, region, year, and topic. This user guide explains the wide variety of features available in this database to look up the information you want and focuses on different sorts of queries that can be made by using various examples of data queries. Please note that these examples are only used to show different ways of retrieving information and aims to assist the user in finding patterns and combinations in the data available in this database.

The analytical database reproduces raw data deriving from CRC Concluding Observations, without any further interpretations made by the Institute. It contains information on the content of the recommendations made by the Committee regarding children's right to acquire a nationality and implementing measures that the Committee suggests on how a State can realise what has been recommended. Users of this database include, people working for national and international NGOs, academics, government policy workers, lawyers, statisticians and students who wish to know more about what the right to a nationality entails according to the Committee.

Elements of the database

In order to explore the different search functions this database offers, it is important to gain familiarity with the basic elements of the database and variables used.

For each recommendation, the database lists the States Parties that were subject to review by the Committee, the date on which the Committee adopted the Concluding Observation (publication date), the reference code and the region in which the State Party concerned is situated (see red circle in image to the right). It also shows whether a State Party to the CRC has made a reservation to



	A	B	C	D	E
	COUNTRY	Publication Date	Reference	Region	Reservation Art. 7 CRC
1	COUNTRY	Publication Date	Reference	Region	Reservation Art. 7 CRC
2	Benin	29 January			No
3	Brunei Darussalam	29 January			No
4	France	29 January			No
5	Haiti	29 January			No
6	Iran (Islamic Republic of)	29 January			X
7	Ireland	29 January			No
8	Kenya	29 January			No
9	Latvia	29 January			No
10	Maldives	29 January			No
11	Oman	29 January			No
12	Peru	29 January			No
13	Senegal	29 January			No
14	Zambia	29 January			No
15	Zimbabwe	29 January			No

¹ Available at: <http://www.institutesi.org/ourwork/children.php>.

² Article 7 of the Convention on the Rights of the Child states that "1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents. 2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless."

This analytical database also provides statistical information on the total number of recommendations on birth registration and nationality issued to each State. Column F (Total number of recommendations on birth registration and nationality) is a sum of column G (recommendations on birth registration) and column H (recommendations on nationality). This database also shows how many of these recommendations directly relate to statelessness (column I).

	E	F	G	H	I
	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS
	No	2	1	1	0
	No	3	2	1	2
	No	1	1	0	0
	No	5	4	1	1
	X	2	1	1	1
	No	0	0	0	0

Having an overview of the States to which recommendations have been made, when these recommendations were made and how many were made, we can now move on to the content of recommendations. The Institute has identified ten topics to which the content of the Committee's recommendations on the right to a nationality relate. These topics can be found in the image below, depicting column J to S in the database.

F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS	Gender Discrimination	Other discrimination	Children born in the territory	Children born abroad	Foundlings	Adoption	Birth registration	Remedy & Restoration	Loss/Deprivation	OTHER

T	U	V	W	X
Total # Implementation Measures related to realisation of the right to acquire a nationality and preventing statelessness	ACCESSION	DATA COLLECTION	RESERVATIONS	OTHER
0				
2	Art. 22*	Art. 22*		
1	Art. 7			
2	Art. 7*			Art. 7*
0				
0				

As mentioned before, recommendations do not only focus on the content of the right to acquire a nationality. The Committee also advises on specific measures and tools that States may use in order to ensure all children's right to a nationality. The database also indicates the number of general measures of implementation recommended to States (column T). The main implementing measures recommended to States are included in the analytical database in columns U-X (i.e. ratifying international treaties, data collection, and withdrawing reservations to Article 7 CRC). Other, rarely recommended, implementing measures have not been included in this database, but can be found in the Institute's [report](#)³ which analyses the work of the Committee regarding the realisation of the right to a nationality.

Coding

It will not come as a surprise that the Committee generally links its recommendations and general measures of implementation relating to children's right to acquire a nationality to Article 7 of the CRC. Nevertheless, recommendations and other suggestions are at times also linked to other relevant provisions in the CRC (e.g. the right to a nationality for refugee children or unaccompanied minors can also be linked to Article 22 CRC on the protection of refugee children). To point the user to which provision a recommendation (under a topic in columns J–S) or implementing measure (columns U–X) is linked, the CRC article number is used as a variable (see image below). A question mark is used when this information is unknown or unclear.

	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
	Region	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS	Gender Discrimination	Other discrimination	Children born in the territory	Children born abroad	Foundlings	Adoption	Birth registration	Remedy & Restoration	Loss/Deprivation	OTHER	Total # Implementation Measures related to realisation of the right to acquire a nationality and preventing statelessness	ACCESSION	DATA COLLECTION	RESERVATIONS	OTHER
1																					
2	Africa	No	2	1	1	0								Art. 22*	Art. 7*	Art. 7	0	Art. 22*	Art. 22*		
3	Asia & Pacific	No	3	2	1	2											2	Art. 7			
4	Europe	No	1	1	0	0											1	Art. 7*			
5	Americas	No	5	4	1	1			Art. 7*								2	Art. 7*			Art. 7*

If an asterisk is added to the CRC provisions or symbol, it indicates that the issue of statelessness is explicitly raised in the recommendation concerned. If no asterisk is added to the CRC provision it means that statelessness is not explicitly raised in the recommendation, but the content of the recommendation links to the child's right to a nationality.

³ Available at: http://www.institutesi.org/CRC_nationality_paper.pdf.

With regard to reservations to the CRC made by States Parties (Column E), to indicate that a reservation has or has not been made, 'Yes' and 'No' are used as variables. Some States make broad reservations and it is unclear if Article 7 falls within their scope. For instance, Iran makes a reservation to *"the articles and provisions which may be contrary to the Islamic Shariah, and preserves the right to make such particular declaration, upon its ratification."* In these cases, an X is inserted in the database under column E.

Implicated article(s) <i>Columns J-S and U-X</i>	The article to which the recommendation or implementing measure relates	Art.7 (e.g.)
	It is unclear which article the recommendation or implementing measure relates	?
CRC provisions and symbols	Explicit mention of statelessness	*
Reservations <i>Column E</i>	The State has made a reservation	'yes'
	The State has not made a reservation	'no'
	It is unclear whether the State has made a reservation	'x'

In addition to identifying under which theme and CRC Article the Committee issued a recommendation and/or implementing measures to a State, the database also provides the actual text of the recommendations. This text can be found in columns Y to AL of the Excel database, which replicate the categories under columns J-S. When clicking on the cell in the table under these columns, the text of the recommendation will appear in the textbox. See picture below.

The screenshot shows an Excel spreadsheet with a table of data. The columns are labeled J through AH. The rows contain data related to statelessness and birth registration. A red circle highlights a cell in column Y, row 3, which contains the text 'birth registration'. To the left of the table, a red oval highlights a text box containing the following text: '30. While welcoming the various legal and policy measures taken by the State party to ensure the registration of all children, the Committee is concerned at reports about delays in registering children of foreign nationals. Moreover, the Committee is concerned that children born in the State party, who would otherwise be stateless, are not guaranteed the right to acquire Swiss nationality. 31. The Committee recommends that the State party ensure that birth registration is available as soon as possible for all children, regardless of their parents' legal status and/or origin. The Committee also recommends that the State party ensure that all children born in its territory acquire Swiss nationality irrespective of the legal status of their parents, if they would otherwise be stateless, and ratify the 1961 Convention on the Reduction of Statelessness, the 1957 European Convention on Nationality and the 2009 Council of Europe Convention on the avoidance of Statelessness in relation to State Succession.'

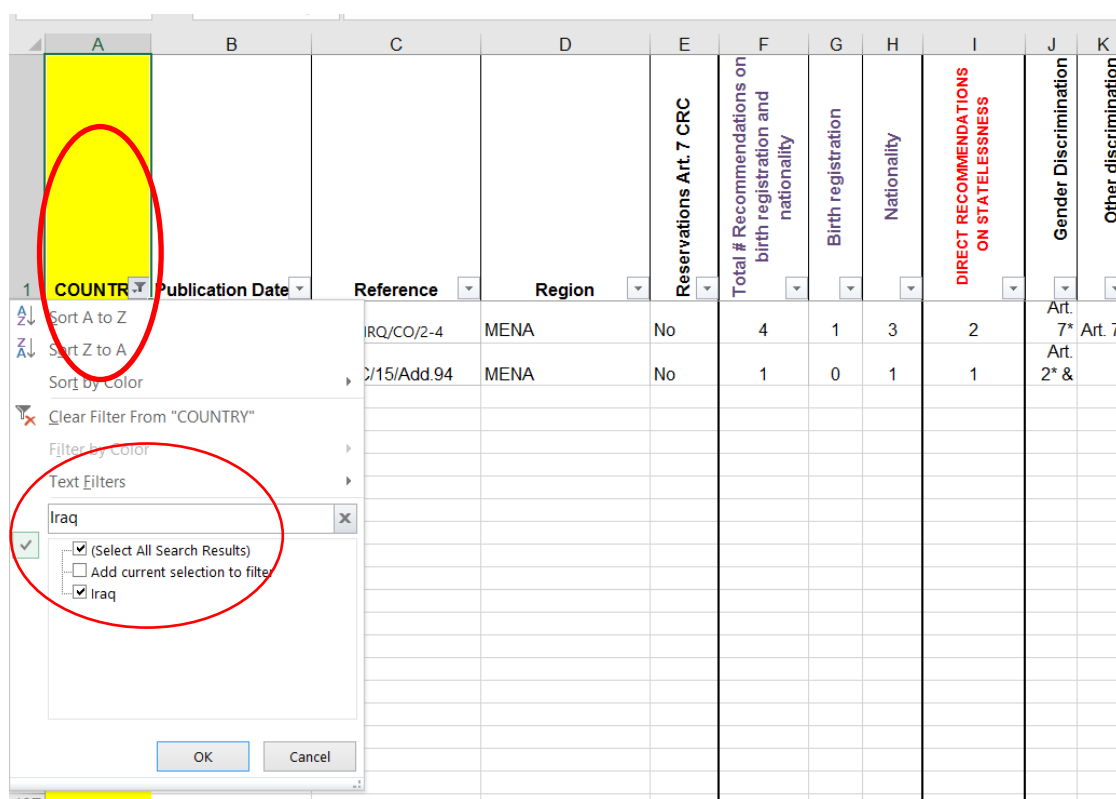
Exploring the database: Making queries

Having gone over the different elements that make up the database and the coding, we can now explore how to use the database and how to find and understand information tailored to your work. This will be done by using several examples which each serve a different purpose and explore different features of the database.

Example 1

A lawyer in Iraq works on the issue of gender discrimination and would like to have more information on previous recommendations issued to Iraq on this matter. He would also like to know which countries in the region received recommendations related to gender discrimination.

Step 1: Click on the filter in the column 'Country' and a search engine will appear with all countries included in the database in alphabetical order. Type 'Iraq' in the text filter or look up the country in the list of all countries available and click 'OK'. We now have all recommendations issued to Iraq.



A	B	C	D	E	F	G	H	I	J	K
COUNTRY	Publication Date	Reference	Region	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS	Gender Discrimination	Other discrimination
IRQ/CO/2-4			MENA	No	4	1	3	2	Art. 7*	Art. 7
C/15/Add.94			MENA	No	1	0	1	1	Art. 2*	

Step 2: To have an overview of the recommendations that relate to gender discrimination in Iraq, click on the filter in the thematic column titled 'Gender Discrimination'. The picture below shows that 3 options appear in the filter, namely recommendations related to gender discrimination linked to Articles 2 and 7 CRC, recommendations linked to Article 7 CRC, and 'Blanks'. Unselect 'Blanks' to filter out the blank cells which indicate that for the selected country, recommendations have been made under topics other than gender discrimination. You can read the text of the recommendations made under the indicated CRC Articles in column Y of the database.

Important: Remember, the asterisk added to the CRC provisions indicates that the issue of statelessness is explicitly raised in the recommendation concerned. If no asterisk is added behind the CRC provision it means that the content of the recommendations links to the child's right to a nationality without referring to statelessness.

In the image below you can also see that you can further narrow your search per topic. You can also look up which recommendations have been made under different CRC provisions.

COUNTRY	Publication Date	Reference	Region	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS	Gender Discrimination
Iraq	30 January 2015	CRC/C/IRQ/CO/2-4	MENA						
Iraq	26 October 1998	CRC/C/15/Add.94	MENA						
Iraq	xx	xx	MENA						

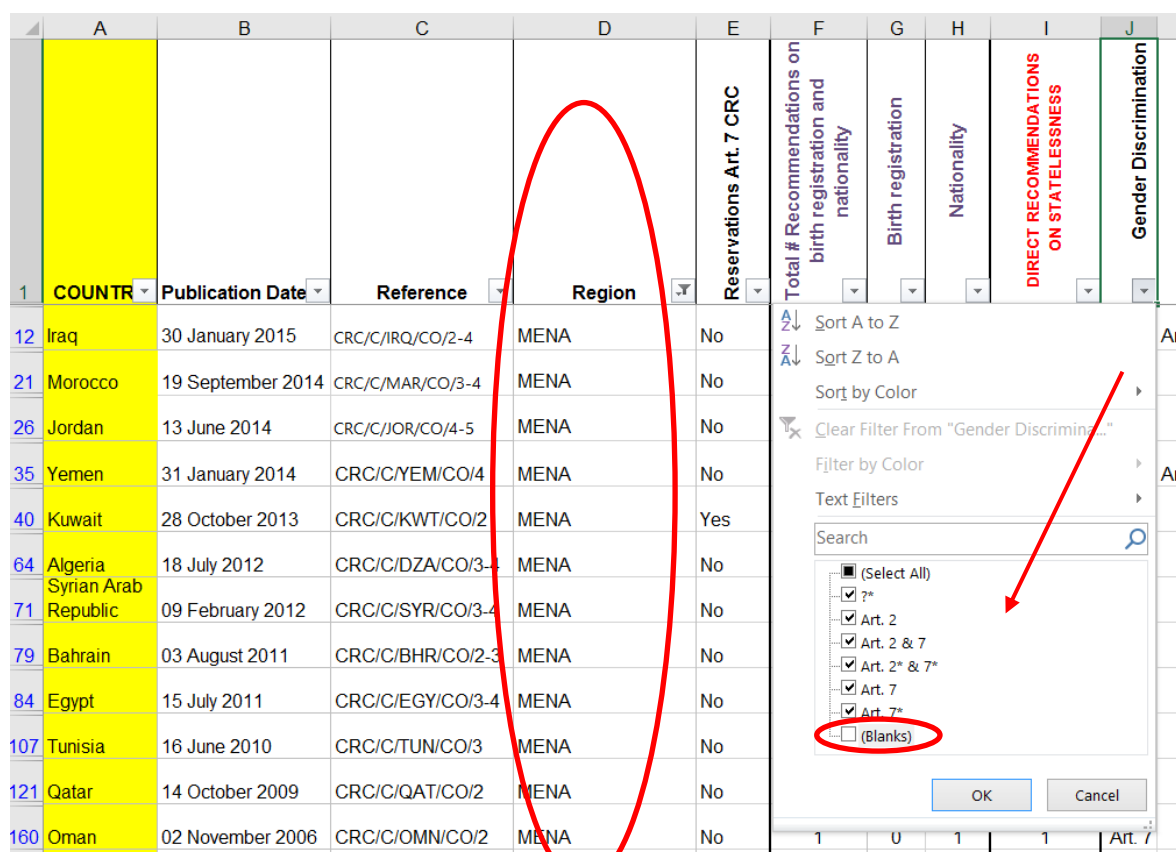
Tip: Some of your search queries may result into recommendations made under different CRC articles, with and without an asterisk, and you are only interested in recommendations which are linked to Article 7 CRC and directly refer to the issue of statelessness. The search filter under the topics allows you to only select recommendations made under Article 7*.

COUNTRY	Publication Date	Reference	Region	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality
Iraq		IRQ/CO/2-4	MENA	No	4	1	3
Iraq		C/15/Add.94	MENA	No	1	0	1

Step 3: The lawyer also indicated that he would like to find out if the Committee issued recommendations relating to gender discrimination to other States in the region. To retrieve this information, you should first clear the previous query. Do this by clicking on the filter under column 'countries'. Then select 'clear filter from country' and click 'OK'. See picture below.

</

Step 4: To find out if the Committee issued gender discrimination-related recommendations to other countries in the region, click on the filter in the column named 'Region' and select the region concerned- in this case MENA (Middle East and North Africa). Then, click on the filter under column 'Gender Discrimination' where you will find an overview of all provisions to which gender discrimination related recommendations are linked in the MENA region. Make sure you unselect 'Blanks' and click 'OK' to exclude countries in the MENA region which have not received relevant recommendations related to your query. You can find the text of the recommendations under Column Y.



A	B	C	D	E	F	G	H	I	J
COUNTRY	Publication Date	Reference	Region	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS	Gender Discrimination
12	Iraq	30 January 2015	CRC/C/IRQ/CO/2-4	MENA	No				
21	Morocco	19 September 2014	CRC/C/MAR/CO/3-4	MENA	No				
26	Jordan	13 June 2014	CRC/C/JOR/CO/4-5	MENA	No				
35	Yemen	31 January 2014	CRC/C/YEM/CO/4	MENA	No				
40	Kuwait	28 October 2013	CRC/C/KWT/CO/2	MENA	Yes				
64	Algeria	18 July 2012	CRC/C/DZA/CO/3-4	MENA	No				
71	Syrian Arab Republic	09 February 2012	CRC/C/SYR/CO/3-4	MENA	No				
79	Bahrain	03 August 2011	CRC/C/BHR/CO/2-3	MENA	No				
84	Egypt	15 July 2011	CRC/C/EGY/CO/3-4	MENA	No				
107	Tunisia	16 June 2010	CRC/C/TUN/CO/3	MENA	No				
121	Qatar	14 October 2009	CRC/C/QAT/CO/2	MENA	No				
160	Oman	02 November 2006	CRC/C/OMN/CO/2	MENA	No				

The government of Switzerland is interested in changing the country's legislation regarding the right to a nationality for children and is interested in the interrelationship between birth registration and the right to a nationality. They are aware that the CRC has issued recommendations to them about this matter. To further explore this issue and to see how the government can take account of this, a civil servant is assigned to look into relevant CRC recommendations issued to them and other States Parties.

Step 1: All recommendations related to birth registration and the right to a nationality are gathered under column P. Click on the filter in this column and unselect the option 'Blanks' to exclude States Parties which have not been issued recommendations related to birth registration.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
COUNTRY	Publication Date	Reference	Region	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS	Gender Discrimination	Other discrimination	Children born in the territory	Children born abroad	Foundlings	Adoption	Birth registration	Art. 22* & Art. 32*
Brunei Darussalam	29 January 2016	CRC/C/BRN/CO/2-3	Asia & Pacific	No	3	2	1									
Zimbabwe	29 January 2016	CRC/C/ZWE/CO/2	Africa	No	5	5	0									
Switzerland	30 January 2015	CRC/C/CHE/CO/2-4	Europe	No	4	1	3									
Indonesia	13 June 2014	CRC/C/IDN/CO/3-4	Asia & Pacific	No	1	1	0									
Guinea-Bissau	08 July 2013	CRC/C/GNB/CO/2-4	Africa	No	2	1	1									
Israel	14 June 2013	CRC/C/ISR/CO/2-4	Asia & Pacific	No	1	1	0									
Namibia	16 October 2012	CRC/C/NAM/CO/2-3	Africa	No	1	1	0									
Algeria	18 July 2012	CRC/C/DZA/CO/3-4	MENA	No	2	1	1									
Myanmar	13 March 2012	CRC/C/MMR/CO/3-4	Asia & Pacific	No	7	5	2									
Montenegro	21 October 2010	CRC/C/MNE/CO/1	Europe	No	3	3	0									
Japan	20 June 2010	CRC/C/JPN/CO/3	Asia & Pacific	No	1	1	0									
Niger	18 June 2009	CRC/C/NER/CO/2	Africa	No	3	2	1									
Serbia	20 June 2008	CRC/C/SRB/CO/1	Europe	No	3	3	0									
Kenya	21 June 2007	CRC/C/KEN/CO/2	Africa	No	5	4	1									

Sort A to Z
Sort Z to A
Sort by Color
Clear Filter From "Birth registration"
Filter by Color
Text Filters
Search
☒ Art. 2*
☒ Art. 22*
☒ Art. 7
☒ Art. 7*
☒ Art. 22*
☒ Art. 30*
☒ Art. 32*
☒ Art. 5*
☒ Art. 7
☐ (Blanks)
OK Cancel

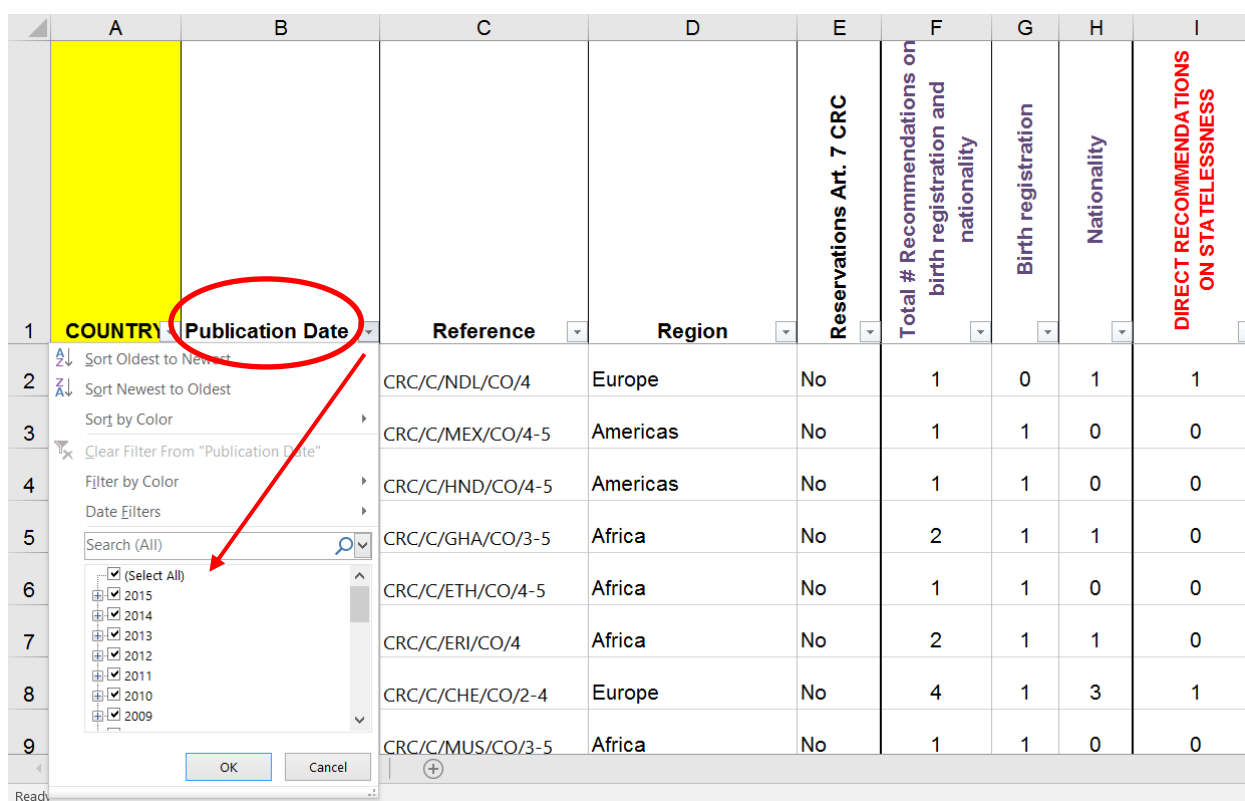
Step 2: Analyse patterns by having all recommendations in place, looking up the content of the recommendations, which countries within the region received recommendations related to this specific matter etc.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
COUNTRY	Publication Date	Reference	Region	Reservations Art. 7 CRC	Total # Recommendations	Birth registration	Nationality	Total # Implementation Measures	DIRECT RECOMMENDATIONS ON STATELESSNESS	Gender Discrimination	Other discrimination	Children born in the territory	Children born abroad	Foundlings	Adoption	Birth registration
Montenegro	21 October 2010	CRC/C/MNE/CO/1	Europe		3	3	0	1	1							Art. 22*
Serbia	20 June 2008	CRC/C/SRB/CO/1	Europe		3	3	0	1	1							Art. 32*
Romania	18 March 2003	CRC/C/15/Add.199	Europe		2	1	1	3	1							Art. 7*

Example 3

A student is researching for her master thesis and is interested in developments with regard to the content of CRC Recommendations relating to a child's right to acquire a nationality, from the constitution of the Committee to present day. She would therefore like to analyse and compare the texts of recommendations made in 1993, 2000, 2005, 2010 and 2015.

Step 1: Click on the filter in column 'Publication Date'. Here you can select the years in which recommendations were adopted by the CRC Committee. See picture below.



	A	B	C	D	E	F	G	H	I
	COUNTRY	Publication Date	Reference	Region	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS
1									
2			CRC/C/NDL/CO/4	Europe	No	1	0	1	1
3			CRC/C/MEX/CO/4-5	Americas	No	1	1	0	0
4			CRC/C/HND/CO/4-5	Americas	No	1	1	0	0
5			CRC/C/GHA/CO/3-5	Africa	No	2	1	1	0
6			CRC/C/ETH/CO/4-5	Africa	No	1	1	0	0
7			CRC/C/ERI/CO/4	Africa	No	2	1	1	0
8			CRC/C/CHE/CO/2-4	Europe	No	4	1	3	1
9			CRC/C/MUS/CO/3-5	Africa	No	1	1	0	0

Step 2: In addition to selecting recommendations issued to States Parties in a specific year, it is also possible to analyse whether the content of recommendations under a specific topic has changed over the years by using filters featured in the thematic columns. This will make it easier to compare the content of recommendations per topic.

To find recommendations relating to specific topics in the time periods selected, click on the filter in the thematic column and unselect "(Blanks)" to exclude countries in the selected time period which have not been issued recommendations relating to a specific topic (see example 2, step 1, on how to do this).

Important: When you are done with analysing the content of recommendations under one topic and want to move on to another topic, do not forget to clear the filter options under the topic you currently selected to make sure you have a comprehensive overview of all recommendations made in that time period.

COUNTRY	Publication Date	Reference	Region	Reservations Art. 7 CRC	Total # Recommendations on birth registration and nationality	Birth registration	Nationality	DIRECT RECOMMENDATIONS ON STATELESSNESS	Gender Discrimination	Other discrimination	Children born in the territory	Children born abroad	Foundlings	Adoption	Birth registration
Switzerland	30 January 2015	CRC/C/CHE/CO/2-4	Europe	No	4	1	3								
Montenegro	21 October 2010	CRC/C/MNE/CO/1	Europe	No	3	3	0								
Japan	20 June 2010	CRC/C/JPN/CO/3	Asia & Pacific	No	1	1	0								
					71	47	24								

Exercise

Having seen different ways of using the database, try to use the database yourself by doing the following exercise:

A researcher on citizenship issues relating to children in Africa would like to know what issues have come up in the database in respect of countries in Africa. He then would like to focus on one particular issue that the countries have in common relating to the child's right to a nationality.

- Which steps would you undertake to retrieve this information from the database?
- What are your findings?

Tips:

- As shown in the earlier examples, select Africa as region under column D.
- Use the filters in row 1 to explore which topics regarding the right to acquire a nationality African States have in common. Again unselect 'blank' in the filter to exclude the African States which have not received recommendations in relation to a specific topic.