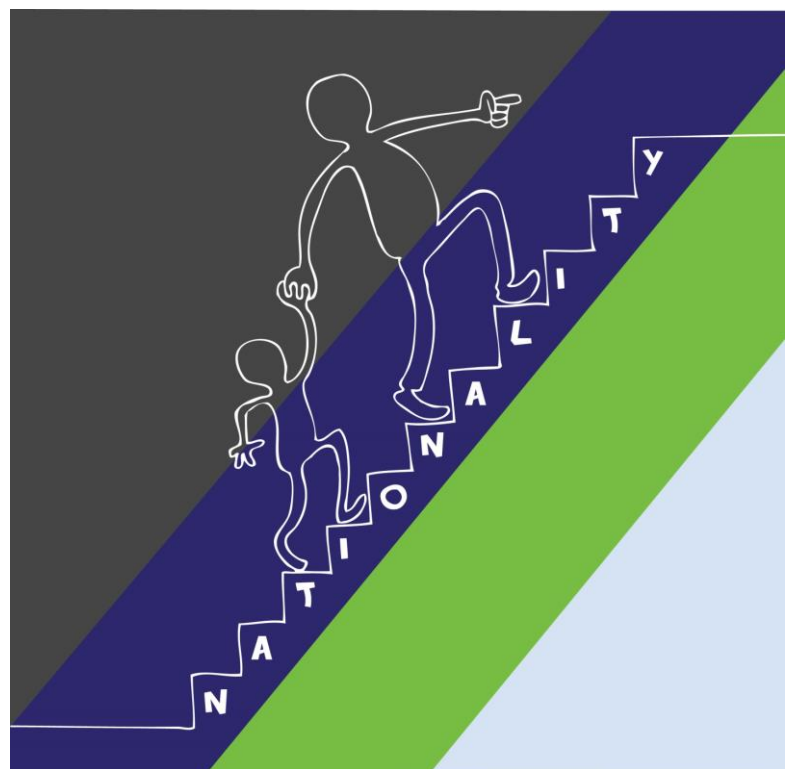


Addressing the Right to a Nationality through the Convention on the Rights of the Child

A Toolkit for Civil Society

Section 9: Resources and further reading



9. Resources and further reading

This section presents a selection of further resources and reading materials relating to the child's right to a nationality and the protection of stateless children. Please note that this is not a comprehensive catalogue of all materials on this topic.

General information on children and statelessness

UN Human Rights Council Resolutions & Reports

- Resolution A/HRC/RES/20/4 'The Right to Nationality: women and children', July 2012, available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/20/4
- Resolution, A/HRC/RES/10/13 'Human Rights and Arbitrary Deprivation of Nationality', March 2009, available at http://ap.ohchr.org/Documents/E/HRC/resolutions/A_HRC_RES_10_13.pdf
- Resolution A/HRC/RES/13/2 'Human Rights and Arbitrary Deprivation of Nationality', April 2010, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G10/127/96/PDF/G1012796.pdf?OpenElement>
- Resolution A/HRC/RES/20/5 'Human Rights and Arbitrary Deprivation of Nationality', July 2012, available at <http://ohchr.org/EN/HRBodies/HRC/RegularSessions/Session20/Pages/ResDecStat.aspx>
- Resolution A/HRC/RES/26/14 'Human Rights and Arbitrary Deprivation of Nationality', July 2014, available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/26/14
- Resolution A/HRC/RES/19/9 'Birth registration and the Right of Everyone to Recognition Everywhere as a Person before the Law', April 2012, available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/19/9
- Resolution A/HRC/RES/22/7 'Birth registration and the Right of Everyone to Recognition Everywhere as a Person before the Law', April 2013, available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/22/7
- Resolution A/HRC/RES/28/13 'Birth registration and the Right of Everyone to Recognition Everywhere as a Person before the Law', April 2015, available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/28/13
- *Report of the Secretary-General on the 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*, A/HRC/31/29, December 2015, available at <http://www.refworld.org/docid/56c42b514.html>
- *Report of the Secretary-General report on Human Rights and Arbitrary Deprivation of Nationality*, A/HRC/10/34, January 2009, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G09/105/62/PDF/G0910562.pdf?OpenElement>
- *Report of the Secretary-General report on Human Rights and Arbitrary Deprivation of Nationality*, A/HRC/13/34, December 2009, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G09/175/12/PDF/G0917512.pdf?OpenElement>
- *Report of the Secretary-General report on Human Rights and Arbitrary Deprivation of Nationality*, A/HRC/19/43, December 2012, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G11/174/43/PDF/G1117443.pdf?OpenElement>
- *Report of the Office of the High Commissioner for Human Rights on Birth registration and the right of everyone to recognition everywhere as a person before the law*, A/HRC/27/22, June 2014, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/053/91/PDF/G1405391.pdf?OpenElement>
- *Study of the Office of the United Nations High Commissioner for Human Rights on challenges and best practices in the implementation of the international framework for the protection of the rights of the child in*

- the context of migration*, A/HRC/15/29, July 2010, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G10/151/41/PDF/G1015141.pdf?OpenElement>
- Report on discrimination against women on nationality-related matters, including the impact on children, A/HRC/23/23, March 2013, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/119/42/PDF/G1311942.pdf?OpenElement>
 - Report of the Working Group on the issue of discrimination against women in law and in practice, A/HRC/23/50, April 2013, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/132/51/PDF/G1313251.pdf?OpenElement>
 - Report of the independent expert on minority issues, Gay McDougall, A/HRC/7/23, February 2008, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G08/113/51/PDF/G0811351.pdf?OpenElement>
 - Report of the Special Rapporteur on minority issues, Rita Izsák: Comprehensive study of the human rights situation of Roma worldwide, with a particular focus on the phenomenon of anti-Gypsyism, A/HRC/29/24, May 2015, available at http://imadr.org/wordpress/wp-content/uploads/2015/10/A_HRC_29_24_E_Comprehensive-study-of-the-human-rights-situation-of-Roma-worldwide-with-a-particular-focus-on-the-phenomenon.pdf

Other Standards, Developments and Initiatives

- International
 - International Law Commission, *Articles on Nationality of Natural Persons in Relation to the Succession of States (With Commentaries)*, April 1999, Supplement No. 10 (A/54/10), available at <http://www.refworld.org/docid/4512b6dd4.html>
 - UN Committee on Economic, Social and Cultural Rights, *General comment No. 20: Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights)*, July 2009, E/C.12/GC/20, available at <http://www.refworld.org/docid/4a60961f2.html>
 - UN Committee on the Elimination of All Forms of Discrimination against Women,
 - *General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations*, 1 November 2013, CEDAW/C/GC/30, available at <http://www.refworld.org/docid/5268d2064.html>
 - *General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women*, 5 November 2014, CEDAW/C/GC/32, available at <http://www.refworld.org/docid/54620fb54.html>
 - UN Committee on the Elimination of Racial Discrimination, *CERD General Recommendation XXX on Discrimination Against Non Citizens*, October 2002, available at <http://www.refworld.org/docid/45139e084.html>
 - UN Committee on the Rights of Persons with Disabilities, *General comment No. 1 Article 12: Equal recognition before the law*, April 2014, CPRC/C/GC/1, available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/1&Lang=en
 - UN Human Rights Committee,
 - *CCPR General Comment No. 15: The Position of Aliens Under the Covenant*, April 1986, available at <http://www.refworld.org/docid/45139acfc.html>
 - *CCPR General Comment No. 17: Article 24 (Rights of the Child)*, April 1989, available at <http://www.refworld.org/docid/45139b464.html>
 - *CCPR General Comment No. 27: Article 12 (Freedom of Movement)*, November 1999, CCPR/C/21/Rev.1/Add.9, available at <http://www.refworld.org/docid/45139c394.html>
 - *CCPR General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women)*, March 2000, CCPR/C/21/Rev.1/Add.10, available at <http://www.refworld.org/docid/45139c9b4.html>
- Africa

- African Commission on Human and Peoples' Rights, *234: Resolution on the Right to Nationality*, April 2013, available at <http://www.refworld.org/docid/51adbcd24.html>
- African Committee of Experts on the Rights and Welfare of the Child, *General Comment No. 2 on children's right to a name and nationality under Article 6 of the African Charter*, April 2014, available at <http://www.refworld.org/docid/54db21734.html>
- Economic Community of West African States (ECOWAS), *Abidjan Declaration of Ministers of ECOWAS Member States on Eradication of Statelessness*, February 2015, available at <http://www.refworld.org/docid/54f588df4.html>
- Asia Pacific
 - Ministerial Conference on Civil Registration and Vital Statistics in Asia and the Pacific, *Regional Action Framework on Civil Registration and Vital Statistics in Asia and the Pacific*, November 2014, available at http://www.unescap.org/sites/default/files/Regional.Action.Framework.English.final_.pdf
- Europe
 - Parliamentary Assembly of the Council of Europe, *The Need to Eradicate Statelessness of Children*, Resolution 2099 and Report Doc 13985, adopted March 2016, available at <http://assembly.coe.int/nw/xml/XRef/Xref-DocDetails-EN.asp?FileID=22496&lang=EN>
 - European Network on Statelessness Conference 'None of Europe's Children should be Stateless', *Action Statement: None of Europe's children should be stateless*, June 2015, available at <http://www.statelessness.eu/news-events/news/conference-action-statement-none-europes-children-should-be-stateless>
- Latin American and Caribbean
 - *Brazil Declaration and Plan of Action: A Framework for Cooperation and Regional Solidarity to Strengthen the International Protection of Refugees, Displaced and Stateless Persons in Latin America and the Caribbean*, December 2014, available at <http://www.refworld.org/docid/5487065b4.html>

Jurisprudence

- African Committee of Experts on the Rights and Welfare of the Child, *Institute for Human Rights and Development in Africa (IHRDA) and Open Society Justice Initiative (on behalf of Children of Nubian Descent in Kenya) v. the Government of Kenya*, Decision No 002/Com/002/2009, (The case dealt with the right to nationality of Nubian children in Kenya) March 2011, available at <http://www.refworld.org/docid/4f5f04492.html>
- Botswana High Court, *The Attorney General of the Republic of Botswana v. Unity Dow*, 1991 BLR 233 (HC), (The case dealt with the denial of citizenship to the children of a Botswanan mother and non-citizen father) June 1991, available at <http://www3.lawschool.cornell.edu/AvonResources/Attorney-General-v-Unity-Dow.pdf>
- European Court of Human Rights, *Genovese v. Malta* Application no. 53124/09, (The case dealt with the right to Maltese nationality of a child born out of wedlock to a Maltese father and British mother) October 2011, available at <http://www.refworld.org/docid/509ea0852.html>
- European Court of Human Rights, *Menesson v. France*, Application no 65192/11, (The case dealt with the legal establishment of a parent-child relationship between children born as a result of surrogacy and the couples who had the surrogacy treatment) June 2014, available at <http://www.refworld.org/docid/53b678474.html>
- European Court of Human Rights, *Kuric and others v. Slovenia*, Application no. 26828/06, (The case dealt with discrimination against the so-called "erased" in determination of residency status) June 2012, available at <http://www.refworld.org/docid/4fe9c88c2.html>
- Inter-American Court of Human Rights, *Yean and Bosico v. Dominican Republic*, (The case concerned the deprivation of nationality from Dominicans of Haitian descent) September 2005, available at <http://www.refworld.org/docid/44e497d94.html>

UN High Commissioner for Refugees (UNHCR)

- Ibelong – Campaign to End Statelessness in Ten Years, website available at <http://www.unhcr.org/ibelong>
- *Background Note on Gender Equality, Nationality Laws and Statelessness 2016*, March 2016, available at <http://www.refworld.org/docid/56de83ca4.html>
- *Children and Statelessness: Information Package*, August 2013, available at <http://www.refworld.org/docid/52206b204.html>
- *Global Action Plan to End Statelessness: 2014-2024*, November 2014 available at <http://www.refworld.org/docid/545b47d64.html>
- *Good Practices Paper - Action 3: Removing Gender Discrimination from Nationality Laws*, March 2015, available at <http://www.refworld.org/docid/54f8377d4.html>
- *Guidelines on Statelessness No. 4: Ensuring Every Child's Right to Acquire a Nationality through Articles 1-4 of the 1961 Convention on the Reduction of Statelessness*, December 2012, available at <http://www.refworld.org/docid/50d460c72.html>
- *Handbook on the Protection of Stateless Persons*, June 2014, available at <http://www.refworld.org/docid/53b676aa4.html>
- *I Am Here, I Belong: The Urgent Need to End Childhood Statelessness*, November 2015, available at <http://www.refworld.org/docid/563368b34.html>
- UNHCR Executive Committee, *Conclusion on civil registration*, October 2013, No.111(LXIV)-2013, available at <http://www.refworld.org/docid/525f8ba64.html>
- *Birth Registration: A Topic Proposed for an Executive Committee Conclusion on International Protection*, February 2010, available at <http://www.refworld.org/docid/4b97a3242.html>
- UNHCR Executive Committee, *Conclusion on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons*, October 2006, No. 106 (LVII) - 2006, available at <http://www.refworld.org/docid/453497302.html>
- UNHCR Executive Committee, *Prevention and Reduction of Statelessness and the Protection of Stateless Persons*, October 1995, No. 78 (XLVI) - 1995, available at <http://www.refworld.org/docid/3ae68c443f.html>
- *UNHCR Executive Committee Conclusions related to Statelessness* (compilation of excerpts from Executive Committee Conclusions), July 2010, available at <http://www.refworld.org/docid/4c499c022.html>
- UNHCR and Plan International, *Under the Radar and Under Protected: The Urgent Need to Address Stateless Children's Rights*, June 2012, available at <http://www.refworld.org/docid/514acd3e2.html>

NGO Reports, Academic Writing and Other Resources

- Americas Network on Nationality and Statelessness, website <http://www.americasns.org>
- Equal Rights Trust, *My Children's Future: Ending Gender Discrimination in Nationality Law*, September 2015, available at <http://www.equalrightstrust.org/resources/my-childrens-future-ending-gender-discrimination-nationality-laws>
- European Network on Statelessness, website <http://www.statelessness.eu>
 - *No Child should be Stateless*, September 2015, available at <http://www.statelessness.eu/resources/no-child-should-be-stateless>
 - *Preventing Childhood Statelessness in Europe: Issues, Gaps and Good Practices*, April 2014, available at <http://www.statelessness.eu/resources/preventing-childhood-statelessness-europe-issues-gaps-and-good-practices>
- Global Campaign of Equal Nationality Rights, website <http://equalnationalityrights.org>
 - *Equal Nationality Laws Are Vital to Realizing Girls' Rights and Security*, available at <http://equalnationalityrights.org/news/61-equal-nationality-laws-are-vital-to-realizing-girls-rights-and-security?highlight=WyJnaXJscylsImdpcmxzJyIsImdpcmxzJy4iXQ>
- Institute on Statelessness and Inclusion, website <http://www.institutesi.org/>
 - *World's Stateless*, December 2014, available at <http://www.institutesi.org/worldsstateless.pdf>
 - *CRC Policy Paper: Realising the Right of Every Child to Acquire a Nationality*, September 2015, available at http://www.institutesi.org/CRC_nationality_paper.pdf
- S. Heap and C. Cody, 'The Universal Birth Registration Campaign' in *Forced Migration Review*, Issue 32, 2009, available at www.fmreview.org/sites/default/files/textOnlyContent/FMR/32/Heap & Cody.doc
- M. Lynch, 'Futures Denied: Statelessness among infants, children and youth', *Refugees International*, 2008, available at <http://www.refworld.org/docid/48fef8632.html>
- M. Lynch and M. Teff, 'Childhood statelessness' in *Forced Migration Review*, Issue 32, 2009, available at www.fmreview.org/sites/default/files/textOnlyContent/FMR/32/Lynch & Teff.doc

- M. Vink and R. de Groot, Birthright citizenship. Trends and regulations in Europe, EUDO-Citizenship comparative report, November 2010, available at http://eudo-citizenship.eu/docs/birthright_comparativepaper.pdf

Information on the Convention on the Rights of the Child and engaging with the Committee on the Rights of the Child

- Committee on the Rights of the Child, website <http://ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx>
 - Information for Partners, <http://ohchr.org/EN/HRBodies/CRC/Pages/InfoPartners.aspx>
 - *Guidelines for the Participation of Partners (NGOs and Individual Experts) in the Pre-sessional Working Group of the Committee on the Rights of the Child*, available at http://ohchr.org/Documents/HRBodies/CRC/GuidelinesForPartners_en.pdf
- Institute on Statelessness and Inclusion
 - Submissions to the Committee on the Rights of the Child:
 - Full submission on **Estonia** (in collaboration with the European Network on Statelessness), October 2015, available at www.institutesi.org/CRC_Estonia_2015.pdf
 - Submission of additional information on **Iran**, December 2015, available at http://tbinternet.ohchr.org/Treaties/CRC/Shared_Documents/IRN/INT_CRC_NGO_IRN_22616_E.docx
 - Submission of additional information on **Nepal** (in collaboration with Forum for Women, Law and Development and Global Campaign for Equal Nationality Rights), April 2016, available at http://tbinternet.ohchr.org/Treaties/CRC/Shared_Documents/NPL/INT_CRC_NGO_NPL_23757_E.docx
 - Full submission on **Serbia** (in collaboration with Praxis Serbia and European Network on Statelessness), March 2016, available at http://www.institutesi.org/CRC_Serbia_2016.pdf
 - Full submission on **South Africa** (in collaboration with Lawyers for Human Rights), October 2015, available at www.institutesi.org/CRC_SouthAfrica_2015.pdf
 - Other resources on the CRC:
 - Analytical Database of the Concluding Observations of the Committee on the Rights of the Child which relate to children's right to a nationality, available at <http://www.institutesi.org/ourwork/children.php>
 - Policy Paper, *Realising the Right of every Child to a Nationality: An analysis of the work of the Committee on the Rights of the Child*, September 2015, available at http://www.institutesi.org/CRC_nationality_paper.pdf
 - Factsheet on the Content of Children's Right to a Nationality under the Convention on the Rights of the Child, September 2015, available at http://www.institutesi.org/CRC_nationality_factsheet.pdf
- Child Rights Connect (NGO supporting civil society engagement with the CRC), website: <http://www.childrightsconnect.org>
 - *Guide for NGOs on Reporting to the Committee*, 2014, available in English, French and Spanish at <http://www.childrightsconnect.org/publications-resources>
 - *Together with Children* (Guide on accompanying children during the CRC reporting process), 2011, available in English, French and Spanish at <http://www.childrightsconnect.org/publications-resources>
 - *Factsheet on Elections to the Committee on the Rights of the Child: Information for NGOs*, 2006, available in English, French and Spanish at <http://www.childrightsconnect.org/publications-resources>
 - *Factsheet on Days of General Discussion*, 2008, available in English, French and Spanish at <http://www.childrightsconnect.org/publications-resources>
 - *Factsheet on General Comments*, 2008, available in English, French and Spanish at <http://www.childrightsconnect.org/publications-resources>
- UN Children's Fund (UNICEF)
 - *Implementation Handbook for the Convention on the Rights of the Child*, September 2007, available at http://www.unicef.org/publications/index_43110.html

Information on engaging with other UN Human Rights Mechanisms

- Universal Periodic Review
 - OHCHR information on NGO engagement, available at <http://ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx>
 - UPR-Info website <http://www.upr-info.org> and information on how NGOs can engage <http://www.upr-info.org/en/how-to/role-ngos>
 - UPR-Info database of UPR recommendations, available at <http://www.upr-info.org/database>
 - UNHCR, *Compilation of recommendations relating to statelessness made during the first cycle (1st - 12th sessions) of the Human Rights Council's Universal Periodic Review*, July 2013, available at <http://www.refworld.org/docid/51dfaf484.html>
 - UNHCR, *Compilation of recommendations relating to statelessness made during the Second Cycle (13th - 16th sessions) of the Human Rights Council's Universal Periodic Review*, July 2013, available at <http://www.refworld.org/docid/51dfb0ee4.html>
- International Covenant on Civil and Political Rights
 - Centre for Civil and Political Rights, *Guidelines for NGOs on Engaging with the UN Human Rights Committee State Reporting Process*, 2010, available at <http://ccprcentre.org/ccpr-ngo-guidelines>
- Convention on the Elimination of All Forms of Discrimination against Women
 - International Womens' Rights Action Watch – Asia Pacific, Information on engaging with CEDAW, available at <http://www.iwraw-ap.org/cedaw/using-cedaw/for-ngos>
- Universal Human Rights Index (searchable database, including all treaty body and special procedure recommendations), available at <http://uhri.ohchr.org>
- Calendar of upcoming Treaty Body reviews, available at http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/MasterCalendar.aspx?Type=Session&Lang=En