

Eleventh Session of the Forum on Minority Issues

Statement by the Chairperson of the Forum Ms. Rita Izsák-Ndiaye

Mr President,
Mr Special Rapporteur,
Dear Friends and Colleagues,

It is a privilege to be here again at the UN Forum on Minority Issues which is indeed so dear to my heart. I am touched by the kind welcoming words and I also wish to thank Hungary for nominating me and the President of the Human Rights Council for entrusting me to carry out this important function. It is true that I am not new to this Forum but I am certainly new to this role and I count on your kind cooperation during these two days so we can have an engaging and productive session.

I would like to congratulate the Special Rapporteur on minority issues, Mr. Fernand de Varennes for choosing such an important and timely theme as one of his priority focuses for his mandate and for our discussion here today and tomorrow. Statelessness is a disturbing worldwide phenomenon which is very often a cause and a consequence at the same time of systematic discrimination of national, ethnic, religious or linguistic minorities and so it is very fitting that a full session of the Minority Forum is dedicated to this subject.

We all want to belong. There are countless studies and experiments that prove that all human beings have a core desire to be part of a group, of an establishment, of a society. From the beginning of history, excluding members from a certain community and thus subjecting them to become disempowered, worthless and voiceless has been one of the gravest punishments. So was it also in Roma culture and through the existence of Romani Kris, a traditional court for conflict resolution, where the most extreme sentence was a permanent exclusion from the Romani community, considered to be the most horrific fate possible for a Roma person.

Belonging gives us a sense of worth, dignity, equality, community and protection. Whether it is because of gaps in nationality and civil status laws, changes of borders, migration, forced displacement or any other reason, the impact of statelessness on an individual, a state and the international community as a whole is severe. Not only that it leads to barriers in accessing fundamental rights and almost every basic service but it also deeply damages

the social fabric and has serious negative consequences on individual mental health and well-being.

Preventing and ending statelessness is not an easy task as the regulation of nationality is a sensitive issue that touches upon national identities and the question on who is accepted as a full member of the political community in a given State. However, thanks to a number of international treaties and customary law, and more precisely to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, there are legal standards in place which must be respected and enforced.

I have the honor to currently serve as a member and Rapporteur of the UN Committee on the Elimination of Racial Discrimination. Our Convention on the Elimination of All Forms of Racial Discrimination prohibits discrimination in the enjoyment of the right to a nationality on the grounds of race, colour, or national or ethnic origin. Recognizing the importance of this right, the Committee issued General Recommendation No. 30 on the discrimination against non-citizens. We have been consistent and persistent in requesting data on the non-citizen and stateless population, including socio-economic data disaggregated by gender and national or ethnic origin. During our last session in August 2018 for example, we expressed concerns that migrants and other minorities are at risk of statelessness in Bosnia and Herzegovina. We were alarmed by reports that many of Chinese-born children of asylum-seekers are stateless and do not enjoy public education or other services because their parents fear facing refoulement upon registration of the births. And while we noted efforts by Latvia to facilitate naturalization, we remained worried that 11% of the population has no nationality and that they are considered as a separate legal category of non-citizens who are at risk of statelessness.

During these coming two days, we have lots of work ahead. While we will listen to testimonies and experiences and reflect on current challenges, we will also need to come up with suggestions, recommendations, good practices and creative ideas on how we cooperate better in addressing statelessness. It is encouraging and inspiring that UNHCR is determined to end statelessness by 2024. However, we also know that no UN agency or the UN itself alone can resolve statelessness unilaterally. We need the commitment of the States concerned as nationality can only be conferred or confirmed by States who are responsible for protecting the fundamental rights and freedoms of all people on their territory including those of stateless persons.

I hope that this session of the Forum on Minority Issues will help us reinforcing our partnerships between community representatives, NGOs, State leaderships and international actors so we can act with joint forces, benefitting from our combined expertise, resources, and influence that are needed to develop and implement a fully effective strategy to prevent and end statelessness.

(And since I was appointed not to provide lengthy speeches but keep this house in order, let me be considerate of my own time limits too and lead us to proceed to the first agenda item which is a discussion on the “Root causes and consequences of statelessness affecting minorities: preventing statelessness through a human rights approach”)