**Expert Workshop on the best practises to promote women’s equal nationality rights in law and in practice**

* **Background note –**

08 May 2017

**Table of contents**

[1. Overview 2](#_Toc482012091)

[2. Reform of nationality laws 2](#_Toc482012092)

[2.1 The importance of guaranteeing women’s equal nationality rights 3](#_Toc482012093)

[2.2 Reforming nationality laws to ensure women’s equal nationality rights 7](#_Toc482012094)

[2.3 Strategies for a successful nationality law reform 9](#_Toc482012095)

[3. Implementation of the reformed laws 12](#_Toc482012096)

[3.1 Strategies for an effective implementation of reformed nationality laws 13](#_Toc482012097)

[Annex 1: International and regional instruments relevant to women’s equal nationality rights 16](#_Toc482012098)

[Annex 2: Sustainable Development Goals and women’s equal nationality rights 18](#_Toc482012099)

[Annex 3: List of background documents 22](#_Toc482012100)

# Overview

Currently, a large majority of countries worldwide have succeeded in reforming their nationality laws to eliminate discrimination against women.[[1]](#footnote-1) Nevertheless, gender discrimination in nationality laws remains a concern in several countries throughout the world.[[2]](#footnote-2)

Discrimination against women in nationality laws manifests as the restriction of women’s ability to:

* Acquire, change and retain their nationality;
* Confer nationality on their children; and
* Confer nationality on their spouse.

Discrimination against women in other laws, policies, and practices such as family laws and civil registration, may also discrimination against women in nationality rights.

Once law reforms have been made to remove discrimination against women from nationality and other relevant laws, effective implementation of those laws must be secured by:

* Developing national plans of action;
* Awareness raising and capacity-building of duty-bearers (such as public officials, including national and local government officials and judiciary, working on nationality laws and civil registration) and rights-holders (women who wish to acquire, change, retain, reclaim or confer their nationality; and their children and spouses who may acquire nationality);
* Eliminating practical and administrative obstacles for women to exercise their rights under the reformed laws; and
* Providing access to justice and effective remedies in case of a violation of rights.

Ending discrimination against women in nationality laws is one of the priorities for the United Nations High Commissioner for Refugees’ #IBelong Campaign to End Statelessness by 2024, as outlined in Action 3 of the Global Action Plan to End Statelessness and the Global Campaign for Equal Nationality Rights. It is also one of the necessary steps to achieve a number of the goals set forth in the 2030 Agenda for Sustainable Development.

This background note aims to provide a basis for discussion at the expert workshop on women’s equal nationality rights, requested by Human Rights Council resolution [32/7](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/155/41/pdf/G1615541.pdf?OpenElement). It provides a set of practical strategies, guidance and advice for successful law reform and the implementation of reformed laws, building on good practices and lessons learnt from recent nationality law reforms and reform movements. Such strategies, guidance and advice are expected to be discussed by the participants at the workshop.

# Reform of nationality laws

The Human Rights Council resolution 32/7:

* *Calls upon* all States to adopt […]nationality legislation consistent with their obligations under international law, including with respect to the elimination of all forms of discrimination against women and girls in nationality-related matters, and with a view to preventing and reducing statelessness; [[3]](#footnote-3)
* *Urges* all States to refrain from enacting or maintaining discriminatory nationality legislation with a view to avoiding statelessness and loss of nationality, preventing vulnerability to human rights violations and abuses, decreasing the risk of exploitation and abuse, and promoting gender equality in the acquisition, change, retention or conferral of nationality; [[4]](#footnote-4)
* *Urges* States to take immediate steps to reform nationality laws that discriminate against women by granting equal rights to men and women to confer nationality on their children and spouses and regarding the acquisition, change or retention of their nationality; [[5]](#footnote-5)

This section summarizes main arguments for nationality law reform to eliminate related discrimination against women and provides a set of operational recommendations for successful law reform in line with international human rights standards.

## 2.1 The importance of guaranteeing women’s equal nationality rights

1. **The right to nationality is a universally recognized human right**.

The right to a nationality is a universal human right, recognized under the Universal Declaration of Human Rights.[[6]](#footnote-6) Every man, woman and child has the right to a nationality, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and no one shall be arbitrarily deprived of his or her nationality.[[7]](#footnote-7)

Article 9 of the Convention on the Elimination of All Forms of Discrimination against Women recognizes that women have equal rights with men to acquire, change or retain their nationality and with respect to the nationality of their children.[[8]](#footnote-8) Several regional human rights treaties also recognize the right to a nationality[[9]](#footnote-9) and equality with regard to nationality-related matters. [[10]](#footnote-10)

The Convention on the Rights of the Child (articles 2, 7 and 8) provide for the right of the child to nationality without discrimination based on any kind, including the sex of the child or the status of their parent. When women are unable to confer their nationality to their children on an equal basis as men, children may be left without a nationality, in contradiction with the Convention. The Convention on the Rights of the Child has been ratified by all countries in the world except one.

Two international conventions specifically dealing with the issue of statelessness, i.e. the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness pose obligations on a contracting State to take measures to avoid statelessness, including: granting its nationality to a person born in its territory or born to one of its nationals abroad in a non-State party who would otherwise be stateless;[[11]](#footnote-11) ensuring that the loss of its nationality is conditional upon possession or acquisition of another nationality;[[12]](#footnote-12) and facilitating the assimilation and naturalization of stateless persons.[[13]](#footnote-13)

While it is under each State’s discretion to determine by law who its nationals are, such determination should be consistent with its obligations under international law, including with respect to non-discrimination.[[14]](#footnote-14)

1. **States have made international commitments to eliminate discrimination against women in nationality rights, including under Sustainable Development Goals.**

Following the United Nations Fourth World Conference on Women, delegates from 189 countries pledged to revoke any remaining laws that discriminate on the basis of sex, based on the 1995 Beijing Declaration and Platform for Action.[[15]](#footnote-15) States have also made relevant pledges in a number of global and regional initiatives.[[16]](#footnote-16)

The 2030 Agenda for Sustainable Development includes targets on achieving gender equality for all women and girls, eliminating all discriminatory laws, policies and practices and providing a legal identity for all.[[17]](#footnote-17) Furthermore, eliminating discrimination against women in nationality rights is necessary for the achievement of at least nine of the seventeen Sustainable Development Goals (See Annex 2).Guaranteeing women’s equal nationality rights can contribute to the achievement of the 2030 Agenda.[[18]](#footnote-18)

1. **Elimination of discrimination against women in nationality laws helps reduce causes of statelessness.**

Discrimination against women in nationality laws is one of the primary causes of statelessness, both for women and their family members. A stateless person is someone who is not recognized as a citizen by any country under the operation of its law.[[19]](#footnote-19) Statelessness results in wide-ranging and significant hardships that can impact individuals and their families for generations and impair their enjoyment of various human rights.

|  |
| --- |
| **How a woman becomes stateless due to discriminatory nationality laws:** Where both the countries of the husband and the wife follow the principle of dependent nationality, the woman automatically acquires the nationality of her husband but loses her own. Where only the country of the wife follows the principle of dependent nationality, she will lose her nationality when marrying a foreigner, even if she does not automatically acquire the nationality of her husband. Women in those cases will become stateless, even if they remain in their country of origin. Where the husband’s country follows the principle of dependent nationality, the husband’s nationality will be imposed on the wife, regardless of whether she would like to acquire such a nationality.In all of the above cases, if the nationality of the husband changes or is lost during the marriage, the wife’s nationality also changes. Similarly, in the event of termination of the marriage by death or divorce, the married woman may lose her entitlement to her husband’s nationality. Sometimes, couples divorce before the wife has gained her husband’s nationality. Women in these circumstances will be able to revert to their nationality of origin only if the laws of that State permit her to do so. Women are often not able to regain easily their nationality in a timely manner because of cumbersome procedures and, as a result, may become stateless.(Report of the Office of the High Commissioner for Human Rights (A/HRC/23/23) on discrimination against women on nationality related matters, including the impact on children (2013)) |

|  |
| --- |
| **Enjoyment of human rights that can be undermined by discrimination against women in nationality laws:** Affected persons, including those who are left stateless as a result of discrimination against women in nationality laws may be denied:* participation in political processes (the rights to vote and run for public office);[[20]](#footnote-20)
* access to social services, such as public health care services and social security (the rights to health and social security) ;[[21]](#footnote-21)
* access to public education and job opportunities (the rights to education and to work); [[22]](#footnote-22)
* access to housing (the right to an adequate standard of living, including adequate housing); [[23]](#footnote-23)
* access to justice (the right to justice and an effective remedy);[[24]](#footnote-24)
* freedom of movement (freedoms of movement and residence, freedom to leave or enter their own country); [[25]](#footnote-25)
* access to identity documents and other essential tools for economic activities, such as drivers’ licence, bank accounts, property and land ownership and financial resources (the rights to work and to an adequate standard of living);[[26]](#footnote-26)
* legal marriage (the right to marry and to found a family);[[27]](#footnote-27)
* family unity (the child’s right to family unity).[[28]](#footnote-28)

There may also be at increased risk of…* arbitrary arrest and detention (the right to liberty and security of person);[[29]](#footnote-29)
* exploitation, including child labour and human trafficking (freedom from slavery and servitude);[[30]](#footnote-30)
* harmful practices, such as child, early and forced marriage (prohibition of child marriage, freedom from violence);[[31]](#footnote-31)
* being confined in an abusive relations, such as domestic violence (the right to life, freedom from violence, equality in marriage and family life).[[32]](#footnote-32)
 |

1. **Discrimination against women in nationality rights can contribute to gender-based violence**.

Women who have lost their nationality through marriage or whose children do not have access to their mother’s nationality may be less likely to report domestic violence or to leave an abusive marriage. Additionally, there is a higher risk of human trafficking among stateless women and girls. Discrimination against women in nationality laws can also contribute to child, early and forced marriages. Girls and women who are without nationality in their home country may be forced into child, early and forced marriage in hopes of obtaining greater security and access to the benefits of citizenship through their spouse.[[33]](#footnote-33)

1. **Discrimination against women in nationality rights can threaten family unity and the right to found a family**.

Discrimination against women in the right to confer their nationality on foreign spouses and their children can threaten family unity and may impact the child’s ability to know and be cared for by his or her parents. [[34]](#footnote-34) Despite their desire to start a family, some couples report choosing not to have children as they do not want a future child to suffer extreme hardship as a result of being denied citizenship due to gender discrimination in a nationality law.[[35]](#footnote-35)

|  |
| --- |
| **How discrimination against women’s in nationality laws can undermine family unity:*** Some women have chosen to divorce their husbands when this is one of the few options available to be able to confer their nationality to their children. [[36]](#footnote-36)
* When foreign men are denied access to their spouses’ nationality, they may be forced to live away from their wives and children due to challenges in acquiring residency permits and obstacles to employment.
* Children may feel compelled to seek educational and work opportunities abroad, away from their family and the familiar environment in which they grew up, when the lack of nationality prevents them from accessing education or employment.

(Source: Our Motherland, Our Country: Gender Discrimination and Statelessness in the Middle East and North Africa, Women’s Refugee Commission, 2013) |

1. **Elimination of discrimination against women in nationality rights promote a more engaged citizenry, and promote greater national stability, economic development, good health and prosperity.**

Elimination of discrimination against women in nationality laws:[[37]](#footnote-37)

* Facilitates more inclusive political participation;
* Increases access to education, contributes to the reduction of poverty and economic marginalization, and allows more people to contribute to their country’s economy and development;
* Reduces the occurrence of untreated diseases and ill-health, enables more effective preventative healthcare interventions and thus reducing the public health risks and financial burden on the national health system;
* Contributes to more inclusive and stable society and the well-being of the population by reducing social marginalization and alienation.

## 2.2 Reforming nationality laws to ensure women’s equal nationality rights

In order for nationality laws to guarantee women’s equal rights to: (a) acquire, change or retain their nationality; (b) confer their nationality on their children; and (c) confer their nationality on their spouses, the following protections need to be considered:

1. Acquisition, change or retention of nationality:
* Ensure that marriage to a foreigner or a change to the husband’s nationality during marriage will not automatically change the nationality of the wife, force her to take the nationality of the husband, or put her at risk of statelessness;[[38]](#footnote-38)
* Introduce safeguards to nationality laws to ensure that any loss of nationality is applicable equally to women and men and conditional upon the possession or acquisition of another nationality;[[39]](#footnote-39)
* Allow women and men whose marriage has been dissolved to automatically reacquire their former nationality through a simple declaration in cases where they automatically lose or have to renounce their nationality when they marry;[[40]](#footnote-40)
* Recognize dual nationality for spouses married to foreigners and residing in the State of the spouse who expresses their wish to acquire the nationality of their spouse without losing their nationality of origin.[[41]](#footnote-41)

|  |
| --- |
| **Why is the recognition of dual nationality important?**Restrictions on retention of dual nationality also have the potential to discriminate against women in practice. Where dual nationality is not allowed, women can be disproportionately affected, as they tend to reside in their husband’s country. If dual nationality is forbidden, they will have to decide between retaining their nationality or acquiring that of their husband’s. If they do not take on the nationality of their husband, they will not be able to enjoy fully their political, civil, economic and social rights in their husband’s country. They will be especially vulnerable to abuse because of the inherent powerlessness of their position. If they lose their nationality of origin upon acquiring the nationality of their spouses, they risk statelessness in the event that the marriage ends by death or divorce, and may be cut off from the enjoyment of a range of human rights in their country of origin. They may also become stateless by “administrative delay” pending the granting of new nationality.(Report of the Office of the High Commissioner for Human Rights (A/HRC/23/23) on discrimination against women on nationality related matters, including the impact on children (2013)) |

1. Conferring their nationality on their children:
* Ensure that women may confer nationality to their children on the same basis as men;[[42]](#footnote-42)
* With regard to birth registration and the acquisition of nationality, laws, policies and regulations should be consistent and should not distinguish between children born in and out of wedlock;[[43]](#footnote-43)
* Recognize dual nationality for children born to parents from different nationalities.[[44]](#footnote-44)
1. Conferring their nationality on their spouses:
* Ensure that women may transfer nationality to their foreign spouses on the same basis as men;[[45]](#footnote-45)
* Ensure that a woman who have acquired nationality on the basis of marriage to a national do not lose that nationality in the event of dissolution of the marriage, or death of the spouse,[[46]](#footnote-46) unless requested along with proof of alternate nationality submitted by the affected woman herself;

In addition, the following actions may also be considered:

* Reforming other gender-discriminatory laws and policies that may cause statelessness, loss of nationality, or deny women’s equal access to civil documents. Such reform may include:
	+ Guaranteeing women’s independent and autonomous access, regardless of their marital status, to civil documents for themselves and their children;
	+ Repealing laws which require women to secure the consent and assistance of their husband, husband’s family or father in order to obtain nationality documents and birth certificates;
	+ Repeal laws that require the husband’s consent to add children’s names to the mother’s passport.[[47]](#footnote-47)

|  |
| --- |
| **Examples of laws that can discriminate against women in nationality rights:**Certain provisions of family laws or criminal laws may also hinder the enjoyment of nationality rights of women and their families.For example, the non-recognition of inter-religious marriage can lead to women refraining from registering their children at birth.[[48]](#footnote-48) Criminalization of sex out of wedlock may also discourage women from registering their children born out of wedlock. These laws may constitute gender discrimination and related human rights violations.[[49]](#footnote-49)  |

* Providing safeguards against statelessness and the impairment of the enjoyment of human rights due to statelessness, including by:
	+ Taking measures to facilitate transmission of nationality to the children and spouses of women who became stateless or lost their nationality before the reformed law comes into force;
	+ Facilitating, in accordance with their national laws, the acquisition of nationality by children born in their territories or to their nationals abroad who would otherwise be stateless;[[50]](#footnote-50)
	+ Guaranteeing the full enjoyment of human rights for non-national family members, in particular the rights to education, enjoyment of the highest attainable standard of health, work, property, freedom of residence and freedom from violence. Access to timely and effective administrative and judicial remedies should be also available to them;[[51]](#footnote-51)
	+ Combatting human trafficking, including the identification of potential victims of trafficking and the provision of appropriate assistance to stateless persons who may be victims of trafficking, paying particular attention to the needs and vulnerabilities of trafficked women and children;
	+ Ratifying relevant international treaties including the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness
* Ratifying international treaties which prohibits gender discrimination in relation to the right to nationality, including:
	+ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),[[52]](#footnote-52) without reservations to article 9 and other provisions of the CEDAW that impede women’s enjoyment of their nationality rights on the same basis as men (or withdraw relevant reservations if the Convention has already been ratified);
	+ Other relevant international human rights instruments, including the optional protocols providing for individual complaints. (See Annex 2)[[53]](#footnote-53)

## 2.3 Strategies for a successful nationality law reform

Various stakeholders, primarily at national level but also at international level, have a role to play for a successful nationality law reform. This sub-section proposes a set of actions each stakeholder may wish to consider. While these suggestions are based on good practices across the world, ultimately, a careful assessment of the unique opportunities and challenges present in each country must guide all attempts at reform.

**Governments may wish to**:

* Review the level of compliance of nationality and other laws in terms of equal nationality rights for men and women with international treaties providing for the same. Consistency and coherence of domestic laws related to nationality. Other laws, such as the Constitution, Personal and Family Codes, and Children’s Codes, may already provide for non-discriminatory nationality rights for men and women. In such cases, aligning nationality laws with those non-discriminatory laws will secure consistent non-discriminatory application of nationality rights by national and local officials and judiciary, and help avoid ambiguity;
* Secure commitment to reform of discriminatory laws at the highest levels of government;[[54]](#footnote-54)
* Bring on board a wide range of line ministries which may have mandates on issues impacted by discrimination against women in nationality laws, such as ministries mandated on access to justice, education, and healthcare, women’s empowerment, social protection, economic development/poverty eradication, children’s/youth welfare and ending violence against women and children;

|  |
| --- |
| Good practice:In 2012, Senegal’s Ministry of Justice assumed leadership in implementing the Government’s pledge to eradicate gender discrimination in its nationality law. It formed a Task Force made up of representatives from the Presidency, as well as the ministries of Justice, the Interior and Foreign Affairs. The Task Force completed a draft bill to reform the Nationality Code in August 2012. It then embarked on a consultative process to review the bill.(For more detail, see: UNHCR, Good Practices Paper - Action 3: <http://www.refworld.org/docid/54f8377d4.html> ) |

* Mobilize a wide range of stakeholders to generate support for the law reform, including various relevant ministries, parliamentarians (such as Parliamentary Women’s Caucuses), the judiciary, national human rights Institutions, civil society organizations, affected persons (affected women and their children and spouses), communities and development partners, and the media;

|  |
| --- |
| Good practices:The judiciary can play a role to facilitate the law reform. Discriminatory laws on nationality have been challenged in the courts of many countries, as well as before international human rights mechanisms. In some cases, discriminatory laws were amended following court decisions, discriminatory laws were amended. The arguments used by petitioners and in the decisions taken by these courts and mechanisms declaring such laws as discriminatory and in violation of human rights provisions could serve as an example of a best practice for other countries.(For examples of relevant court cases, see: Report of the Office of the High Commissioner for Human Rights (A/HRC/23/23) on discrimination against women on nationality related matters, including the impact on children (2013), paras 63-66) |

* Consult with affected persons and their families and enable their free, active and meaningful participation in the law reform. Engage with civil society organizations working on nationality rights, including women’s organizations and human rights organizations, in the law reform, including assessment and analysis, designing and deliberation on the law;

|  |
| --- |
| Good practice:Widely sharing testimonies of affected persons and their families is a compelling way to raise awareness on the costs of gender discrimination in nationality laws and to mobilize support for the necessary reform.In Madagascar, civil society organizations advocating for reform worked with parliamentarians to organize a parliamentary session which included testimonies of persons affected by the country’s discriminatory nationality law and an open debate with parliamentarians. The parliamentary session was followed by a press conference, which resulted in significant media attention and public debate of this issue. A year later, the National Assembly voted to reform the law, guaranteeing women the right to confer nationality on their children on an equal basis with men.Civil Society benefited from the emergence of several particularly effective good practices during the Moroccan Nationality Code reform campaign, which was led by the Association Démocratique des Femmes du Maroc (ADFM). One was the creation of a country-wide network of listening centres at the grassroots level where women married to foreigners and unable to pass their citizenship to their children were able to explain the law’s impact on them and their families, including the resulting statelessness of many of their children. These testimonials were used in the campaign and affect families joined NGOs to pressure the Government for reform.” (For more detail, see: UNHCR, Good Practices Paper - Action 3: http://www.refworld.org/docid/54f8377d4.html ) |

* Work with civil societies, including women’s organizations, human rights organizations and the media to raise awareness with stakeholders and the public on the significant individual and social costs of discrimination against women in nationality rights, and the benefits of reform to affected persons, their families, and the country at large;
* Widely disseminate recommendations issued by international and regional human rights mechanisms with regard to nationality rights, and inform national stakeholders on the commitments made by the Government with regard to the processes and timelines for law reform in international fora; and
* Assess if broader gender-equality agendas would create an environment conducive to the nationality law reform.

|  |
| --- |
| Good practice: Reform in nationality laws has often accompanied broader initiatives to reach gender equality in various fields. For instance, in Rwanda, women parliamentarians created the Forum for Women Parliamentarians in 1996 with the objective of integrating gender at all levels through, notably, sensitization, strengthening women empowerment, and integrating gender into laws, policies, programmes, projects and budgets. Their efforts led to the revision of various laws that discriminated against women, in particular the law on nationality.(Report of the Office of the High Commissioner for Human Rights (A/HRC/23/23) on discrimination against women on nationality related matters, including the impact on children (2013)) |

**Civil society organizations and the media may wish to:**

* Forge collaboration between those working to end statelessness and women’s rights organizations;[[55]](#footnote-55)
* Monitor the implementation by the Government of their regional and international commitments and their engagement with international human rights bodies, and raise public awareness on the Government’s performance.;

|  |
| --- |
| Good practice:Advocates for change in Algeria and Morocco engaged with the CEDAW Committee, which in turn made recommendations to the authorities on implementation of their international gender-equality obligations. This encouraged governments to work with advocates at the national level, fostering constructive dialogue for law reform.(For more detail, see: UNHCR, Good Practices Paper - Action 3: <http://www.refworld.org/docid/54f8377d4.html> )One regional campaign, led by the Collective for Research and Training on Development Action, maintained its focus on documenting the processes, developing advocacy skills, undertaking political lobbying, mobilizing women and the general public, working with media and maintaining regional linkages and the solidarity aspect of the campaign. It also provided direct support to women affected by the current nationality laws through legal counselling.(Report of the Office of the High Commissioner for Human Rights (A/HRC/23/23) on discrimination against women on nationality related matters, including the impact on children (2013). |

* Create an environment favourable to the law reform by facilitating social acceptance of gender equality through advocacy and awareness-raising activities; [[56]](#footnote-56)

**International actors may wish to consider the following action to support the law reforms:**

* Development actors: supporting the capacity of Governments to guarantee women’s equal nationality rights, including in the context of realizing the 2030 Agenda for Sustainable Development, in particular the goal 5;[[57]](#footnote-57)
* States: continuing to raise the issue and recommend the realization of women’s equal nationality rights in their peer reviews through the Human Rights Council’s Universal Periodic Review (UPR) process;[[58]](#footnote-58)
* Special procedures of the Human Rights Council: addressing and highlighting issues relating to the right to a nationality and statelessness within their mandates, including the Working Group on the issue of discrimination against women in law and in practice, and the UN human rights treaty bodies ; [[59]](#footnote-59)
* United Nations bodies, agencies, funds and programmes, including OHCHR, UNHCR, UNICEF, UN Women: advocating for, and supporting States to eliminate discrimination against women in nationality rights through law reforms.

# Implementation of the reformed laws

Human Rights Council resolution 32/7:

* *Urges* States that have reformed nationality laws to ensure the effective implementation of the laws, including through awareness-raising and publicity, and gender-sensitive training of public officials, including judges and local leaders, and targeted outreach to civil society to engage relevant communities; [[60]](#footnote-60)
* *Urges* States to ensure that men and women have equal access to documents used to prove nationality, in particular passports, identity documents and birth, and where relevant, marriage certificates; [[61]](#footnote-61)
* *Calls upon* States to identify and remove physical, administrative, procedural and any other barriers, especially those targeting women, that impede access to registration of vital life events including birth, marriage and death registration, and including late registration and associated fees, paying due attention to, among others, barriers relating to poverty, age, disability, gender, nationality, displacement, illiteracy and detention contexts, and to persons in vulnerable groups, and to remove barriers to birth registration based on discrimination against unwed mothers; [[62]](#footnote-62)
* *Also calls upon* States to ensure that effective and appropriate remedies are available to all persons, in particular women and children, whose right to a nationality has been violated, including restoration of nationality and expedient provision of documentary proof of nationality by the State responsible for the violation. [[63]](#footnote-63)

This section summarizes challenges often faced by States in the implementation of reformed nationality laws and provides a set of practical recommendations for overcoming such challenges and for the successful implementation of reformed nationality laws in line with international human rights standards.

## 3.1 Strategies for an effective implementation of reformed nationality laws

In order to have an impact, once nationality laws have been reformed, they must be effectively implemented. Implementation of reformed laws may be hindered when: there is no clear implementation plan with clear timelines and adequate resource allocation; officials apply the provisions inconsistently or arbitrarily; affected women and their children and spouses are not aware of their rights; administrative procedures and requirements have discriminatory impacts; and effective remedies are not available in case of non-compliance with the reformed laws.

For effective implementation of nationality laws to guarantee women’s equal nationality rights, **Governments may wish to consider the following actions**:

National plans of action

* Develop national plans of action to implement the reformed nationality laws, which include plans and budgeting for public awareness raising campaigns, capacity-building of civil authorities and support to women who seek to acquire, change, retain or confer their nationality; and
* Promote consistency between national plans of actions for the realization of the 2030 Agenda for Sustainable Development as well as those for ending statelessness which can also be used to eliminate discrimination against women in nationality rights and implement the reformed nationality laws.[[64]](#footnote-64) For example, a work plan for SDG 5 (Gender Equality) in a SDG National Action Plan could include a comprehensive review of policies, regulations and procedures that discriminate against women, including those relevant to nationality rights.

Awareness raising and capacity building

* Integrate plans and budgeting for the training of civil authorities and public awareness raising campaigns into the reform process;
* Publicize the reformed nationality laws and raise public awareness on the laws, including in local languages with clear instructions of how affected persons can benefit from reforms;
* Raise awareness among women, and those affected by discriminatory nationality laws, on their nationality rights and provide them with necessary support, including legal aid, to acquire, change, retain or reclaim their nationality;[[65]](#footnote-65)
* When disseminating information and providing support, proactively reach out to women who may be at a higher risk of statelessness or whose children may be at a higher risk of statelessness, including immigrating and emigrating women, refugee women, indigenous and minority women, women living abroad, single women heads of household, victims and survivors of gender-based violence and trafficking in persons;
* Conduct gender-sensitive training of public officials, including judges and local leaders, and targeted outreach to civil society to engage relevant communities;
* Eradicate stigma and penalties against stateless persons. Stigma and fear of penalties such as detention or deportation may inhibit women and their families who are rendered stateless due to gender discrimination in the former nationality law to acknowledge their status and seek to acquire nationality; and
* Develop guidelines regarding the application of nationality laws and related administrative policies, including accountability mechanisms in case of non-compliance by officials.

Overcoming practical barriers

* Take all necessary measures to ensure that all girls and boys are registered immediately after birth, without discrimination based on sex, race, disability, social or other status, including with respect to the sex of the parent requesting the birth certificate. Marriages should also be registered in a timely manner;[[66]](#footnote-66)
* Ensure that men and women have equal and autonomous access to documents used to prove nationality, in particular passports, identity documents and birth certificates, and where relevant, marriage certificates;
* Provide for alternative systems of proof of identity in contexts where documentary evidence is not available or cannot reasonably be obtained,[[67]](#footnote-67) including in the cases of displacement or being victims of trafficking; and
* Review the implementation of nationality laws has unintended discriminatory impact on women and amend administrative procedures and requirements to ensure women’s equal enjoyment of nationality rights.

|  |
| --- |
| **Examples of practical barriers to women’s equal enjoyment of nationality rights:**Very often, identical naturalization procedures for women and men may actually discriminate against women in practice. Where non-national women have lesser opportunities to learn the local language and culture (for instance because of domestic responsibilities limiting their interaction with the community), standard tests for the acquisition of nationality may put them at a disadvantage. Naturalization criteria requiring economic self-sufficiency or adequate housing may also be more difficult for women to meet, especially if they are female-headed households with little income or are financially dependent on their spouses. (Report of the Office of the High Commissioner for Human Rights (A/HRC/23/23) on discrimination against women on nationality related matters, including the impact on children (2013).) |

Safeguards and remedies

* Facilitate the acquisition of nationality for those who do not benefit from recent reforms in nationality laws because the law is not retroactive or has other stringent requirements; [[68]](#footnote-68)
* Protect women human rights defenders involved in nationality-related campaigns and ensure effective representation of women in all reforms to nationality laws, whether at local, national, regional or international level; [[69]](#footnote-69)
* Ensure that effective and appropriate remedies are available to all persons, in particular women and children, whose right to a nationality has been violated, including restoration of nationality and expedient provision of documentary proof of nationality by the State responsible for the violation;[[70]](#footnote-70) and
* In order to facilitate consistency in provision of effective remedies, widely disseminate all relevant judicial decisions and recommendations of human rights mechanisms on nationality, [[71]](#footnote-71) and ensure local governments and local courts are made aware of such decisions and recommendations and their applicability under their local jurisdiction.

**Civil society organizations may wish to:**

* Monitor the implementation of the reformed law, including at the executive and judicial levels;
* Disseminate information, raise awareness, share good practices, sustain engagement with the Government on gender equality issues.

|  |
| --- |
| Good practice: Following the amendments to nationality provisions in Egypt, civil society engaged in a variety of activities, including monitoring the implementation of the new code at both the executive and judicial levels. Campaign activists also sought and obtained favourable court rulings against discriminatory practices in the implementation of the law.Report of the Office of the High Commissioner for Human Rights (A/HRC/23/23) on discrimination against women on nationality related matters, including the impact on children (2013) |

**International actors, including international organizations and other States, may wish to:**

* Encourage implementation of the reformed laws through diplomacy and/or direct technical assistance and capacity-building where and when needed.

# Annex 1: International and regional instruments relevant to women’s equal nationality rights

**International legal instruments** [[72]](#footnote-72)

**Declaration:**

* Universal Declaration of Human Rights (1948)

**International treaties:**

* Convention relating to the Status of Stateless Persons (1954)
* Convention on the Nationality of Married Women (1957)
* Convention on the Reduction of Statelessness (1961)
* International Covenant on Civil and Political Rights (1966)
* Convention on the Elimination of All Forms of Discrimination against Women (1979)
* Convention on the Rights of the Child (1990)
* International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2003)

**Regional treaties:**

* Inter-American Convention on the Nationality of Women (1933)
* American Convention on Human Rights (1969)
* African Charter on the Rights and Welfare of the Child (1990)
* European Convention on Nationality and the Commonwealth of Independent States Convention on Human Rights and Fundamental Freedoms (1995)
* Protocol on the Rights of Women in Africa (2003)
* Arab Charter on Human Rights (2004)

**International policy framework**

**Global political commitments:**

Beijing Declaration and Platform for Action (1995), at the United Nations Fourth World Conference on Women - Delegates from 189 countries pledged to revoke any remaining laws that discriminate on the basis of sex.

Outcome documents of the twenty-third special session of the General Assembly (2000): “Women 2000: Gender Equality, Development and Peace for the Twenty-First Century”– States made commitment to gender equality, including through strengthened implementation of laws, policies, strategies and programme activities for all women and girls;

Pledges made by States at the UNHCR Ministerial Intergovernmental Event on Refugees and Stateless Persons (2011) – States made pledges to undertake reforms to remove gender discrimination from nationality law

Political declaration of the fifty-ninth session of the Commission on the Status of Women (2015) – States pledged to take further concrete action to ensure the full, effective and accelerated implementation of the Beijing Declaration and Platform for Action;

Agreed conclusions of the Commission on the Status of Women at its sixtieth session (2016) – States are urged to eliminate all forms of discrimination against women and girls through the removal, where they exist, of discriminatory provisions in legal frameworks, including punitive provisions, and setting up legal, policy, administrative and other comprehensive measures, including temporary special measures as appropriate, to ensure women’s and girls’ equal and effective access to justice and accountability for violations of human rights of women and girls;

2030 Agenda for Sustainable Development (2015) – States are committed to eliminate discrimination against all women and girls as well as all discriminatory laws, policies and practices and to provide a legal identity for all;

Many States have also accepted recommendations relevant to women’s equal nationality rights under the Human Rights Council’s Universal Periodic Review process. (Accepted recommendations can be searched through the Universal Human Rights Index database: <http://uhri.ohchr.org>)

**Regional political commitments**: [[73]](#footnote-73)

Brazil Declaration and Plan of Action on strengthening the international protection of refugees, displaced and stateless persons in Latin America and the Caribbean (2014);

Seven-point plan of action that resulted from the meeting of Parliamentarians held on 26 and 27 November 2015 in Cape Town, South Africa, which focused on the role of parliaments in preventing and ending statelessness; and

Abidjan Declaration of Ministers of Member States of the Economic Community of West African States on the eradication of statelessness (2015);

First conclusions on statelessness adopted by the Council of the European Union (2015);

Bali Declaration on People Smuggling, Trafficking in Persons and Related Transnational Crime (2016)

Resolution on legal identity for children, adopted by the 134th Inter-Parliamentary Union Assembly (2016);

African Union initiative to develop a draft protocol on the right to a nationality in Africa.

# Annex 2: Sustainable Development Goals and women’s equal nationality rights

The achievement of the following SDGs requires or facilitated by women’s equal nationality rights:

|  |  |  |
| --- | --- | --- |
| Goals | Targets | Relevance of women’s equal nationality rights |
| No Poverty | 1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable | Women and their families affected by discrimination against women in nationality rights may have compromised access to education, formal employment, social services, and inheritance of family property, all factors that contribute to poverty. |
| Zero Hunger | 2.2 By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment | Those impoverished due to the impact of discrimination against women in nationality rights may face food insecurity.Discrimination against women in nationality rights can also limit affected persons’ ability to inherit family property and limit their ability to give their children an inheritance of family property. For example, many countries restrict land ownership to citizens. Where children do not have the right to their mother’s nationality, they may be unable to inherit the family land, which may be a basis for their livelihood and food security. |
| Good Health and Well-Being | 3.8 Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all | Those without nationality due to gender discrimination in nationality rights are often denied access to public healthcare systems and/or subsidized healthcare, which can result in untreated diseases and illness. |
| Quality education | 4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and preprimary education so that they are ready for primary education4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university | Affected children who lack nationality in their country of residence often face obstacles to accessing education. They may be denied access primary, secondary or tertiary school or be forced to pay higher school fees. Because of persisting gender stereotypes, families with limited resources often prioritize boys’ education over girls’. |
| Gender Equality | 5.1 End all forms of discrimination against all women and girls everywhere5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation5.5 Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public life5.7 Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws5.9 Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels | Not recognizing equal rights of women in nationality laws is a form of discrimination against women and girls.Discrimination against women in nationality rights implicitly endorses an understanding of women’s status as inferior to men and women’s legal identity as derivative, based on the nationality of her father or spouse, rather than an expression of her independent identity as a citizen. Women’s inability to equally confer citizenship on spouses limits their ability to freely choose a spouse. Women’s inability to equally confer nationality on children prevents mothers from equally exerting their rights and responsibilities as parents and guardians, while implicitly endorsing the notion of the father as the ‘head of the household.’  |
| Decent work and economic growth | 8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value | When women are unable to confer nationality on their spouses, their husbands may be denied work permits and must often pay expensive residency permits. When women’s children and spouses lack access to formal employment, those women may be forced to provide for the entire family, even when children reach adulthood. Children’s lack of educational opportunities due to discriminatory nationality laws can lead to a life of economic hardship and barriers to formal employment. Discriminatory nationality laws deprive a country of the contributions of a segment of their populations, which can result in a lower GDP. Equal nationality rights support greater national stability, economic development, and prosperity by allowing more people to contribute to their country’s economy and development. |
| Reduced inequalities | 10. 3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard | Many persons affected by discrimination against women in nationality rights are prevented from fully participating in economic, social, and political life. Children suffer from being told that they do not truly belong. Parents struggle to provide for their families and to cope with the fact that their children will be denied many opportunities.  |
| Sustainable cities and communities | 11. 1 By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums | Persons affected by discrimination against women in nationality rights may be prevented from executing contracts including those pertaining to land/home ownership or renting housing.  |
| Peace, justice and strong institutions | 16. 2 End abuse, exploitation, trafficking and all forms of violence against and torture of children16. 7 Ensure responsive, inclusive, participatory and representative decision-making at all levels16.9 By 2030, provide legal identity for all, including birth registration16.12 Promote and enforce non-discriminatory laws and policies for sustainable development | Those denied nationality due to gender discrimination in nationality rights are often denied a legal identity, including access to civil documentation, and may be rendered stateless. These persons are also prevented from voting and running for political office, and are at an increased risk of being trafficked. |

# Annex 3: List of background documents

Resolutions, documents and information:

* Human Rights Council resolution 32/7 (A/HRC/32/7) on the right to a nationality: women’s equal nationality rights in law and in practice.
* Human Rights Council resolution 20/8 (A/HRC/20/L.8) on the right to a nationality: women and children.
* Report of the Office of the High Commissioner for Human Rights (A/HRC/23/23) on discrimination against women on nationality related matters, including the impact on children (2013).
* General Recommendation No. 32 (2014) of the Committee on the Elimination of Discrimination against Women on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women
* UN High Commissioner for Refugees (UNHCR), *Background Note on Gender Equality, Nationality Laws and Statelessness 2017*: <http://www.refworld.org/docid/58aff4d94.html>
* UNHCR, *Good Practices Paper - Action 3: Removing Gender Discrimination from Nationality Laws*, 6 March 2015: <http://www.refworld.org/docid/54f8377d4.html>
* OHCHR website “Right to nationality and statelessness”: [http://www.ohchr.org/EN/Issues/Pages/Nationality.aspx](https://www.ohchr.org/EN/Issues/Pages/Nationality.aspx)

Relevant global campaigns:

* #IBELONG, Global Campaign to End Statelessness by 2024: <http://www.unhcr.org/ibelong/>
* Global Campaign for Equal Nationality Rights: <http://equalnationalityrights.org/>

Coalition on Every Child’s Right to a Nationality: <http://www.unhcr.org/ibelong/unicef-unhcr-coalition-child-right-nationality/>

* ID4D (Identification for Development – a World Bank campaign): <http://www.worldbank.org/en/programs/id4d>
1. UN High Commissioner for Refugees (UNHCR), Background Note on Gender Equality, Nationality Laws and Statelessness 2017, p.2: <http://www.refworld.org/docid/58aff4d94.html> [↑](#footnote-ref-1)
2. UN High Commissioner for Refugees (UNHCR), *Background Note on Gender Equality, Nationality Laws and Statelessness 2017*: <http://www.refworld.org/docid/58aff4d94.html>

Global Campaign for Equal Nationality Rights: <http://equalnationalityrights.org/the-issue/the-problem> [↑](#footnote-ref-2)
3. A/HRC/RES/32/7, OP 3. [↑](#footnote-ref-3)
4. A/HRC/RES/32/7, OP 4. [↑](#footnote-ref-4)
5. A/HRC/RES/32/7, OP 5. [↑](#footnote-ref-5)
6. UDHR, Article 15.

Also see: Article 24, paragraphs 2 and 3 of the International Covenant on Civil and Political Rights, article 7 of the Convention on the Rights of the Child, and article 29 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. [↑](#footnote-ref-6)
7. UDHR, Arts 2 and 15. Human Rights Council resolution 32/7, PP. 2 and OP 1. [↑](#footnote-ref-7)
8. The Convention on the Elimination of All Forms of Discrimination against Women provides in its article 9.1 that States “shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.” Article 9.2 requires States to “grant women equal rights with men with respect to the nationality of their children”. However, a significant number of States have made reservations to article 9 of the Convention and to other articles that may potentially affect the nationality rights of women.

 The CEDAW Committee holds that Article 9 extends an obligation to ensure equality between men and women in the ability to confer their nationality on spouses, as outlined in General Comment No. 32: on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women.

 Discrimination against women in nationality law also undermines women’s enjoyment of a number of rights protected under the Convention. See: UN High Commissioner for Refugees (UNHCR), Global Campaign for Equal Nationality Rights, “CEDAW Quick Reference Guide”: <http://www.refworld.org/pdfid/58e38a3f4.pdf> [↑](#footnote-ref-8)
9. The Inter-American Convention on the Nationality of Women, the American Convention on Human Rights, the African Charter on the Rights and Welfare of the Child, the European Convention on Nationality and the Commonwealth of Independent States Convention on Human Rights and Fundamental Freedoms. [↑](#footnote-ref-9)
10. The Protocol on the Rights of Women in Africa and the Arab Charter on Human Rights also have provisions on equality with regard to nationality-related matters, even though they qualify this with deference to domestic laws. [↑](#footnote-ref-10)
11. Convention on the Reduction of Statelessness, Arts 1 and 4. [↑](#footnote-ref-11)
12. Convention on the Reduction of Statelessness, Arts 5, 6, 7 and 8. [↑](#footnote-ref-12)
13. Convention relating to the Status of Stateless Persons, Art. 32. [↑](#footnote-ref-13)
14. Human Rights Council resolution 32/7, OP 2. [↑](#footnote-ref-14)
15. A/HRC/RES/32/7, PP. 8. [↑](#footnote-ref-15)
16. See Annex 1. [↑](#footnote-ref-16)
17. A/HRC/RES/32/7, PP. 13. [↑](#footnote-ref-17)
18. A/HRC/RES/32/7, PP 3. [↑](#footnote-ref-18)
19. Convention on relating to the Status of Stateless Persons, Art 1. [↑](#footnote-ref-19)
20. ICCPR, Art. 25. CEDAW, Art. 7. [↑](#footnote-ref-20)
21. ICESCR, Arts. 12 and 9. CEDAW, Arts. 12 and 11. CRC, Arts. 24 and 26. [↑](#footnote-ref-21)
22. ICESCR, Arts. 13 and 6. CEDAW, Arts. 10 and 11. CRC, Art. 28. [↑](#footnote-ref-22)
23. ICESCR, Art. 11. CEDAW, Art. 14. CRC, Art. 27. [↑](#footnote-ref-23)
24. ICCPR, Art.2. [↑](#footnote-ref-24)
25. ICCPR, Art. 12. CEDAW, Art. 15. CRC, Art. 10. [↑](#footnote-ref-25)
26. ICESCR, Arts 6 and 12. CEDAW, Arts. 13 and 14. [↑](#footnote-ref-26)
27. ICCPR, Art.23. [↑](#footnote-ref-27)
28. CRC, Arts. 9 and 10. [↑](#footnote-ref-28)
29. ICCPR, Art. 9. [↑](#footnote-ref-29)
30. ICCPR, Art.8, CRC, Art. 32. [↑](#footnote-ref-30)
31. CEDAW, Arts. 2, 5 and 16, CRC, Arts 19 and 24. [↑](#footnote-ref-31)
32. ICCPR, Art. 6, CEDAW, Art. 16, CRC Arts 19 and 24. [↑](#footnote-ref-32)
33. A/HRC/23/23, para 53. [↑](#footnote-ref-33)
34. A/HRC/23/23, para 48.

The Convention on the Rights of the Child recognizes in its preamble that “the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding”, and provides for States’ obligation to protect family unity and family environment for children (e.g. Articles 5, 8, 9, 10) [↑](#footnote-ref-34)
35. Our Motherland, Our Country: Gender Discrimination and Statelessness in the Middle East and North Africa, Women’s Refugee Commission, 2013, p.15.

ICCPR, Art. 23, recognizes “the right of men and women of marriageable age to marry and to found a family shall be recognized.” [↑](#footnote-ref-35)
36. Our Motherland, Our Country: Gender Discrimination and Statelessness in the Middle East and North Africa, Women’s Refugee Commission, 2013, pp. 22-23. [↑](#footnote-ref-36)
37. Adopted from <http://equalnationalityrights.org/the-issue/the-problem> [↑](#footnote-ref-37)
38. A/HRC/23/23, para 72 (b). [↑](#footnote-ref-38)
39. A/HRC/23/23, para 72 (b). [↑](#footnote-ref-39)
40. A/HRC/23/23, para 72 (d). [↑](#footnote-ref-40)
41. A/HRC/23/23, para 72 (e). [↑](#footnote-ref-41)
42. A/HRC/RES/32/7, OP 5. [↑](#footnote-ref-42)
43. A/HRC/23/23, para 72 (c). [↑](#footnote-ref-43)
44. A/HRC/23/23, para 72 (e). [↑](#footnote-ref-44)
45. A/HRC/23/23, para 72 (b). [↑](#footnote-ref-45)
46. A/HRC/23/23, para 72 (b). [↑](#footnote-ref-46)
47. A/HRC/23/23, para 72 (j). [↑](#footnote-ref-47)
48. EQUAL RIGHTS TRUST, My Children’s Future, p.18. [↑](#footnote-ref-48)
49. For example, laws that deny women’s ability to freely choose a spouse [in contradiction with CEDAW Article 16], such as prohibitions on inter-religious marriage, which also contradict obligations to ensure equality under the law and the right to non-discrimination on the basis of sex and religion, amongst other factors. Likewise, the UN Working Group on Discrimination Against Women has maintained that adultery as a criminal offence violates women’s human rights. The Working Group observed that “international human rights jurisprudence established that criminalization of sexual relations between consenting adults is a violation of their right to privacy and infringement of article 17 of the International Covenant on Civil and Political Rights. States parties to the Covenant are obliged to ensure that domestic norms take account of developments in international law and incorporate interpretations of the decisions of international courts and international and regional human rights mechanisms, including the treaty bodies and special procedures.”: <http://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12672&LangID=E> [↑](#footnote-ref-49)
50. A/HRC/RES/32/7, OP 15. [↑](#footnote-ref-50)
51. A/HRC/23/23, para 72 (g). [↑](#footnote-ref-51)
52. A/HRC/RES/32/7, OP 12. [↑](#footnote-ref-52)
53. A/HRC/23/23, para 72 (a). [↑](#footnote-ref-53)
54. UNHCR, Good Practice Paper – Action 3, p.2. [↑](#footnote-ref-54)
55. UNHCR, Good Practice Paper – Action 3, p.2. [↑](#footnote-ref-55)
56. UNHCR, Good Practice Paper – Action 3, p.2. [↑](#footnote-ref-56)
57. Adopted from A/HRC/RES/32/7, OP. 18. [↑](#footnote-ref-57)
58. A/HRC/RES/32/7, OP. 11. [↑](#footnote-ref-58)
59. A/HRC/RES/32/7, OP. 10. [↑](#footnote-ref-59)
60. A/HRC/RES/32/7, OP 6. [↑](#footnote-ref-60)
61. A/HRC/RES/32/7, OP 7. [↑](#footnote-ref-61)
62. A/HRC/RES/32/7, OP 8. [↑](#footnote-ref-62)
63. A/HRC/RES/32/7, OP 9. [↑](#footnote-ref-63)
64. A/HRC/RES/32/7, OPs 18 and 19. [↑](#footnote-ref-64)
65. A/HRC/23/23, para 72 (d). [↑](#footnote-ref-65)
66. A/HRC/23/23, para 72 (i). [↑](#footnote-ref-66)
67. A/HRC/23/23, para 72 (j). [↑](#footnote-ref-67)
68. A/HRC/23/23, para 72 (k). [↑](#footnote-ref-68)
69. A/HRC/23/23, para 72 (n). [↑](#footnote-ref-69)
70. A/HRC/RES/32/7, OP 9. [↑](#footnote-ref-70)
71. A/HRC/23/23, para 72 (l). [↑](#footnote-ref-71)
72. For more details of legal framework on non-discrimination against women in nationality laws, see A/HRC/23/23, paras 8-18. [↑](#footnote-ref-72)
73. For more details, see A/HRC/RES/32/7, PP. 16. [↑](#footnote-ref-73)