



Organization for Security and Co-operation in Europe
High Commissioner on National Minorities

ADDRESS

by
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to the
**Launch of the OSCE-UNHCR “*Handbook on Statelessness in the OSCE Area:
International Standards and Good Practices*”**

[Check against delivery]

Hofburg, Vienna – 2 March 2017

Thank you, chairman,
Dear Secretary General,
Dear Assistant High Commissioner for Refugees
Distinguished Ambassadors,
Dear colleagues,
Ladies and Gentlemen,

Today, at this event, international co-operation on issues of statelessness has never been better illustrated: I am pleased to share the floor with distinguished representatives of UNHCR and the OSCE. Together we are here to reiterate the importance of reducing the risk of statelessness. No other organization is better placed than UNHCR to remind us that statelessness is a worldwide issue. Yet, while statelessness itself is not a new phenomenon, the fact that it remains such an unresolved issue in the 21st century is in itself a test for the entire OSCE region, especially at a time when States are struggling to achieve integration of their multi-ethnic societies.

Today, we have received the valuable support of the Austrian Chairmanship of the OSCE to remind ourselves about the fate of those millions of people who are still legally “invisible”. Making the invisible visible: this is why we, in the HCNM, ODIHR and UNHCR have united and put our resources together. We have chosen this path because we are convinced that the issue of statelessness – or the risk of it – cannot be solved if we are not united. We are also aware that international organizations can assist and encourage States to tackle the issue but they cannot be a substitute for the States’ responsibility in this area: citizenship remains the competence of States. However, citizenship is also a human right: everyone has a right to citizenship. And as we know, the obligation to avoid statelessness has been enshrined in international conventions.

Both human rights and security considerations come into play when looking at issues of statelessness. Both are in fact intertwined: Statelessness raises human rights issues; it is also often closely related to discrimination against specific groups, including racial, ethnic, religious and linguistic minorities, or on the basis of perceived national origin. At the same time, the long-term presence of a significant number of persons without citizenship cannot but hurt the integration of society. We at the HCNM like to quote the 2012 *Ljubljana Guidelines on the Integration of Diverse Societies*, "...citizenship has relevance beyond the individual dimension and has significance for the society as a whole. Citizenship, and in particular access to it, is an essential element of integration."

Integration is a process that is built upon participation, upon a shared sense of belonging and upon legal, political and cultural bonds between individuals of different backgrounds and affiliations. Citizenship is one such bond. It legally links the State and the individual, creating a "social contract" which defines rights and responsibilities based on justice and equality. Leaving the question of statelessness unresolved for decades comes at a high price, both for the individuals concerned and for the States in question; it takes away the potential for State-building and consolidation.

This is why this issue has come under the conflict prevention mandate of the HCNM. And this is why the HCNM has been involved with issues of *de jure* and *de facto* statelessness in different parts of the OSCE. In several countries where the first HCNM, Max van der Stoep, was actively engaged from the early days of his mandate, now almost 25 years ago, the topic of citizenship laws and policies featured prominently in his advice and recommendations. The HCNM has also reiterated the risk of statelessness as a regional issue in South East Europe. As we know, many people were displaced as a result of the dissolution of Yugoslavia and the conflict of the 1990s. A considerable number of people,

many of them Roma, are still in a legal limbo, which prevents them from being fully part of society. In 2011, UNHCR, the EU and the OSCE joined forces to bolster political support to enhance regional co-operation on this issue. They facilitated the adoption of the Zagreb Declaration addressing civil status documentation and registration in South-Eastern Europe. Some three years ago, a review of the progress made showed that positive developments, including legislative amendments facilitating civil registration have taken place. It also showed that solutions that go beyond a case-by-case approach are still very much needed, not only in South East Europe, but in many States in the OSCE Region.

Ladies and gentleman,

As Winston Churchill once said “The pessimist sees difficulty in every opportunity. The optimist sees the opportunity in every difficulty.” Let me now conclude my brief intervention with a note of pragmatic optimism.

We are aware of the obstacles to resolving statelessness. They have been evidenced in numerous conferences and reports over the last decades. But we also know that with political willingness, solutions to tackle statelessness are within our reach.

Progress has been achieved in recent years. We need to acknowledge it. The Handbook, which is launched today, attempts to provide some examples of valuable steps taken to not only address the problem but also prevent it. States, civil society actors and the broader international community have stepped up their efforts to deal with statelessness. This is positive and indeed gives cause for optimism. But even if some progress has been made, the long-term issue of statelessness has still not been tackled comprehensively. So let us also be

pragmatic and remain committed and vigilant: perpetuating human rights violations through statelessness will only serve to increase exclusion and resentment. We need to prevent such phenomena from perpetuating themselves. We therefore hope that the present handbook will serve as a catalyst for renewed action to fully address statelessness today.

Please study it, discuss it, please promote it: we at the HCNM certainly will.

Thank you for your attention.