



Submission by the Global Campaign for Equal Nationality Rights to the UN Secretary-General's High-Level Panel on Internal Displacement

The Impact of Gender Discrimination in Nationality Laws on Internally Displaced Persons

The [Global Campaign for Equal Nationality Rights](#) works to end gender discrimination in nationality laws through its coalition of national and international organizations, activists, and UN partner agencies.¹

Approximately [50 countries](#) have nationality laws that deny women equal rights with men, in violation of international human rights law. [Twenty-five](#) of these countries deny women the right to confer nationality on their children on an equal basis with men. Others deny women equal rights to confer nationality on spouses, or to acquire, change, or retain their own nationality. A significant portion of countries with gender-discriminatory nationality laws are conflict-affected, fragile states, have a sizeable internally displaced population or have an increased risk of natural disasters.

In times of stability, gender discrimination in nationality laws causes [wide-ranging human rights violations](#). In displacement contexts, gender-discriminatory nationality laws impact even greater portions of a population, while further exacerbating protection concerns and the vulnerability of internally displaced persons (IDPs). For example, IDPs often face family separation and the loss of civil documents, such as birth and marriage certificates and identity documents, making it sometimes impossible to prove a child's legal link to their father, while the discriminatory nationality law prevents the mother from conferring nationality on her child.

Those affected by gender-discriminatory nationality laws may, as result, [lack nationality in their country of residence and some are rendered stateless](#)². Affected persons may be denied freedom of movement, thereby exacerbating threats to physical security when undocumented persons cannot pass security checkpoints. Those without nationality also often face obstacles in securing equal access to healthcare, education, and other social services, as well as formal employment.³ As a result of this marginalization, affected persons are also at a increased risk of human trafficking and child marriage⁴ – risks that are heightened in displacement contexts.

¹ The Campaign coalition includes over twenty organizations based in Asia, Africa, Europe, the Middle East and North America. Steering Committee members include Equality Now, Equal Rights Trust, Institute on Statelessness and Inclusion, the UN Office of the High Commissioner for Refugees, Women's Learning Partnership, and Women's Refugee Commission.

² Global Campaign for Equal Nationality Rights, *Gender Discrimination and Childhood Statelessness* (2019) available at: <https://equalnationalityrights.org/images/zdocs/Gender-discrimination-childhood-statelessness.pdf>

³ Global Campaign for Equal Nationality Rights, *Equal Citizens, Thriving Families, Stronger Societies: Realizing Gender-Equal Nationality Rights in the Middle East-North Africa Region* (2017), available at: <https://equalnationalityrights.org/images/zdocs/Equal-Citizens--Thriving-Families---Realizing-Gender-Equal-Nationality-Rights-in-MENA-Final.pdf>

⁴ Global Campaign for Equal Nationality Rights, *Submission to the UN Committee on the Elimination of Discrimination Against Women, General discussion on trafficking in women and girls in the context of global migration* (13 February 2019, available at: <https://equalnationalityrights.org/images/zdocs/GR-on-TWGCGM---GCENR---ISI-Submission-Final.pdf>

These challenges underscore the urgent need to eliminate gender discrimination in nationality laws and the importance of this issue when considering the rights and protection of IDPs. In addition, to facilitate the enjoyment of nationality and other rights in practice, all persons must also have the equal right to obtain civil documents for themselves and their children, including birth certificates, without discrimination on the basis of gender or marital status.

In order to protect the rights of IDPs and advance the global commitment to leave no one behind, we respectfully urge the High Level Panel on Internal Displacement to raise the importance of ending gender discrimination in nationality laws in its report and to call on all Member States to:

- **Take immediate action to enact reforms, where this discrimination persists, to uphold gender equality in nationality laws; and**
- **Ensure that all persons have the equal and autonomous right to access civil documents for themselves and their children, without discrimination on the basis of gender or marital status.**

Such reforms are not only critical to the rights and protection of IDPs but to the realization of the Sustainable Development Goals⁵, in particular targets 5.1 (elimination of gender discrimination in law); 10.3 (ensure equal opportunity and reduce inequalities, including through the elimination of discriminatory laws); and 16.9 (legal identity for all by 2030), and to the implementation of the Convention on the Elimination of All Forms of Discrimination, which obliges states parties to uphold gender equality in nationality laws in Article 9.

The [UN Security Council has recognized](#) the fact that discriminatory citizenship laws exacerbate the vulnerability of women. The links between discrimination against women, instability and violent extremism are also well documented. **Ending gender discrimination in nationality laws will not only address one factor contributing to IDPs' vulnerability, but will advance women's equality as citizens and within the family, thereby contributing to more stable and peaceful societies.**

Thank you for your attention to this important issue.

⁵ Global Campaign for Equal Nationality Rights, *The Sustainable Development Goals and Gender Discrimination in Nationality Laws* (2017), available at: <https://equalnationalityrights.org/images/zdocs/SDGs--Gender-Discrimination-in-Nationality-Laws.pdf>