

**Expert Group on Refugee and Internally Displaced Persons Statistics**

**International Recommendations on Statelessness Statistics: Discussion  
Paper**

9 February 2021

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## ACRONYMS

|         |  |
|---------|--|
| CAPRA   | Cartographie des personnes à risque d'apatridie en Côte d'Ivoire               |
| EGRIS   | Expert Group on Refugee and Internally Displaced Persons Statistics            |
| IDP     | Internally Displaced Person  |
| IRIS    | International Recommendations on IDP Statistics                                |
| IRRS    | International Recommendations on Refugee Statistics                            |
| IROSS   | International Recommendations on Statelessness Statistics                      |
| NSO     | National Statistical Office  |
| NSI     | National Statistical Institute   |
| RDS     | Respondent Driven Sampling   |
| RSD     | Refugee Status Determination   |
| SDG     | Sustainable Development Goal   |
| UNECA   | United Nations Economic Commission for Africa                                  |
| UNECE   | United Nations Economic Commission for Europe                                  |
| UNESCAP | United Nations Economic and Social Commission for Asia and the Pacific         |
| UNESCO  | United Nations Educational, Scientific and Cultural Organization               |
| UNESCWA | United Nations Economic and Social Commission for Western Asia                 |
| UNFPA   | United Nations Population Fund   |
| UNHCR   | United Nations High Commissioner for Refugees                                  |
| UNICEF  | United Nations Children's Fund   |
| UNRWA   | United Nations Relief and Works Agency for Palestine Refugees in the Near East |
| UNSD    | United Nations Statistics Division   |
| WFP     | World Food Programme   |
| WHO     | World Health Organization  |

# DISCUSSION PAPER: INTERNATIONAL RECOMMENDATIONS ON STATELESSNESS STATISTICS (IROSS)

## A. BACKGROUND

1. The Expert Group on Statelessness Statistics (EGSS) was established in 2019, with the aim of developing and adopting common standards and definitions to improve the quality and quantity of statistics about stateless populations. The Expert Group met in Bangkok in the same year to discuss the development of International Recommendations on Statelessness Statistics. During the 51st UN Statistical Commission, UNHCR shared the information and received strong support from several Member States. Since then, the work of the Expert Group has made great progress, being modeled on the work and methodology of the Expert Group on Refugee and IDP Statistics (EGRIS) that was established by a decision of the 47<sup>th</sup> session of the UN Statistical Commission and has so far produced the International Recommendations on Refugee Statistics (IRRS, 2018), the International Recommendations on IDP Statistics (IRIS, 2020) and the accompanying Compilers' Manual, 2020. In 2020 the work of EGSS was included under the auspices of EGRIS, the International Recommendations on Statelessness Statistics (IROSS) are scheduled to be discussed by the 53<sup>rd</sup> session of the UNSC in 2022.

## B. STATELESSNESS AND EGRIS

2. A stateless person is someone “who is not considered a national by any state under the operation of its law”<sup>1</sup>. Where a person lacks any nationality, he or she cannot enjoy the rights and protections offered to citizens. UNHCR is the agency responsible for collating and publishing data on statelessness, however this data relies on national governments supplying good quality estimates of the numbers involved, to date estimates are only available for 79<sup>2</sup> states. Under two UN statelessness conventions States have a responsibility to identify and report on stateless people.

3. It is recognised that collecting official statistics about stateless people, and those at risk of statelessness, is challenging. Not only are those impacted by statelessness difficult to identify in data, but many may wish to remain invisible to both local communities and to the authorities. In 2013 UNHCR stated,

*“Frequently stateless persons are not only undocumented but also ignored by the authorities and uncounted in national administrative registries and databases. Most often they go uncounted in population censuses. Only a minority of African countries have procedures in place for their identification, registration, and documentation.”*<sup>3</sup>

4. In recognition of these problems the EGSS was established in 2019, with the aim of developing and adopting common standards and definitions to improve the quality and quantity

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<sup>1</sup> According to the 1954 Convention relating to the Status of Stateless Persons.

<sup>2</sup> UNHCR Mid-Year Trends (2021) <https://www.unhcr.org/statistics/unhcrstats/5fc504d44/mid-year-trends-2020.html>

<sup>3</sup> UNHCR Statistical Yearbook (2013) <https://www.unhcr.org/uk/54cf99f29.pdf>

of statistics about stateless populations. The Expert Group met in Bangkok in the same year to discuss the development of International Recommendations on Statelessness Statistics. During the 51<sup>st</sup> UN Statistical Commission, UNHCR shared the information and received strong support from several Member States. Since then, the work of the Expert Group has made great progress, being modeled on the work and methodology of the Expert Group on Refugee and IDP Statistics (EGRIS) that was established by a decision of the 47<sup>th</sup> session of the UN Statistical Commission and has so far produced the International Recommendations on Refugee Statistics (IRRS, 2018), the International Recommendations on IDP Statistics (IRIS, 2020) and the accompanying Compilers' Manual, 2020. In 2020 the work of EGSS was included under the auspices of EGRIS. In 2021, the work to develop recommendations on statelessness statistics will be showcased at a side event at the 51<sup>st</sup> session of the UNSC. It is hoped that International Recommendations on Statelessness Statistics (IROSS) will be adopted by the 53<sup>rd</sup> session of the UNSC in 2022.

5. To improve statelessness data available globally, the draft IROSS addresses the statistical framework for collecting data about stateless people and those of undetermined nationality; proposals for improving the quantity and quality of data about statelessness; recommendations for its analysis and for the coordination of official statelessness statistics.

### C. WHY WE SHOULD COLLECT OFFICIAL STATISTICS ON STATELESSNESS

6. UNHCR Global Trends (2019)<sup>4</sup> reported a global number of 4.2 million stateless persons, including those of undetermined nationality. The true extent of statelessness is estimated to be much higher, as fewer than half of all countries in the world submit any data and some of the most populous countries in the world with large suspected stateless populations do not report on statelessness at all. (See chart below). Those who are stateless and of undetermined nationality tend only to be counted by the authorities following a displacement, while it is anticipated that a much larger population of stateless or at-risk individuals are living *in situ* undetected by the authorities. There are unverified estimates of 10 million stateless people in the world, but the real number may be much higher.

7. Statelessness is frequently linked to being undocumented, and in particular not having birth registration to confirm one's place of birth and parentage. The number of people in the world who are unable to provide official proof of their nationality is estimated to be around 1 billion people<sup>5</sup> globally, and 47% of those are children without a birth certificate<sup>6</sup>. Almost half of those without proof of identity live in sub-Saharan Africa, while another one third live in south Asia, but few countries in these regions are able to provide UNHCR with estimates of their stateless population. This suggests that many more people are at risk of statelessness than those currently identified as stateless globally. Capacity to produce stateless statistics seems weakest in low income and lower middle-income countries<sup>7</sup>.

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<sup>4</sup> <https://www.unhcr.org/globaltrends2019/>

<sup>5</sup> According to the World Bank Group's 2018 [#ID4D Global Dataset](#), an estimated one billion people around the globe face challenges in proving who they are. They struggle to access basic services.

<sup>6</sup> Plan International <https://plan-international.org/early-childhood/birth-registration>

<sup>7</sup> <https://id4d.worldbank.org/global-dataset/visualization>

8. While populations remain in-situ, the lack of formal proof of identity may go unnoticed until proof is required to access vital services. When stateless people are displaced, they are likely to be identified as not having citizenship when they cross borders or apply for asylum. Globally displacement is growing, having almost doubled since 2010<sup>8</sup>, including a very large displacement of stateless people. One million refugees and asylum-seekers were reported as stateless to UNHCR in mid-2020, most of them Rohingya refugees displaced from Myanmar. However, most displaced persons, while often lacking documents, do have a nationality, and most stateless persons are in-situ.

9. Birth registration is the first acknowledgement of a child's existence and legal identity, and a birth certificate is part of the proof required to obtain nationality and its possession helps to avoid the risk of statelessness. A birth certificate may also be required to access social service systems, including health, education and justice. One in four children under age 5, are not registered in the world today, and even when they are, they may not have proof of registration. An estimated 237 million children under age 5 worldwide are currently without a birth certificate.<sup>9</sup> The Covid-19 pandemic is exacerbating the problem as rates of birth registration have fallen across the developing world. The SDG dedicated target (16.9) under Goal 16: provide legal identity for all, including birth registration, by 2030<sup>10</sup> commits States and others to address this.

10. The UN Legal Identity Agenda 2020-2030 was formulated in response to a request by the United Nations Secretary-General to UN agencies to develop a common approach – in collaboration with the World Bank Group – to the broader issue of civil registration and legal identity in support of the SDG promise to leave no one behind. An expert group is taking a unified approach to legal identity, starting from birth, across the UN system. It is also providing support to UN Member States to strengthen national civil registration, vital statistics and identity management systems based on international standards and good practices. However, the drive towards birth registration has risks to those who could be made vulnerable by identifiable statelessness. Registration may bring to light many more cases of undetermined nationality, and without protection and a remedy to their lack of formal proof of citizenship, individuals may be reluctant to register themselves or their children.

11. In October 2013, the UN High Commissioner for Refugees called for the “total commitment of the international community to end statelessness”. The *Global Action Plan to End Statelessness: 2014–2024 (Global Action Plan)*, developed in consultation with States, civil society and international organisations, sets out a guiding framework made up of 10 Actions that need to be taken to end statelessness within 10 years. The Global Action Plan sets the following objectives:

- i. Resolve existing major situations of statelessness.

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<sup>8</sup> Forced displacement has almost doubled since 2010 (41 million then vs 79.5 million now). UNHCR press release June 2020 <https://www.unhcr.org/uk/news/press/2020/6/5ee9db2e4/1-cent-humanity-displaced-unhcr-global-trends-report.html>.

<sup>9</sup> <https://data.unicef.org/resources/birth-registration-for-every-child-by-2030/>

<sup>10</sup> The adoption of the Sustainable Development Goals (SDGs) by the United Nations General Assembly in September 2015 placed birth registration firmly on the international development agenda. It included a dedicated target (16.9) under Goal 16: provide legal identity for all, including birth registration, by 2030. Complementing this is target 17.9, which calls for support in building the statistical capacity needed for strong national civil registration systems. Such systems produce vital statistics, including those on birth registration, which are foundational for achieving sustained human and economic development.

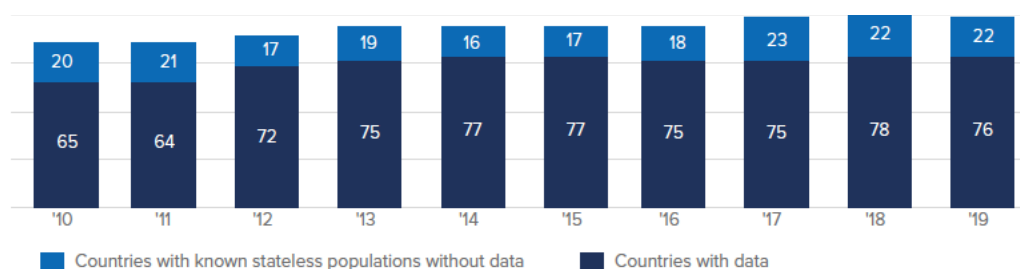
- ii. Prevent new cases of statelessness from emerging; and
- iii. Better identify and protect stateless populations.

12. The third objective is notable as the drive to identify stateless people must be accompanied by concrete measures to protect them, if it is to be successful. The first two objectives also depend on data, as States tend to be more willing to take the necessary steps to resolve and prevent statelessness when presented with evidence about its existence on their territory and the consequences of statelessness for those affected by it.

#### D. MAGNITUDE OF THE DATA GAP PROBLEM

13. Several of the actions outlined in the *Global Action Plan to End Statelessness* have a direct relevance to official statistics. Action 10 is to Improve quantitative and qualitative data on stateless populations, which has the goal of making quantitative data on stateless populations publicly available for 150 States, with an interim goal of having quantitative data for 100 States by 2017. At the beginning of the plan period in 2014, quantitative population data on stateless populations was publicly available for 75 States, and while some progress has been made, the interim targets set have not been met. UNHCR’s *Global Trends for 2019*<sup>11</sup> showed that data was available for just 76 countries, with a further 22 countries known to have stateless populations without quantitative estimates for their population sizes.

**Figure 1.1: Number of countries reporting on stateless populations**



Source: Global Trends (UNHCR, 2019) Figure 26

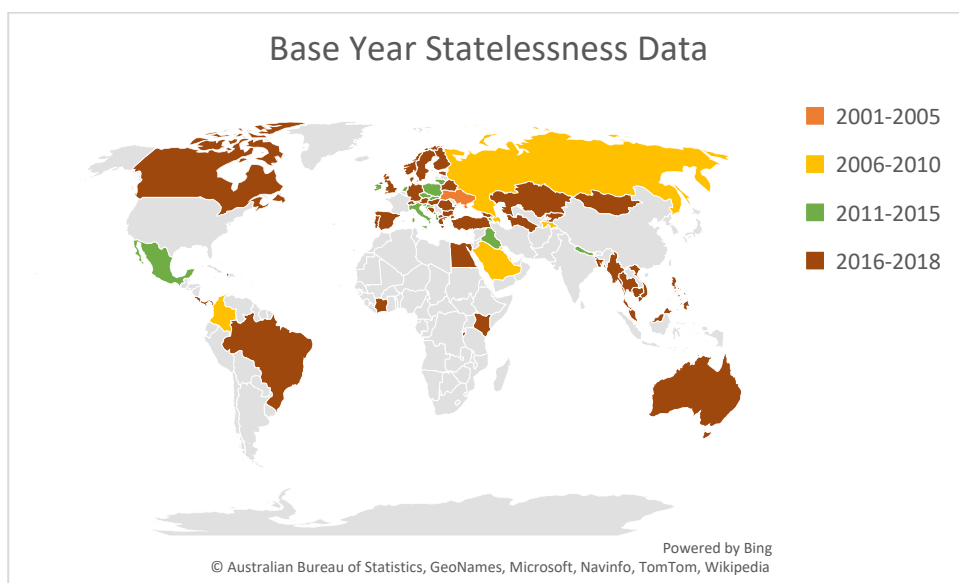
14. UNHCR provides global estimates of the numbers of displaced people and those with undetermined nationality, but the true extent of statelessness is estimated to be much higher, as fewer than half of all countries in the world submit any data and some of the most populous countries in the world with large suspected stateless populations do not report on statelessness at all. (See Figure 1.2 below for countries reporting up until the end of 2019). Countries reporting statelessness are largely OECD members or members of the European Union, reporting on their registered refugee populations who are also stateless, or on their dedicated Statelessness Determination Procedures or include those with a large stateless population as a result of state succession from the former Soviet Union.

<sup>11</sup> <https://www.unhcr.org/5ee200e37.pdf>

Source: UNHCR, 2018

15. Much of the estimated global statelessness data is based on much older source data, with some estimates often only reflecting the outcome of statelessness determination procedures, other demographic and migration flows are not taken account of. Figure 1.2 shows the date of the base data used for the 2018 global estimates.

**Figure 1.2: Date of original source data used for global estimates of statelessness**



Source: UNHCR, 2018

16. Some of the data included in Global Trends for these countries is estimated by UNHCR using refugee registration data, or after conducting special studies, rather than being produced by the national authorities of member states. A number of countries thought to have large populations of stateless people are currently not reporting any statelessness information at all, including China, India, Indonesia and Nigeria.

17. The number of people in the world who are unable to provide *proof* of their nationality is much higher than the number estimated to be actually be stateless. Globally, an estimated 1 billion people cannot officially prove their identity, and these tend to be in low or low-middle income countries<sup>12</sup>. The World Bank's ID4D<sup>13</sup> initiative estimates the global population of those without a legal identity (Figure 1.3). These estimates show that many of the countries where a high proportion of the population lacks proof of identity correspond with those who are unable to report stateless populations to UNHCR. While lack of proof of identity alone is insufficient to be included in the scope of statelessness statistics, its absence increases the risk.

18. Weaknesses in the current data are likely to result in an underestimate of the numbers of people who are either stateless or of undetermined nationality. A 2019 study on statelessness in Côte d'Ivoire jointly undertaken by the Ivorian Government, UNHCR, UNICEF and

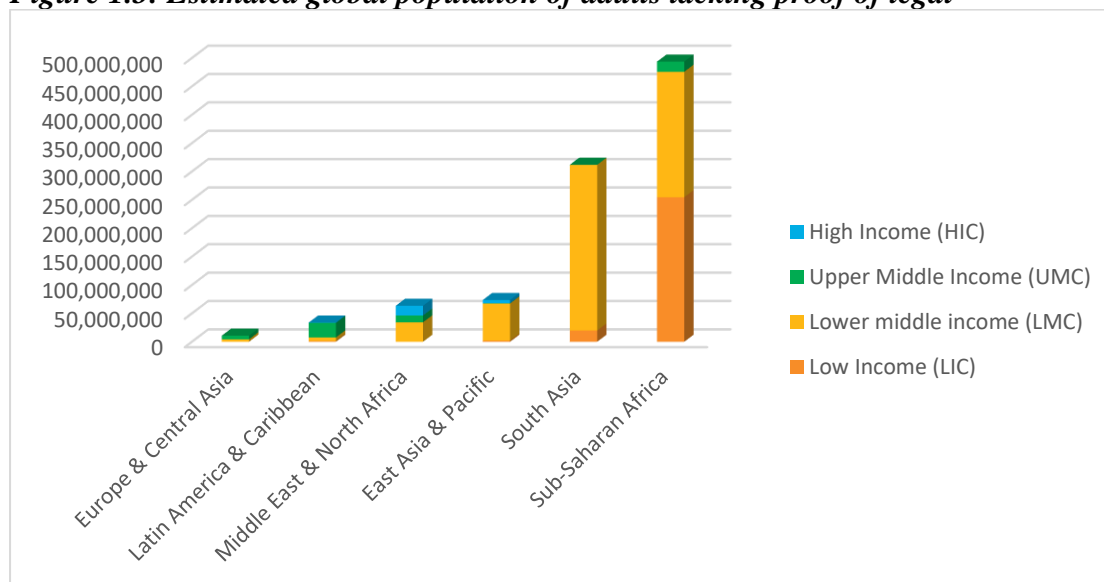
<sup>12</sup> Plan International <https://plan-international.org/early-childhood/birth-registration>

<sup>13</sup> <https://id4d.worldbank.org/about-us>



UNFPA increased the estimate of the number of stateless persons from 692,000 in 2018 to 955,400 in 2019, an increase of almost 40%. This increase reflects improved methodology used in the study compared to that used in previous years, rather than an actual increase in the number of stateless persons. Improvements in methodology worldwide could be expected to result in a significant increase in the number of people known to be affected by statelessness globally.

**Figure 1.3: Estimated global population of adults lacking proof of legal**



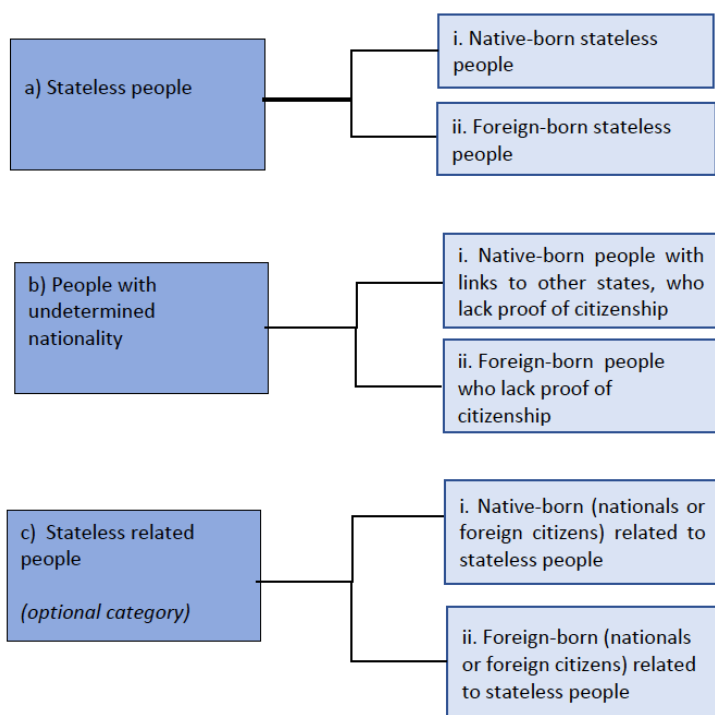
Source: ID4D, 2018

## E. PROPOSED STATISTICAL FRAMEWORK

19. The draft IROSS currently proposes to collect data on three categories, a) Stateless people, b) People with undetermined nationality, and c) Stateless related people, an optional category comprising people who were previously stateless and the children and family members of people who are currently stateless. These three groups are disaggregated into those who are native-born and those who are foreign born.

20. Besides lacking proof of nationality, stateless people and those with undetermined nationality have another risk factor which prevents them from obtaining citizenship. In most cases, for those in scope of stateless statistics, there is a real or perceived link to at least one or more countries, other than the country of current residence.

*Figure 1.4: Statistical framework for statelessness statistics*



21. Populations in the **a) Stateless category** comprise people who are currently without any nationality. These are people who are currently stateless and include those who declare themselves as stateless in surveys and censuses. They are not considered nationals by any state under the operation of its law; therefore, a stateless person is not considered a national by any state. All stateless persons are by definition non-citizens of their country of residence, and they may be native born or not.

22. Populations in the **b) Undetermined nationality** category have not been recognised as stateless, either by themselves or the authorities in their country of residence. They lack proof of citizenship **and** have ties, real or perceived, to one or more other countries. These links may be on the basis of many factors, which tend to vary from country to country, that give rise to a claim of nationality of another state. The links are likely to include: their country of birth, their descent from parents with origins abroad, marriage, language, ethnic group, or other historic ties.

23. Historic links to other states often arise where there is a history of migration, either voluntary or forced; in countries where borders are porous; where national boundaries have changed due to state succession; or where a person's parentage is difficult to establish. It is this link in addition to lack of proof of identity which distinguishes the population in scope of statelessness statistics from those who are simply undocumented.

24. The third optional category is **c) Stateless related populations**, i.e., people who have

been impacted by statelessness, although they are not currently stateless themselves. A similar category exists for refugees (refugee-related) and for IDPs (IDP-related) in their respective international statistical recommendations, IRRS (2018) and IRIS (2020). The stateless-related category can be of interest for policy purposes in some national contexts. The population included comprise:

- i. Previously stateless people who are now naturalised, or who have had their citizenship confirmed, or
- ii. Children with a nationality, but who have one or more stateless parents.
- iii. Other household members with a nationality living with a stateless person.

## F. DATA COLLECTION CHALLENGES

### *1. Population censuses*

25. The identification of stateless people in census data can often rely solely on responses to a question on nationality which includes the option ‘none’ or ‘stateless’. Recent evidence from Kenya suggests that this question format tends to underestimate the number of stateless people, as most wish to integrate into the local community and tend not to declare themselves as stateless or may not even know they are stateless. A more reliable method of collecting data on the stateless population is to combine responses to questions about birth registration, ethnicity, place of birth, marriage and parentage to estimate those in scope of the recommendations. The combination of questions will depend on the national context, as in some countries stateless people may be readily identified from ethnicity, and in other cases stateless people with a migratory background may be more difficult to distinguish.

26. Questions on birth registration, nationality and birthplace of parents, ethnicity and other proxy variables are likely to be required in population censuses to estimate the size and characteristics of stateless populations. Most of these variables are priority questions for other subject matter topics, but their inclusion may also support the identification of populations who are stateless or of undetermined nationality.

27. The move to register based censuses poses some particular challenges for the inclusion of stateless people, who may be excluded from registers on the grounds of their lack of nationality, or due to their own reluctance to engage with the authorities. Steps should be taken to ensure that stateless people are included in the estimates. This may include a special study or careful engagement with civil society groups to help in their enumeration.

### *2. Household surveys*

28. Household surveys have proved to be useful in improving the quality of estimates of statelessness. A study (CAPRA) intended to estimate the prevalence, location and levels of risk of statelessness in Côte d’Ivoire, together with their characteristics, increased the estimate of the number of stateless persons by almost 40% in that country.

29. The sample used for the CAPRA survey included 9,240 households distributed in 426 Enumeration Areas drawn from the list of Enumeration Areas taken from the 2014 General Population and Housing Census. The survey used a household questionnaire that served to

gather information on the socio-demographic characteristics of all members of the household, to determine their level of documentation, their family and migration situation, to address their difficulties related to lack of documentation, their level of knowledge about statelessness and their goods and equipment.

30. Yet using sample surveys to estimate the numbers and characteristics of those at risk of statelessness poses some methodological problems. Firstly, there may be relatively few stateless people as a proportion of the population, therefore adding questions, or a module on statelessness in a regular national household survey may yield too small a sample of stateless people for precise estimates. Secondly, drawing a target sample of those at risk of statelessness may be difficult if their current distribution is unknown.

31. Special sampling methodologies for this relatively rare population may be required, adding costs to any survey. The IROSS will give practical advice for using specialist techniques such as Respondent Driven Sampling and utilising proxy variables from surveys and censuses, including integrating data from a number of sources.

32. In addition to the technical challenges, interviewing stateless people who are potentially vulnerable raises some challenges, and often requires working closely with civil society groups and community leaders to build trust and knowledge. The IROSS will give information about successful collaborations with organisations working with and representing stateless populations.

### *3. Administrative data including population registers*

33. Administrative data can be a good source of statistics, but only if the systems include the population of interest, in this case stateless people. Increasing the registration of vital events improves not only the data available but helps to reduce the risk of statelessness. Birth registration is important in limiting the incidence of statelessness, as it provides children with a proof of identity; however people at risk of statelessness may be made more vulnerable by coming to the attention of the authorities unless protection or a remedy to their potential statelessness is offered.

34. The UN Statistics Division published a new draft set of guidelines on a legislative framework for Civil Registration and Vital Statistics in September 2019<sup>14</sup>, updating the previous version. The scope is expanded to *take SDG Target 16.9* into account. It notes that “Everyone has the right to be recognized as a person before the law, as enshrined in Article 6 of the Universal Declaration on Human Rights and several international human rights instruments....Furthermore, civil registration is recognized as the ultimate source for production of comprehensive, regular and reliable vital statistics.” The draft Handbook advises that:

*“Member States have the responsibility to recognize all individuals present on their territory as a person before the law, without prejudice to nationality (or lack thereof), legal status, gender or duration of stay, and in the case of displaced persons whose official credentials may have been lost, destroyed or confiscated in the course of human conflict or natural disasters, honor the temporary credentials*

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<sup>14</sup> Handbook on civil registration, vital statistics and identity management systems: Communication for development. <https://unstats.un.org/unsd/demographic-social/Standards-and-Methods/files/Handbooks/crvs/CRVS-IdM-E.pdf>

*issued by an inter-governmental body such as the UN Refugee Agency, until such time as the legal identity of the individual is re-affirmed by either the country of origin or the country of refuge”<sup>15</sup>.*

35. It is important for statistics to address the gaps in the civil registration system, which limit the access of those at risk of statelessness. These limitations may be legal obstacles or may be lack of accessibility to registration services; alternatively, the costs of registering, there may be problems due to the language used or literacy obstacles, in many cases the burden of proof required may be prohibitive. Aligning civil registration laws and regulations with international standards is a first step towards making vital registration universally accessible to those at risk of statelessness. Registering only those with a proof of identity may marginalise those who do not have proof, and increase their vulnerability. To improve vital registration coverage, statisticians need to be aware of the legal limitations of vital registration coverage. As an example, Thailand’s reform of the Civil Registration Act in 2008 made clear that birth registration should not be limited to children of Thai nationals. Since 2008, all children born in the territory can be registered regardless of their parents’ nationality and legal status, allowing members of stateless communities to register their children’s births and thereby reduce the risk of statelessness.

36. Accessibility problems may require civil registration services to decentralise, and to adopt mobile registration teams to the remote areas in which many stateless communities live. African countries have committed to registering every child’s birth under the [African Agenda 2063](#). In 2013, the Africa Programme on Accelerated Improvement of Civil Registration and Vital Statistics ([APAI-CRVS](#)) was created to guide and accelerate improvements to CRVS systems across the continent. Many improvements ensure that all births are registered by linking the records of midwives, clinics and hospitals to birth registration systems to ensure that every mother has some documentary evidence of a child’s birth. The vital registration systems later verify the birth registration and can issue a birth certificate, when verified.

***Box 1.1: Good practice in Namibia E-registration***

**E-birth Notification in Namibian**

The e-birth notification system that nurses use notifies the National Population Registration System (NPRS) of the birth in real time. This makes it easier to register births in the legally prescribed timeframes. Birth notification is linked with the NPRS through a number that is generated during the birth notification: this is treated as a unique identification number (UIN) in the NPRS. This approach integrates the e-birth notification system and the birth registration module in the NPRS. The UIN connects all the modules in the NPRS (births, identity, marriages/divorces, deaths). All health personnel and registrars are issued the individual user’s name and password and are given rights that are in keeping with their responsibilities.

[https://crvssystems.ca/sites/default/files/assets/files/CRVS\\_Namibia\\_e\\_WEB.pdf](https://crvssystems.ca/sites/default/files/assets/files/CRVS_Namibia_e_WEB.pdf)

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<sup>15</sup> Ibid, para 25.

## G. ANALYSIS OF DATA ABOUT STATELESSNESS

37. The analysis of statelessness data will not be limited to an estimate of their numbers, spatial location and characteristics. An analysis of the causes of statelessness will be required, these may be *in situ* causes which occur as a result of administrative or legal difficulties. These include loss of citizenship due to state succession or legal obstacles due to citizenship laws not in compliance with the international standards that prevent and reduce statelessness. Migratory causes include being born overseas, real or perceived links to other countries, nomadic lifestyles, or loss of proof of nationality due to displacement or trafficking.

38. The extent to which stateless persons can exercise their rights and realize their full development potential will also be a topic of analysis if data allows. This includes measurement of the SDG goals for stateless people, where there is data availability, but also access to education, property rights, freedom of movement, employment, religion, housing, and justice.

## H. NEXT STEPS

39. The IROSS will be further developed over the coming months, with a revised full draft planned for April 2021. Individuals and organisations are invited to participate in the development of the recommendations. Further examples of good practice are being sought and further contributions would be welcomed.