



Concept Note for the virtual High Level Side Event Achieving Gender Equality in Nationality Laws during the 75th session of the UN General Assembly

1. Background

During the 75th session of the UN General Assembly, UN Member States will mark the 25th anniversary of the Fourth World Conference on Women (Beijing+25) and discuss progress achieved in securing gender equality and women's rights. Governments will also present concrete actions and commitments to accelerate the realization of gender equality and the empowerment of all women and girls by 2030.

Despite significant reforms to end legal discrimination against women, today approximately 50 countries maintain nationality laws that discriminate on the basis of gender.¹ 25 countries have nationality laws that deny women the right to confer nationality on their children on an equal basis with men.

Citizenship laws form the foundation of individuals' relationship with the state and determine access to a range of fundamental human rights. At their core, nationality laws that discriminate on the basis of gender contradict the principle of the equality of all citizens and reflect the state's position that the rights and responsibilities of citizenship are based not on one's status as a citizen, but according to one's gender.

Gender discrimination in nationality laws has far-reaching consequences on all aspects of family life, and is a leading cause of statelessness. Without citizenship, children and foreign spouses are often subject to a range of restrictions in their job and education opportunities; their ability to travel, open bank accounts, own or inherit property; and their full participation in society generally. Women's inability to equally confer citizenship can put huge financial, psychological and physical strains on families, which can result in intergenerational poverty. The Sustainable Development Goals (SDGs) are significantly inhibited wherever this form of legal discrimination persists. Discriminatory nationality laws can threaten family unity, and in some cases, increase the potential for family violence. Stateless women and girls are at a higher risk of being trafficked, while girls are also at a greater risk of child, early and forced marriage. In contexts of displacement, where fathers may often be separated from their families, discriminatory nationality laws have the potential to impact exponentially larger populations. With the greatest displacement since World War II, current displacement and migration from countries with gender-discriminatory nationality laws threatens to create a new generation of stateless children.

¹ Such laws include denying women the right to confer nationality on non-national spouses on an equal basis with men, and linking women's ability to acquire, change, and retain her nationality to her marital status.

² The Global Campaign for Equal Nationality Rights mobilizes international action to end gender discrimination in nationality laws. The Campaign executes its mission through its coalition of national, regional and international organizations, and UN partners. Steering Committee Members: Equal Rights Trust, Equality Now, Institute on Statelessness and Inclusion, Office of the



As the world confronts the COVID-19 pandemic, [gender discrimination in nationality laws is exacerbating the hardships facing affected families](#). With the widespread closing of borders to all but citizens, many families affected by gender-discriminatory nationality laws are facing family separation or the inability to return to their homeland. In numerous countries women’s non-citizen children and spouses are being denied access to pandemic economic relief benefits. As many of these families already faced financial insecurity pre-pandemic, due to the inability of women’s non-citizen children and spouses to access formal employment, these families are especially harmed by their inability to access government relief. Gender-discriminatory nationality laws have also added to the hurdles faced by women trying to extract themselves from abusive relationships at a time when GBV is tragically increasing amid stay-at-home orders.

Though such laws were traditionally the norm across the globe, significant progress has been achieved in securing gender-equal nationality rights. In the past fifteen years, nineteen States have reformed their nationality laws to advance gender equality. Momentum for reform is also increasing at the regional level, indicated by the establishment or regional declarations calling for the eradication of gender discrimination in nationality laws including the Arab Declaration on Belonging and Legal Identity (2018), Abidjan Declaration of Ministers of ECOWAS Member States on the Eradication of Statelessness in West Africa (2015), and a pending Protocol to the African Charter on Human and People’s Rights on the Right to Nationality, presently under consideration by the African Union. At the international level: UN Women launched the Equality in Law initiative in 2018, which prioritizes the reform of gender-discriminatory nationality laws as one of five key areas of legal reform; in October 2019 UNHCR marked the midway point of its ten-year #Ibelong Campaign to end statelessness, which counts ending gender discrimination in nationality laws as Goal 3; UNICEF is supporting efforts to achieve gender-equal nationality rights, through the UNICEF-UNHCR led Coalition on Every Child’s Right to a Nationality; and in June 2016, [107 Member States cosponsored](#) the UN Human Rights Council Resolution, [“The Right to a Nationality: Women’s Equal Nationality Rights in Law and Practice.”](#)

Against this backdrop, the Global Campaign for Equal Nationality Rights² in partnership with The Governments of Australia, Eswatini, and Togo, The Commonwealth, UN Women, the UN Refugee Agency, and the UN Development Programme will hold the virtual High-Level Side Event “Achieving Gender Equality in Nationality Laws,” during the 75th UN General Assembly. At the event, panelists will discuss lessons learned from reform processes and highlight the significant benefits of gender-equal

² The Global Campaign for Equal Nationality Rights mobilizes international action to end gender discrimination in nationality laws. The Campaign executes its mission through its coalition of national, regional and international organizations, and UN partners. Steering Committee Members: Equal Rights Trust, Equality Now, Institute on Statelessness and Inclusion, Office of the United Nations High Commissioner for Refugees, Women’s Learning Partnership, and Women’s Refugee Commission



nationality rights to citizens, their families, and society as a whole. The event will also emphasize the reform of gender-discriminatory nationality laws as critical to upholding gender equality, ending statelessness, and the achieving sustainable development.

- 2. Date, Time and Venue:** 9:00-10:30 EDT/13:00-14:30 GMT on Wednesday, September 23, 2020, via Zoom. Registration link:
https://us02web.zoom.us/webinar/register/WN_vikuQuA4QQqbFr0-0K00mQ

3. Agenda

5 minutes	Moderator Welcome Catherine Harrington, Global Campaign for Equal Nationality Rights Manager
5 minutes	Keynote on behalf of UN Women, UNHCR, and UNDP Phumzile Mlambo Ngcuka, Executive Director, UN Women
30 minutes	Panelists <ul style="list-style-type: none"> Neha Gurung, Nationality and Gender Equality Activist Hon. Pholile Shakantu, Minister of Justice and Constitutional Affairs, Eswatini Hon. Kokouvi Pius Agbetomey, Minister of Justice and Institutional Relations, Togo Rt. Hon. Patricia Scotland QC, Commonwealth Secretary-General
45 minutes	Respondents and Questions and Answers with Audience: <ul style="list-style-type: none"> Ambassador and Deputy Permanent Representative of Australia to the UN, Julia Feeney Moderator will invite questions and comments from the audience.
5 minutes	Closing comments.