**Organization: Marginalized Communities Advocacy Network (MCAN)**

**HQ: Mogadishu- Somalia**

**Survey on Nationality (Citizenship) Frameworks and Equality in Matters of Nationality**

The Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations High Commissioner for Refugees (UNHCR) will jointly organize on 21 October 2021 a Virtual Roundtable on the Importance of Equality and Non-discrimination in Nationality Matters to End Statelessness.

The Virtual Roundtable will bring together State representatives, United Nations human rights mechanisms, civil society organizations and stateless persons to discuss statelessness, human rights and non-discrimination in nationality matters. The findings and recommendations emanating from the Virtual Roundtable will inform the 2021 Minorities Forum, and will be shared widely, including with States, National Human Rights Institutions, UN entities, civil society organisations and human rights defenders.

In preparation for the Virtual Roundtable, OHCHR and UNHCR are undertaking a stocktaking on national law, policy and practice in these areas. We would be grateful for your responses to a short survey below. The results of this survey aim to inform the discussions at the roundtable as well as any recommendations emanating from them.

Please kindly send responses by 10 September 2021 to: [minorities@ohchr.org](mailto:minorities@ohchr.org)

\*\*\*

1. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality (citizenship) the same for everyone, irrespective of one’s real or perceived **racial** or **ethnic origin**,[[1]](#footnote-1) or do they restrict (in law or practice) certain groups from acquiring or conferring nationality, or from being protected from deprivation of nationality?
   1. Yes, they are the same and do not restrict any specific groups protected by the international law ban on racial discrimination from equal access to nationality/citizenship
   2. No, please explain:
2. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of one’s **religious affiliation**, **religious or spiritual beliefs**, or do they restrict (in law or practice) members of certain religious or belief minorities from acquiring or conferring nationality or from being protected from deprivation of nationality?
3. Yes, they are the same and do not restrict any specific religious or belief minorities
4. No, please explain:
5. Do members of any minorities[[2]](#footnote-2) face particular burdens or obstacles as concerns the acquisition, conferral, change and retention of nationality (citizenship)?
   1. No, such does not happen direct in my home country.
   2. Yes, please explain:
6. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of one’s **sex** (i.e., are the rules identical for women and men), or do they restrict (in law or practice) women from acquiring or conferring nationality or from being protected from deprivation of nationality?
7. Yes, they are the same and do not restrict either sex
8. No, please explain:
9. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of one’s **sexual orientation, gender identity and/or expression, and sex characteristics** (**SOGIESC**), or do they restrict (in law or practice) persons with diverse sexual orientations, gender identities or expressions, or sex characteristics from acquiring or conferring nationality or from being protected from deprivation of nationality?
10. Yes, they are the same and do not restrict people with diverse SOGIESC
11. No, please explain:
12. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of one’s **age**, or do they restrict (in law or practice) certain age groups from acquiring or conferring nationality or from being protected from deprivation of nationality?
13. Yes, they are the same and do not restrict any specific age groups
14. No, please explain:
15. Are the State’s legal rules and regulations regarding the acquisition, conferral, change and retention of nationality the same for everyone, irrespective of **disability**, or do they restrict (in law or practice) persons with physical, mental, psychosocial, intellectual or sensory impairments from acquiring or conferring nationality or from being protected from deprivation of nationality?
16. Yes, they are the same and do not restrict persons with physical, mental, psychosocial, intellectual or sensory impairments
17. No, please explain:
18. Is the acquisition, conferral, change or non-retention of nationality contingent on the ability to be self-reliant (i.e. that the person can “contribute” to society or not be a “burden”)?
    1. No, that occurs timely but it’s not happening mostly.
    2. Yes, please explain:
19. Is the acquisition, conferral, change or non-retention of nationality contingent on the ability to read or speak a certain language (e.g. language requirements)?
    1. No
    2. Yes, please explain: Because, if you can’t speak the language of the nation its difficulty for the citizen to get the identification of being nationality.
20. Is the conferral of nationality to children of nationals contingent on the ability to prove a biological relationship to the child?
    1. No
    2. Yes, please explain: yes its needed you can’t get child birth notification while his her parents are not identified by ethnicity. Yes, because once the baby is not clear it will be difficult to get a birth certificate.
21. Are there any other ground-based limitations in nationality/citizenship law, rules, procedures, guidance, policy or practice?[[3]](#footnote-3)
    1. No, there is not ground based policy in place by nationality or citizenship rules, the national commission of bonders are in place but are not functioning accordingly there is not immigration policy or commissions that are working or approved by parliaments.
    2. Yes, please explain

1. To be understood as any of the grounds covered under Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination: “the term ‘racial discrimination’ shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.” [↑](#footnote-ref-1)
2. ## To be understood in line with the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by General Assembly resolution 47/135 of 18 December 1992.

   [↑](#footnote-ref-2)
3. UN Treaty Bodies cover the following discrimination grounds under international human rights law: Age; Albinism; Birth; Civil, family or carer status; Colour; Descent; Disability; Economic status; Ethnicity; Gender expression; Gender identity; Genetic or other predisposition towards illness; Health status; Indigenous origin; Language; Marital status; Maternity or paternity status; Migrant status; Minority status; National origin; Nationality; Place of residence; Political or other opinion; Pregnancy; Property; Race; Refugee or asylum status; Religion or belief; Sex; Sex characteristics; Sexual orientation; Social origin; Social situation (see in particular [Committee on Economic, Social and Cultural Rights, General Comment No. 20 (E/C.12/GC/20);](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fGC%2f20&Lang=en) [Human Rights Committee General Comment 18](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fGEC%2f6622&Lang=en); and [Committee on the Rights of Persons with Disabilities, General Comment No. 6 (CRPD/C/GC/6)](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/6&Lang=en)). [↑](#footnote-ref-3)