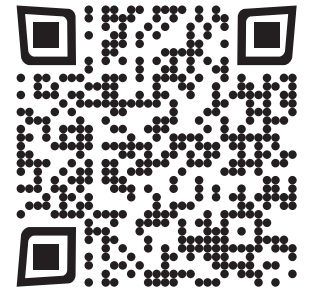


**Svako ima pravo
na državljanstvo
i lična dokumenta.**

#IBELONG



#JaPripadam

Participation in the National Coalition to End Child Marriages is very significant for UNHCR from the aspect of its mandate and having in mind the nexus between statelessness and child marriages – two extremely negative phenomena.



In collaboration with the Government of Serbia and its civil sector partners, UNHCR in Serbia has been working for years to prevent and reduce statelessness. Our efforts resulted in an immense reduction of the number of persons at risk of statelessness in the country. At the same time, being part of the National Coalition and the activities of NGOs Praxis and Indigo that we fund, has been investing efforts to prevent child marriages with particular focus on an extremely vulnerable group of internally displaced Roma.

The adverse consequences of statelessness and child marriages cannot be overstated – the girls miss out on developing the skills, knowledge and confidence they need to make informed decisions, access paid employment and live independent lives. With little access to education and economic opportunities, the girls and their families are more likely to live in poverty. All of these coupled with lack of documentation, further exacerbates the already precarious situation of these girls, their families, children and their entire communities.

November will mark the beginning of the last year of implementation of UNHCR's global campaign to end statelessness – #IBelong. Therefore, this is the right moment to invite the members of the National Coalition to help us reach the persons still at risk of statelessness and offer free legal aid in order to resolve the problems persisting in registration into birth registries and obtaining citizenship.

Resolving of the existing cases of persons at risk of statelessness and putting an end to child marriages in Serbia will together result in prevention of re-occurrence of statelessness in Serbia in the future.

Soufiane Adjali
UNHCR Representative, Serbia

The 1954 UN Convention relating to the Status of Stateless Persons defines statelessness as: "a person who is not considered as a national by any state under operation of its law". Some people are born stateless and others become stateless during their lifetime. The consequences of statelessness are devastating. Stateless persons have no legal protection and are generally denied basic rights such as the right to education, health care, employment, housing, marriage, freedom of movement, political participation throughout life, and even the right to a dignified burial and a death certificate. Stateless persons are also particularly vulnerable to discrimination, exploitation and abuse – including arbitrary detention, forced labour, human trafficking and violence. A significant number of stateless people in the world are also victims of forced displacement. In some cases, they are deprived of their citizenship and subsequently forcibly expelled from the country they consider their homeland. Sometimes they are forced to flee because of the persecution and discrimination they are facing. When these people, fleeing persecution, cross international borders, they become stateless refugees.

Various factors can lead to statelessness:

- discrimination against certain minority groups based on race, ethnicity, religion, language or sex;
- gaps in citizenship laws or conflicts of laws between countries;
- creation of new countries, transfer of territories between existing countries or changes in borders;
- situations when citizens lose their citizenship, sometimes even due to a longer stay outside their country;
- individuals may be at risk of statelessness if they cannot prove that they are connected to the country.

The link between statelessness and child marriage

Preventing and resolving cases of childhood statelessness is one of the key goals of UNHCR's global **Campaign to End Statelessness**. To achieve this goal, UNHCR urges all states to take the following steps in line with the **Global Plan of Action to End Statelessness**:

- Allow children to acquire the citizenship of the country in which they were born if they would otherwise be stateless,
- Reform laws that prevent mothers from passing on their citizenship to their children on an equal basis with fathers;
- Eliminate laws and practices that deny citizenship to children due to their ethnicity, race or religion; and
- Ensure universal birth registration to prevent statelessness.

The link between statelessness and child marriage is often neglected. In many cases, these two phenomena interact to perpetuate the cycle of statelessness and gender inequality across generations. That is why the efforts to prevent and reduce the number of child marriages are particularly complex in the context of statelessness. The situation gets further complicated in cases of refugees. Increasing rates of child marriage among refugees are harmful, as child marriage poses an immediate threat to young brides and also reduces the level of educational attainment and future economic productivity for this generation of girls. Child marriage exacerbates the problem of the growing generation of refugee children, and children born in child marriages face an additional obstacle: many of them will never be registered as citizens and will grow up without citizenship, basic security, access to health care and education services.

In the context of the Republic of Serbia, child marriage, in addition to numerous other harmful consequences for the child's health and wellbeing, represents one of the generators of new cases of persons at risk of statelessness. Underage brides and mothers rarely have regulated personal documents, i.e., a valid identity card, which prevents them from entering their child in the birth register immediately after birth. To do this, it is first necessary for the mother to obtain the identity card for which she will need the cooperation and formal consent of her parents (they are often no longer in contact and/or on good terms with their primary family). In such complicated circumstances, a newborn child can remain outside the system and without access to basic health and social care services for a significant period of time. On the other hand, mothers who are often in a difficult financial situation will not be able to exercise their right to financial support to families with children.

If an underage mother does not have adequate support from her family, professional services or specialized civil society organizations, the birth of her child may go "under the radar" and the child can remain without documents and at risk of statelessness for years. This complicates the resolution of this situation in the future.

Since 2015, the UNHCR Representation in Serbia, together with partner organizations Praxis and Indigo, has been undertaking various activities aimed at preventing and reducing the number of child marriages, with a particular focus on the extremely vulnerable population of internally displaced Roma people.

UNHCR #IBelong campaign

On 4 November 2014, UNHCR launched the global campaign #IBelong, which aims to end statelessness within ten years, by identifying and protecting stateless persons, solving existing statelessness situations and preventing the emergence of new cases. The **Global Plan of Action to End Statelessness 2014–2024** was prepared in consultations with states, civil society and international organizations. It consists of ten activities aimed at ending statelessness within 10 years. These activities aim to resolve existing cases of statelessness, prevent new cases of statelessness and strengthen the identification and protection of stateless persons.

States, international organizations, civil society organizations, institutions and individuals around the world have, in the past nine years, undertaken numerous activities aimed at reducing and preventing statelessness, which resulted in a significant reduction in the number of stateless persons.

Unfortunately, it is clear now that the ambitious goal set by the #IBelong campaign will not be met, and that even after 2024, it will be necessary to maintain positive energy and multiply joint efforts aimed at eradicating this extremely negative phenomenon.



The Republic of Serbia is a signatory to the 1954 **Convention Relating to the Status of Stateless Persons** and the 1961 **Convention on the Reduction of Statelessness**. Since 2011, the Republic of Serbia has undertaken a number of specific activities and amendments to the laws with the aim of eradicating statelessness, within the tripartite **Memorandum of Understanding between the Ministry of Public Administration and Local Self-Government, the Protector of Citizens and the UNHCR Representation in Serbia.**

In parallel with that, employees in the non-governmental sector have been tirelessly providing legal assistance in the field to persons at risk of statelessness for years, primarily UNHCR's partner NGO Praxis. Thanks to all of this, more efficient procedures were adopted and applied, the practices of registrars, police officers and social workers throughout the country were harmonized and the number of persons at risk of statelessness was reduced.

In Serbia, it is most often members of the Roma national minority who have problems with exercising the right to personal documents, who are therefore at risk of statelessness.

The latest survey **"Persons at Risk of Statelessness in Serbia, Overview of Current Situation and the Way Forward"** was conducted in October 2020. The sample covered 1,807 households, i.e. 9,218 people in total. The survey showed that in informal settlements there are 253 people who are not entered in the birth register; 275 people who do not have Serbian citizenship; 1,032 people who do not have an identity card; and 2,072 people who do not have a registered permanent or temporary place of residence. Given that 252 households include 359 persons who do not have at least one personal document, which may cause or has already caused statelessness, this means that around 2000 people living in informal settlements are at risk of statelessness.





The progress made since the survey conducted in 2015 shows that the joint efforts of the Government of the Republic of Serbia, UNHCR and civil society organizations working on the protection of human rights have given significant results in terms of resolving this problem.

Since statelessness is a phenomenon that is passed on between generations, the only guarantee for resolving the problem is its complete eradication. In that sense, and in accordance with the goals of the #IBelong campaign, UNHCR, together with partners from the government and the civil sector, continues its activities aimed at preventing and eradicating statelessness.

Global statistics on statelessness

According to UNHCR estimates, there were at least 4.3 million stateless persons or persons of undetermined nationality in the world at the end of 2022. It is estimated that more than 500,000 people are affected by statelessness in Europe. Around one in three stateless persons are children.

Praxis' work on preventing child marriage

Praxis has been working to prevent and eliminate child marriage since 2015 through its activities on the project **"Legal aid to persons at risk of statelessness in Serbia"** funded by the UN High Commissioner for Refugees. In the beginning, the activities of Praxis were focused on the parents of children who are of Roma nationality, while since 2017, the activities have been aimed at children and include organizing workshops on the topic of prevention of child, early and forced marriage with school-age children from 5th to 8th grade.

So far, a total of 82 workshops have been organized with 1,433 participants in 23 different municipalities, i.e. in 26 schools (Kostolac, Batajnica, Zemun, Novi Pazar, Jakovo, Lazarevac, Mladenovac, Obrenovac, Novi Sad, Tovariševo (Bačka Palanka), Zrenjanin, Niš, Kragujevac, Crepaja, Smederevo, Subotica, Leskovac, Srpski Krstur, Trstenik, Apatin, Pančevo, Šabac).

In addition to the workshops, Praxis also actively works on raising the awareness of representatives of relevant institutions, primarily schools and centres for social work, through individual meetings, round tables, with the aim of exchanging experiences, empowering institutions to report cases of child marriage, to react and take the necessary measures from their mandate in order to adequately respond to this phenomenon and protect children's rights.

The participants of the last organized workshop, students of the seventh grade of Primary School "Dositej Obradović" in Vranje, knew about the phenomenon of child marriage and they were also familiar with the practice of forced marriage. Children even mentioned cases of child, early and forced marriage that happened in their school or

immediate environment. Although almost everyone understood very well the criminal aspect of child marriage, i.e. why this phenomenon is punishable, **the group had divided opinions on whether or not they would report knowing that one of their peers wants to enter a child marriage**, which once again shows the importance and the necessity of general and individual preventive activities.



A story

At the age of 13, R.B. married M.M. who was 9 years older. This cohabitation was opposed by her parents, so as a consequence, they refused to participate in their daughter's application for permanent residence registration and obtaining the identity card.

One day after her 14th birthday, R.B. gave birth to her first child, and since she was a minor and without parental support, she could not take legal actions to regulate her and the child's personal status. One year after the birth of the child, in 2019, the Centre for Social Work determined the child's personal name ex officio.

In 2020, R.B. gave birth to her second child, which alarmed the Centre for Social Work to appoint her a temporary guardian to regulate her health insurance and identity card. Still, due to numerous difficulties, R.B. obtained her first identity card only one year after the appointment of a temporary guardian, at the age of 17. Her second child also waited for their personal name to be determined for one year, i.e., until the mother got her first identity card in 2021.

During both childbirths, R.B. and M.M. were verbally asked to pay for the medical expenses, which they did not do because they did not have the money. Sometimes they would pay for the medical exams for their children, and sometimes they would not. Children of R.B. and M.M. only got their health insurance 2 months ago.

R.B. did not claim the right to parental allowance for either child because she missed the legal deadlines for applying. Also, while she did not have personal documents, she was not entitled to child allowance and social assistance, although R.B. was not employed, while her common-law husband did occasional manual labour and collected recyclables to feed the family. This family of four only became entitled to financial social assistance in mid-2023.