



Global Recommendations on Nationality and Statelessness in the Context of Climate Change



**PETER McMULLIN
CENTRE ON
STATELESSNESS**



UNHCR
The UN Refugee Agency

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The Global Recommendations on Nationality and Statelessness in the Context of Climate Change have been developed in partnership between the UN Refugee Agency ('UNHCR') and the Peter McMullin Centre on Statelessness ('PMCS'), in consultation with a wide range of experts and stakeholders. UNHCR is mandated by the UN General Assembly to identify and protect stateless persons and to prevent and reduce statelessness around the world.¹ PMCS at the Melbourne Law School is the world's only university-based centre focused on research, teaching and engagement activities aimed at reducing statelessness and protecting the rights of stateless people.



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Foreword

Climate change is not only an environmental crisis; it is an increasingly urgent protection crisis for people in highly vulnerable situations.

As climate impacts intensify, they are placing growing pressure on communities and national systems. Among those most at risk are stateless people, who already face profound barriers to the full enjoyment of their human rights because they are not recognized as nationals by any State. The effects of climate change are deepening their exclusion and insecurity.

Climate-related displacement and migration, loss of documentation during disasters, and gaps in birth registration and nationality laws may also increase the risk of people becoming stateless. Sea level rise and loss of territory is raising broader questions about the continuity of statehood, particularly for low-lying island countries. As these Global Recommendations highlight, the growing recognition of the continuity of statehood provides an important framework for addressing concerns about nationality. It supports efforts to ensure that people affected by climate impacts continue to enjoy the rights and protection that nationality provides.

Nationality is far more than a legal status. It underpins a person's identity, rights, protection, and sense of belonging. As climate impacts reshape the world around us, timely action must be taken to mitigate risks of statelessness and ensure that those who are already stateless are not left even further behind.

These Global Recommendations on Nationality and Statelessness in the Context of Climate Change are an important step in addressing that challenge. Developed jointly by the Peter McMullin Centre on Statelessness and UNHCR, the UN Refugee Agency, they are firmly grounded in international law, including the 1954 and 1961 Statelessness Conventions, and draw upon UNHCR's statelessness mandate. Informed by extensive consultations, they provide practical guidance for governments and other stakeholders to prevent and reduce statelessness, protect stateless people, and safeguard the right to nationality in the face of growing climate impacts.

The implementation of these Global Recommendations in different regional, national, and local contexts will require urgent and increased access to finance, political commitment, sustained cooperation, and investment in national capacity. It will also require the meaningful participation of affected communities, whose experience and leadership are essential to developing effective responses and sustainable outcomes.

I encourage governments and all partners to draw on these Global Recommendations as they strengthen national laws, policies, and practice. Together, we must ensure that every person adversely affected by climate change can retain or acquire a nationality and enjoy the dignity, rights, and protection that nationality makes possible.

Barham Salih

United Nations High Commissioner for Refugees

Summary

These Global Recommendations on Nationality and Statelessness in the Context of Climate Change (‘Global Recommendations’) respond to an urgent but under-recognized nexus between climate change, nationality, and statelessness. Although every person has the right to a nationality, millions of people remain stateless or without a recognized nationality status, often with limited access to rights, services, and protection. The adverse and growing effects of climate change can deepen the existing vulnerabilities of stateless persons through the direct and cascading impacts of extreme weather and slow-onset hazards. These risks may be compounded where livelihoods and services are disrupted and stateless persons have limited capacities and face barriers to inclusion in climate adaptation, disaster risk reduction, and emergency preparedness, response and recovery measures.

At the same time, the adverse impacts of climate change may create or heighten risks of loss of nationality and lead to new cases of statelessness, particularly in situations of displacement and migration within and across borders. These risks can arise where civil registration coverage is low or identity documents are lost, damaged or become inaccessible; where births go unregistered during periods of displacement; where nationality laws contain discriminatory provisions; or where laws and procedures do not adequately safeguard against loss or renunciation of nationality that would leave a person stateless.

The Global Recommendations are grounded in international law and policy frameworks on the right to a nationality, the prevention and reduction of statelessness, human rights, climate change, disaster risk reduction, and human mobility. They are specifically guided by universally applicable principles in international law, including equality and non-discrimination, the right to life with dignity, the duty of international cooperation, and the right to participate. The Global Recommendations also recognize the growing recognition under international law — including by the International Court of Justice — of ‘continuity of statehood’ in the context of sea-level rise and resulting loss of territory. This calls for a focus on practical measures that States and other stakeholders can take now to identify and protect stateless persons, and to reduce and prevent statelessness in climate-vulnerable contexts.

The following nine (9) Recommendations are provided as guidance as relevant in specific national and regional contexts:

- R1

Recommendation 1:

Identify and enumerate stateless persons and persons without a recognized nationality status in national counting exercises that are used to inform development and humanitarian policies, plans and programming, including for climate change adaptation, disaster risk reduction, and emergency preparedness, response and recovery.
- R2

Recommendation 2:

Identify stateless persons who have been displaced or have migrated across international borders in the context of climate change by establishing and ensuring access to statelessness determination procedures.
- R3

Recommendation 3:

Protect the rights of stateless persons and persons without a recognized nationality status in situations where they are exposed and vulnerable to, or already affected by, climate-related hazards.
- R4

Recommendation 4:

Expedite the resolution of all known cases of statelessness, considering the compounding effects of being stateless in the context of adverse climate change impacts.
- R5

Recommendation 5:

Assess relevant legal and policy frameworks to identify where potential risks of loss of nationality and statelessness may arise to prevent loss of nationality and statelessness in the context of climate change.
- R6

Recommendation 6:

Prevent loss of nationality or voluntary renunciation of nationality that might lead to statelessness for those who are displaced or migrate across international borders in the context of climate change.

- R7

Recommendation 7:

Ensure that all children are able to acquire a nationality in the context of climate change in order to prevent childhood statelessness.
- R8

Recommendation 8:

Provide everyone with access to birth registration and proof of nationality documentation in contexts where people are vulnerable to or affected by climate-related hazards in order to prevent statelessness.
- R9

Recommendation 9:

Ensure that any bilateral or multilateral agreements that facilitate migration across an international border in the context of climate change protect against loss of nationality and statelessness.

The Global Recommendations are intended to support practical action to prevent new cases of statelessness, reduce existing statelessness, and protect those whose rights are at risk in the context of climate change. They can be advanced through international, regional, national and local measures, including by integrating safeguards into nationality laws, and by informing efforts to strengthen civil registration and identity systems, human mobility frameworks, disaster risk reduction, emergency preparedness and response, and climate adaptation planning.

While many measures can be built into existing frameworks and administrative practice, others will require focused follow-through, as well as additional technical and financial support, particularly for low-income countries. Implementing the Global Recommendations is therefore central to ensuring that nationality laws and civil registration systems, climate change law and policy, disaster risk reduction and response, and frameworks that govern human mobility are inclusive and capable of protecting those most at risk of being left behind.

Part A





Introduction

Rationale for the Global Recommendations

- 1.1 Every person has the right to a *nationality**.² *Statelessness*, or the condition of lacking the nationality of any State,³ affects millions of people globally.⁴ In practice, having a nationality acts as the gateway to the enjoyment of other human rights,⁵ including the right to health, education, employment, and freedom of movement. This is why being stateless has such a severe impact on those it affects.⁶ Under the adverse and growing impacts of *climate change*, the *vulnerability* of stateless persons is being exacerbated, which may be related to both their lack of nationality and associated rights, and lack of capacity to adapt to *climate-related hazards*. At the same time, climate change impacts are increasing conditions under which people in some situations risk losing their nationality and becoming stateless. These effects have far-reaching implications for the enjoyment of human rights and the resilience of people in highly climate-vulnerable situations.
- 1.2 Despite this, the relationship between climate change, nationality and statelessness remains underexplored and often unrecognized in relevant law, policy and measures that can play an important role in identifying and protecting stateless persons, as well as reducing and preventing statelessness. Likewise, laws, policies, and plans that are focused on addressing climate change and its adverse impacts rarely recognize the nexus between climate change, nationality, and statelessness.

*Terms defined in the Glossary are italicized and linked to the Glossary the first time they are mentioned

Purpose and audience

- 1.3** The Global Recommendations on Nationality and Statelessness in the Context of Climate Change ('Global Recommendations') aim to guide States and other stakeholders towards concrete steps that will help safeguard every person's right to a nationality and reduce the impacts of climate change on those who are already stateless. They are intended to help governments assess, plan, and take timely action to ensure that:
- their citizens do not lose their nationality and can continue to pass it on to their children;
 - statelessness is prevented and reduced; and
 - stateless persons are protected in the context of the unfolding climate emergency.
- 1.4** The Global Recommendations are potentially relevant to a wide range of government ministries and departments, including those responsible for: nationality matters; *civil registration*; foreign affairs; climate change and environmental issues; *migration and displacement*; human rights; *disaster* and emergency risk management; development; health; education; employment; indigenous peoples and minorities. Other stakeholders, including *stateless-led* and community-based organisations, other civil society groups, researchers, regional and international organisations may also find the Global Recommendations useful in their efforts to support governments, affected communities and stateless persons in this area.
- 1.5** The Global Recommendations are aligned with the objectives of UNHCR's Global Action Plan 2.0, particularly the call to better understand and effectively address the adverse impacts of climate change on the risks of statelessness and on stateless persons.⁷ They also align with the vision of the UNHCR-led Global Alliance to End Statelessness of 'a world free from statelessness where everyone enjoys the right to a nationality without discrimination.'⁸

Under the adverse and growing impacts of climate change, the vulnerability of stateless persons is being exacerbated, which may be related to both their lack of nationality and associated rights, and lack of capacity to adapt to climate-related hazards. At the same time, climate change impacts are increasing conditions under which people in some situations risk losing their nationality and becoming stateless.





Statelessness and the right to a nationality under international law and policy frameworks

- 2.1** The Global Recommendations are anchored in, draw upon, and align with the international legal framework relating to the right to nationality and statelessness. This includes the 1954 Convention relating to the Status of Stateless Persons ('1954 Convention')⁹ which sets out the definition of a stateless person and the rights¹⁰ to be afforded to stateless persons; and the 1961 Convention on the Reduction of Statelessness ('1961 Convention'), which establishes safeguards to prevent statelessness in childhood and later in life, as well as other international and regional instruments.
- 2.2** The right to nationality is a fundamental human right, meaning everyone is entitled to a nationality, and no one should be arbitrarily deprived of their nationality or denied the right to change it. This right is recognized in the Universal Declaration of Human Rights ('UDHR'), the International Covenant on Civil and Political Rights ('ICCPR'), the Convention on the Rights of the Child ('CRC') and other international and regional instruments.¹¹
- 2.3** The Global Recommendations further reflect the application of States' existing obligations under international human rights law, including duties to respect, protect and fulfil human rights.
- 2.4** Governments' multilateral and national commitments to climate change *mitigation*, *adaptation*, disaster risk reduction and to responses to *loss and damage* provide an opportunity to bring greater knowledge and much-needed attention to statelessness risks and to address the protection of stateless persons. This includes connecting statelessness and *human mobility*, in line with commitments to 'leave no one behind'. Different aspects are addressed in international treaties and policy instruments, including the 2015 Paris Agreement, the Sendai Framework for Disaster Risk Reduction (2015–2030), and the Agenda for Sustainable Development (2015–2030), as well as in the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration.¹²



The nexus between nationality and statelessness and the adverse impacts of climate change

The adverse impacts of climate change

- 3.1 The emission of greenhouse gases through human activities, primarily the burning of fossil fuels like coal, oil and gas, is heating the planet faster than at any time in at least the last 2000 years.¹³ As a result, climate-related hazards, including both the frequency and intensity of *extreme weather events* such as heatwaves, droughts, extreme precipitation, and cyclones, as well as *slow-onset events* or processes such as sea-level rise, rising temperatures, loss of biodiversity, and desertification are increasing, with substantial consequences for exposed and vulnerable people and ecosystems.¹⁴
- 3.2 The adverse impacts of climate change are context-specific, systemic, and complex. The *exposure* and vulnerability of ecosystems and people to climate-related hazards are shaped by geography and local climate, as well as by wider environmental, socio-economic and political factors such as inequality, poverty, culture and governance. Climate-related *hazards* may also interact and combine with other natural and human-made hazards, such as geological, technological, biological and industrial hazards, as well as conflict and financial shocks.¹⁵
- 3.3 Cascading effects may include, for example, the amplification of food and water insecurity, the loss of climate-sensitive livelihoods, the degradation and loss of habitable territory, and the increased risk of disaster, conflict, generalized violence, and human rights violations that further result in displacement and other forms of human mobility.¹⁶ These cascading effects may also include statelessness, which is discussed in technical work under the United Nations Framework Convention on Climate Change ('UNFCCC') Warsaw International Mechanism on Loss and Damage in relation to non-economic losses and human mobility.¹⁷

In this document, the phrase ‘the context of climate change’ refers, in general, to the many ways through which climate change impacts affected populations for whom these Global Recommendations are relevant.

Affected populations

(a) Stateless persons and persons without a recognized nationality status

- 3.4
- Nearly 90% of the 4.5 million stateless persons reported by UNHCR in 2025¹⁸ were living in countries that are already highly exposed to climate-related hazards, and that exposure is set to worsen. This includes countries in South and South-East Asia, Western, Eastern and Southern Africa, and the Middle East, while other regions are also affected. Climate-related hazards have disproportionate impacts on stateless people living in the most exposed and vulnerable situations. Examples are highlighted in Map 1.
- 3.5
- People who are already stateless and *persons without a recognized nationality status* often face specific, heightened risks because of pre-existing vulnerabilities that arise because of their lack of legal status and marginalisation. In the context of the adverse impacts of climate change, exclusion due to lack of legal status may take on more serious, life-threatening dimensions. For example, stateless persons and persons without a recognized nationality status may be excluded from critical support services, including disaster relief and emergency healthcare, that may only be available to those who are nationals or those who have a recognized legal status. Those who work in the informal economy may face loss of livelihoods resulting from extreme weather events, from which they may have little or no support to recover. Individually or together, these vulnerabilities leave stateless persons more exposed to climate and disaster-related harms, while having little access to support or protection.

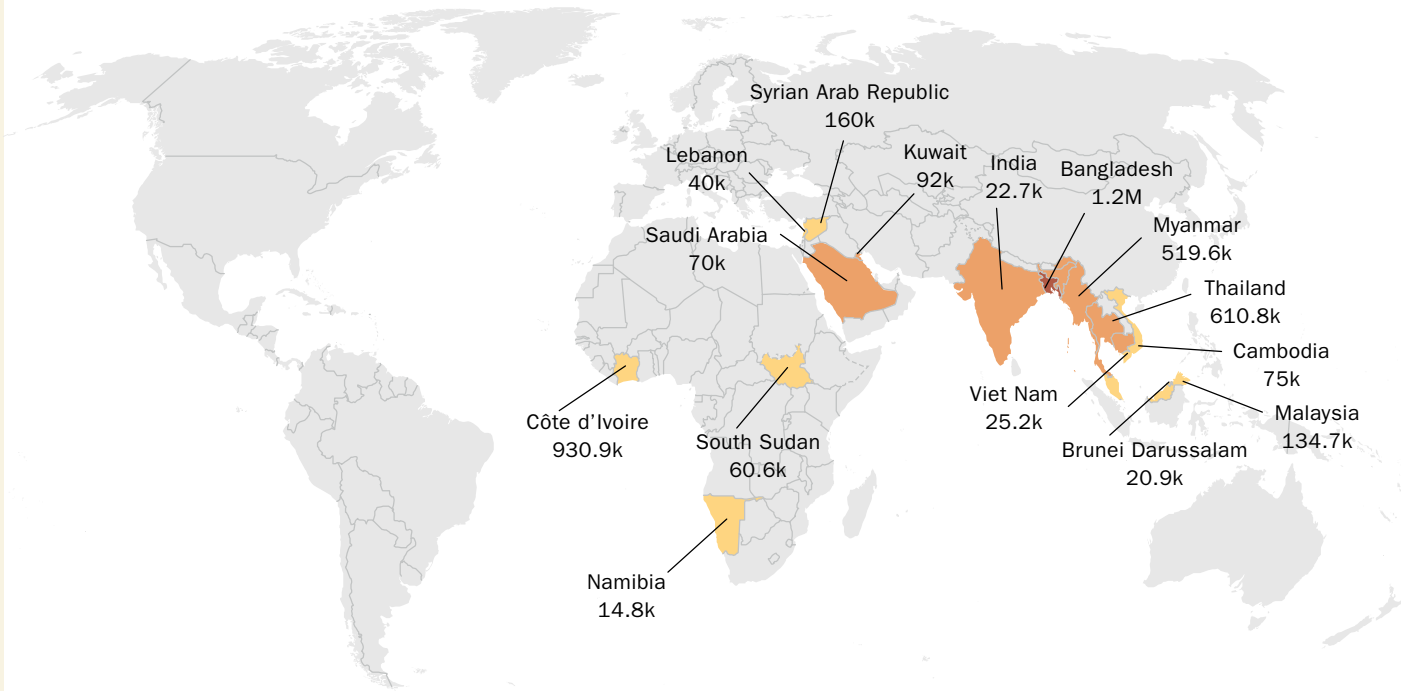


Map 1: Stateless populations in countries that have high to extreme exposure to climate-related hazards

Note: Highlighted countries are selected for having a combination of ‘high’ to ‘extreme’ exposure to climate-related hazards and being among the countries with the largest reported numbers of stateless persons in UNHCR’s 2025 Global Trends Report.

Climate-related hazard exposure (floods, drought, extreme heat)

High Severe Extreme



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Sources: UNHCR Refugee Data Finder, CGIAR

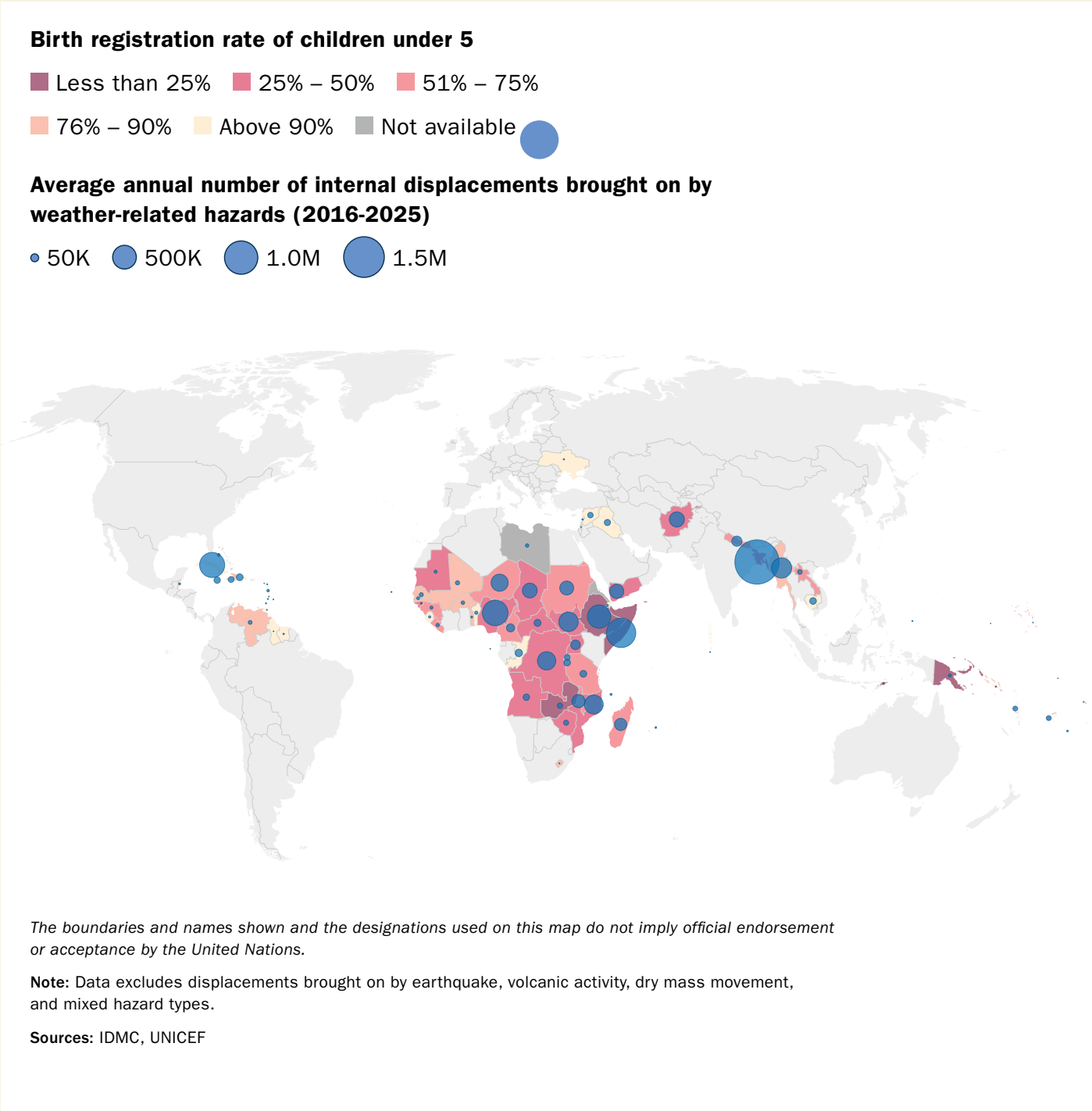
- (b) Displaced persons and migrants at risk of statelessness**
- 3.6 Risks of loss of nationality and statelessness are most likely to arise in situations of climate-related migration and displacement within and across borders.¹⁹ From 2015 to 2025, disasters associated with the effects of climate and weather-related events, primarily floods and storms, triggered an annual average of some 27.4 million internal displacements of people worldwide, and this trend is expected to rise.²⁰ Climate-related hazards also affect other drivers of displacement and migration through their interaction with a wide range of social, economic, political and demographic factors, including the potential to exacerbate social tensions and conflict between communities whose access to essential environmental resources is under increasing climate-related pressure.²¹

3.7 Displaced or migrant populations may be affected by loss of or damage to documents that help to prove their nationality, such as birth certificates or national identity documents. Those who are internally displaced may find themselves in protracted situations of displacement, during which proof of nationality documentation may be lost or left unrenewed, and children’s births left unregistered.

3.8 Individuals or groups that are displaced, or that migrate across international borders may be affected by similar documentation challenges as those that are internally displaced, as well as by gaps in or conflicts between nationality laws. This includes nationality laws that prevent women from conferring their nationality to their children born abroad, nationality laws that lack safeguards to grant nationality to children born on the territory who would otherwise be stateless, and nationality laws that make it possible for certain nationals to lose their nationality as a result of prolonged residence abroad, even where the loss could result in such nationals being left stateless.

3.9 Map 2 shows that low birth registration rates are found in many countries where internal displacements brought by weather-related hazards occur frequently and at scale. When taken together, these factors may increase the risk of statelessness, while other context-specific factors will also play a part.

Map 2: Risk factors for statelessness in the context of climate change — low birth registration rates and internal displacement brought on by weather-related hazards





Nationality and the continuity of statehood in the context of sea-level rise and loss of territory

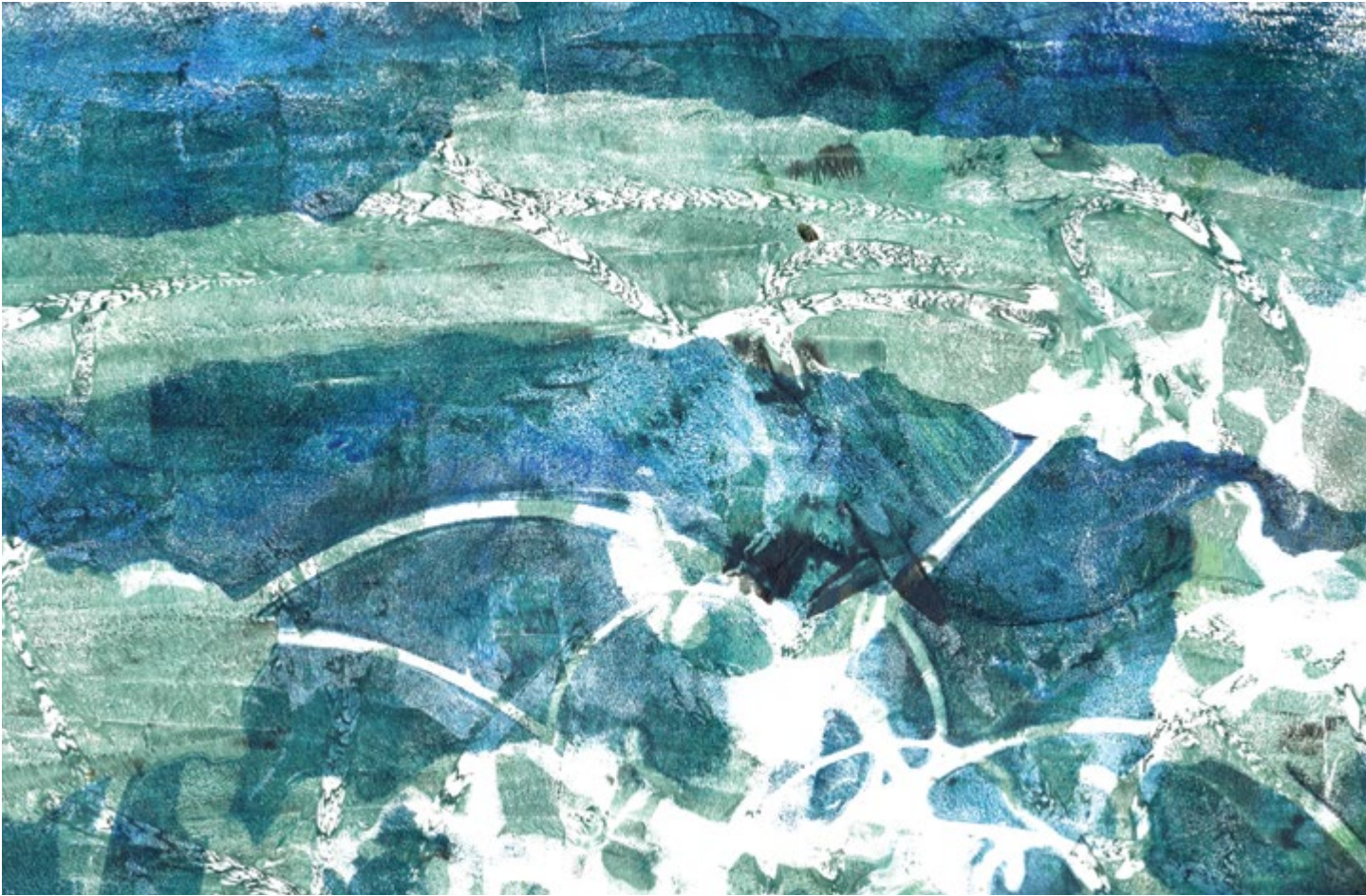
- 4.1 As global temperatures continue to increase, sea-level rise is contributing to well-documented hazards and environmental degradation such as coastal erosion, soil salination and the pollution of groundwater sources, and amplifying exposure to events such as storm surge, king tides and related flood risk, particularly in low-lying, small island States and coastal settlements. Risks of statelessness linked to climate change have most frequently entered policy discourse in relation to projected loss of territory as a result of sea-level rise.
- 4.2 Under international law, territory along with a permanent population, a government, and the capacity to enter into relations with other States²² are indicators of statehood.²³ There is growing support among States, regional bodies (notably the Pacific Islands Forum), and scholars for recognition of the ‘continuity of statehood’ in the context of sea-level rise.²⁴
- 4.3 The ‘continuity of statehood’ would provide that the status, rights, and obligations of States continue despite changes in territory, population, or government. It means, in turn, that a State can continue to recognize its nationals, even if they reside outside of its territory. In the context of sea-level rise, the International Law Commission (‘ILC’) has noted:

The continuity of statehood in the context of climate change-related sea-level rise is based on the right of States to preserve their existence, the right of each State to preserve its territorial integrity and the right of peoples to self-determination. It is linked to legal stability, certainty and predictability, the sovereign equality of States, permanent sovereignty of States over their natural resources, the maintenance of international peace and security, equity and justice, and international cooperation. *The continuity of statehood is essential to avoid situations of loss of nationality and statelessness.*²⁵

PART A 4. NATIONALITY AND THE CONTINUITY OF STATEHOOD IN THE CONTEXT OF SEA-LEVEL RISE AND LOSS OF TERRITORY

- 4.4 Likewise, in its Advisory Opinion on the Obligations of States in respect of Climate Change, the International Court of Justice (‘ICJ’) notes that ‘once a State is established, the disappearance of one of its constituent elements would not necessarily entail the loss of its statehood’.²⁶
- 4.5 Widespread recognition of the ‘continuity of statehood’ is expected to support persons in retaining their nationality and help to prevent statelessness in accordance with human rights standards. States are encouraged to join the growing support for this concept by respecting the continued sovereignty of States facing extreme harms due to climate change. This includes maintaining diplomatic relationships with States particularly affected by climate change-related sea-level rise, and respecting their continued participation in international institutions.

PART A 4. NATIONALITY AND THE CONTINUITY OF STATEHOOD IN THE CONTEXT OF SEA-LEVEL RISE AND LOSS OF TERRITORY



Widespread recognition of the ‘continuity of statehood’ is expected to support persons in retaining their nationality and help to prevent statelessness in accordance with human rights standards.



Guiding principles

5.1 The Global Recommendations are underpinned by the following principles which reflect universally applicable norms of international law.

Right to a nationality

5.2 Section 2 above describes the right to a nationality and the international legal framework within which it is located. At minimum, having a nationality is associated with the right of entry, re-entry, and residence in the State’s territory.²⁷ In practice, however, nationality is often the basis for accessing other socio-economic and political rights such as the right to vote, work and access social services. Upholding the right to a nationality is critical to ensuring that communities affected by the adverse impacts of climate change continue to be able to enjoy their basic human rights. The Global Recommendations are therefore predicated upon ensuring that everyone enjoys their right to a nationality.

Equality and non-discrimination

5.3 Equality and non-discrimination are key principles that require that all human beings be treated equally and that no one faces discrimination based on race, gender, age, disability, nationality, or other protected attributes.²⁸ The right to equality means providing equal access to rights, resources, and opportunities to all persons. Given that discrimination is both a major underlying cause and consequence of statelessness, the Global Recommendations are focused on addressing situations where climate change impacts have the potential to disproportionately affect the nationality status of those who are the most marginalized and therefore vulnerable, including children, indigenous and minority groups, women, and those with disabilities, as well as people who are already stateless, thereby exacerbating existing inequalities.²⁹

Right to life with dignity

5.4 The right to life with dignity requires that individuals are not arbitrarily or unlawfully deprived of life and are able to live in a manner that respects their inherent worth and value.³⁰ The right to life with dignity requires having access to basic necessities such as food, water, shelter, and healthcare.³¹ It also includes being free from discrimination, torture, and cruel, inhuman or degrading treatment or punishment.³² Because of the severe impact of statelessness on basic rights closely associated with both the right to a nationality and the right to life with dignity, the Global Recommendations are driven by the imperative of avoiding loss of nationality which leads to statelessness, and ensuring respect for the rights of those who are already stateless, which includes the provision of realistic and timely pathways to nationality.

Duty of international cooperation

5.5 The international duty to cooperate obliges States to work together to achieve common goals and solve shared problems, including to promote and encourage respect for and observance of human rights, to address matters of international environmental concern³³, and to coordinate efforts to help States affected by disasters.³⁴ Articles 1, 55, and 56 of the Charter of the United Nations establish the duty of States to cooperate in addressing economic, social, cultural, and humanitarian issues and in promoting human rights.³⁵ The principle is also embedded in the Universal Declaration of Human Rights,³⁶ multiple international human rights treaties³⁷, and regional instruments designed to protect the right to a nationality and address statelessness.³⁸ As the ICJ noted in its Advisory Opinion, cooperation in addressing sea-level rise and its adverse effects is ‘not a matter of choice for States but a legal obligation.’³⁹

5.6 Cooperation among States and ‘other members of the international community’⁴⁰ is critical not only to addressing the adverse impacts of climate change, but to protecting persons and communities affected by these impacts. This includes safeguarding every person’s right to a nationality by, *inter alia*, improving understanding and analysis of loss of nationality and statelessness in the context of climate change, offering international protection to affected persons, and ensuring compliance of laws and policies with international standards to prevent and reduce statelessness and to protect stateless persons, including through the exchange of good practices. The duty to cooperate is particularly relevant in the context of cross-border movement of people as a consequence or in anticipation of the adverse impacts of climate-related hazards.

Right to participate

5.7 The right of individuals to participate in public affairs,⁴¹ and to actively engage in promoting and protecting human rights and participate in international law-making,⁴² is particularly relevant to those who are stateless or experiencing displacement because ‘[r]esponses are most effective when they actively and meaningfully engage those they are intended to protect and assist.’⁴³

5.8 In the context of climate change, persons who are stateless, persons without a recognized nationality status, and persons at risk of statelessness should have the right to participate meaningfully in decisions that affect them directly or indirectly. This right should extend to climate-related decision-making processes, including climate adaptation planning, disaster preparedness and response strategies. For these affected individuals and communities, the right to participate meaningfully includes considering the expertise, experience, and information they contribute through their participation; ensuring that they have access to information in appropriate languages, format and technologies that facilitate their right to participate; and ensuring that their participation is adequately supported and resourced.⁴⁴

Part B





Structure of the Global Recommendations

6.1 To underscore their practical benefits if implemented, the Global Recommendations are organized under the four pillars of UNHCR’s statelessness mandate⁴⁵:

- (I.) Identify;
- (II.) Protect;
- (III.) Reduce; and
- (IV.) Prevent.

Some of the Recommendations which appear under one pillar may also be relevant under another pillar or pillars. In such cases, the relevance of the particular Recommendation to other pillars is noted, without repeating the content of the Recommendation under multiple pillars.

6.2 As previously highlighted, affected populations that are relevant to the Global Recommendations include persons who are currently stateless and/or persons without a recognized nationality status living in climate-vulnerable situations in or outside their *own country*, as well as those who are at risk of future statelessness living in or outside their country of nationality. Each recommendation indicates to which categories of affected populations it applies and how. Table 1 provides a summary of which recommendations apply to which of the affected populations:

Table 1: Global Recommendations and their relevance to each category of affected population

Recommendation	Categories of affected populations			
	A	B	C	D
	Stateless persons and/or persons without a recognized nationality status in their own country	Stateless persons and/or persons without a recognized nationality status outside their own country	Nationals (at risk of losing their nationality and becoming stateless) in their country of nationality	Nationals (at risk of losing their nationality and becoming stateless) outside their country of nationality
Identify				
R1	✓	✓		
R2		✓		
Protect				
R3	✓	✓		
Reduce				
R4	✓	✓		
Prevent				
R5			✓	✓
R6				✓
R7	✓*	✓*	✓*!	✓*!
R8	✓	✓	✓	✓
R9				✓

* For Recommendation 7, the focus is on children at risk of statelessness being born to any of the affected populations.

! In relation to affected populations C and D in the context of Recommendation 7, in addition to the risk of statelessness for their children, the nationals in question themselves may be at risk of loss of nationality and statelessness.

6.3 As a first step, governments and relevant stakeholders should establish which of the affected population types are present, or are likely to be present in the future, in their jurisdictions, and then proceed to identify which of the Global Recommendations are most relevant to their contexts. In this sense, the Global Recommendations are not prescriptive. Rather, they can be tailored to specific circumstances.





Global Recommendations

Recommendation 1

Identify and enumerate stateless persons and persons without a recognized nationality status in national counting exercises that are used to inform development and humanitarian policies, plans and programming, including for climate change adaptation, disaster risk reduction, and emergency preparedness, response and recovery (also relevant to Recommendation 3 under Protect).

This Recommendation is relevant in contexts where there are:

- A — Stateless persons and/or persons without a recognized nationality status **in their own country**; and
- B — Stateless persons and/or persons without a recognized nationality status **outside their own country**.

Context:

- 7.1 For countries to ensure that stateless persons are included in their planning and responses to climate change, they need to recognize the existence of stateless populations and persons without a recognized nationality status⁴⁶, and understand their specific needs. The identification of stateless persons is an essential first step to ensuring that their rights are protected.⁴⁷ This is particularly important as many States still do not report or count stateless populations in their national enumeration exercises, have only partially counted stateless populations, or have not updated their data on stateless populations for many years.⁴⁸
- 7.2 Identification exercises should also include persons without a recognized nationality status, potentially including border-dwelling populations, nomadic, and semi-nomadic populations such as sea-faring groups. These populations are often overlooked or omitted from surveys and censuses. Additional cooperation between States might be required to ensure that they are accounted for comprehensively.⁴⁹

Recommendation 1

- 7.3

Identification of stateless persons and persons without a recognized nationality status may occur as part of risk, vulnerability and needs assessments in certain geographic areas and among populations that are exposed and/or impacted by climate-related hazards.
- 7.4

Identification of stateless persons and persons without a recognized nationality status through national census exercises or targeted government surveys may also be needed where these groups have not already been enumerated, and should also capture basic demographic information on these groups.⁵⁰
- 7.5

Identification is also imperative to ensure that the unique needs of stateless persons and communities are understood and incorporated into inclusive policies, plans, and programming for climate change mitigation, adaptation, and responses to loss and damage, including humanitarian or emergency preparedness, response and recovery from climate-related crises.
- 7.6

For additional information on the identification of stateless persons, please also refer to UNHCR’s [Global Action Plan 2.0](#), Action 10: Improve quantitative and qualitative data on stateless populations, the [International Recommendations on Statelessness Statistics and the UNHCR Quick Guides on Researching Statelessness](#).

Implementation:

- 7.7

To implement Recommendation 1, States can:

 - Ensure identification exercises (including censuses and surveys) that are used to inform the development of climate mitigation, adaptation and loss and damage response plans, disaster risk reduction strategies and emergency preparedness, response and recovery plans, include all persons residing in a State’s territory regardless of their nationality status. Ensure that such counting exercises are updated on a regular basis. Ensure data gathered is disaggregated based on age and sex and other relevant characteristics, while ensuring compliance with the right to privacy and applicable data protection standards and safeguards against discrimination, or stigmatization.
 - In the case of identifying border-dwelling, nomadic or semi-nomadic populations, establish bilateral or multilateral government taskforces to ensure that identification exercises are completed comprehensively and are accompanied by explicit safeguards to ensure compliance with the right to privacy and applicable data protection standards.
 - Adapt survey instruments to identify the specific needs and risks faced by stateless communities and persons without a recognized nationality status in the context of climate change (e.g., lack of identity documentation, less economic resilience due to exclusion from formal labour market, higher risk of ill health or death due to lack of access to public health services).

Recommendation 2

Identify stateless persons who have been displaced or migrated across international borders in the context of climate change by establishing and ensuring access to *Statelessness Determination Procedures*. (also relevant to Recommendation 3 under Protect).

This Recommendation is relevant in contexts where there are:

- Ⓑ — Stateless persons and/or persons without a recognized nationality status **outside their own country**.

Context:

7.8 Groups of people who have been displaced or migrated across international borders in the context of climate change may include stateless persons or persons without a recognized nationality status. Alternatively, they may become stateless or persons without a recognized nationality status once they have moved to a new country due to gaps in or conflicts between the nationality laws of their own country and the country that receives them.

7.9 The establishment of statelessness determination procedures ('SDPs') in States receiving individuals from other States facilitates identification of those who are stateless.⁵¹ Where SDPs already exist, those who are stateless or without a recognized nationality status should be given ready access to such procedures to ensure that their nationality status is clarified.

Statelessness status determination is an essential first step to ensure that the rights of all *stateless persons in a migratory context*, including those moving for reasons related to the impacts of climate change, are respected and upheld.⁵² Formal determination of statelessness should also be linked to a facilitated pathway to nationality of the receiving country. As of 2026, only 30 States have established SDPs.⁵³

7.10 For additional information on SDPs, please refer to UNHCR's Global Action Plan 2.0, Action 6: In a migratory context, determine statelessness and protect stateless persons and facilitate their *naturalisation*, UNHCR's Handbook on the Protection of Stateless Persons, and UNHCR's Good Practices Paper — Action 6: Establishing Statelessness Determination Procedures to Protect Stateless Persons.

Implementation:

- 7.11 To implement Recommendation 2, States can:
- Establish SDPs in line with the international legal definition of a stateless person, and standards set out in the UNHCR Handbook on the Protection of Stateless Persons.
 - Ensure that persons who may be stateless and have been displaced or migrated to another country in the context of climate change can access SDPs.
 - Provide guidance to decision makers to ensure that they are aware of the country contexts and profiles of those migrants and refugees who may be stateless in the context of climate change.
 - Accede to the 1954 Convention and ensure that its provisions are implemented in national laws and policies (also applies to Recommendation 3)



For countries to ensure that stateless persons are included in their planning and responses to climate change they need to recognize the existence of stateless populations and persons without a recognized nationality status, and understand their specific needs.

Recommendation 3

Protect the rights of stateless persons and persons without a recognized nationality status in situations where they are exposed and vulnerable to, or already affected by, climate-related hazards.

This Recommendation is relevant in contexts where there are:

- A** — Stateless persons and/or persons without a recognized nationality status **in their own country**; and
- B** — Stateless persons and/or persons without a recognized nationality status **outside their own country**.

Context:

- 7.12** The adverse impacts of climate change have the potential to exacerbate the negative consequences of statelessness or lack of recognized nationality status on enjoyment of human rights, including freedom of movement and liberty, access to healthcare, water and food, shelter, education, and work, as well as cultural rights.⁵⁴ For example, climate change impacts may result in new or more severe diseases, and stateless people and persons without a recognized nationality status, who often do not have access to public health care, could become even more susceptible to acute and life-threatening illnesses. The fact that many stateless persons and persons without a recognized nationality status often work in the informal economy can make them more vulnerable to loss of livelihoods resulting from extreme weather events, and this vulnerability may be heightened by the common exclusion of stateless persons from access to social services.⁵⁵
- 7.13** Additionally, stateless persons and persons without a recognized nationality status are often at risk of arrest or detention, forced eviction, expulsion and trafficking, due to their lack of legal status or restrictions associated with their legal status. In the context of climate change, increased resource scarcity and poverty, diminishing habitability of certain geographic areas, and the declaration of states of emergency all have the potential to increase the targeting and vulnerability of those who lack nationality or whose nationality status is unclear.

Recommendation 3

- 7.14

For stateless persons in a migratory context, stable residence, the right to family unity, and identity and travel documentation are particularly important considerations in addition to rights to be afforded to them under international law, such as the right to work.
- 7.15

Stateless persons and persons without a recognized nationality status may also face intersectional discrimination or exclusion related to their other protected characteristics, such as sex, age, ethnicity, religion, disability, or displacement.⁵⁶ In addition, due to their lack of nationality or legal status, stateless persons and persons without a recognized nationality status may be excluded from support services, disaster relief policies and strategies, and emergency healthcare services.⁵⁷
- 7.16

The 1954 Convention defines who a stateless person is and establishes a set of minimum rights that stateless persons should be granted, including the right of access to the courts, the right to gainful employment, the right to education, the right to social security, the right to freedom of movement, the right to identity and travel documents, property rights, and the right of association. In addition to the 1954 Convention provisions, the treatment of stateless persons under a State’s national law must align with other international human rights standards: most human rights apply to everyone, regardless of nationality or immigration status, including stateless persons.⁵⁸
- 7.17

For additional information on protecting the rights of stateless persons, please refer to UNHCR’s [Global Action Plan 2.0](#), Action 11: Ensure Stateless Persons can enjoy their rights, and the [UNHCR Handbook on the Protection of Stateless Persons](#).

Implementation:

- 7.18

To implement Recommendation 3, States can:
- Review and, if necessary, amend development and humanitarian policies, plans and programming relating to climate adaptation, management and disaster risk reduction and relief to incorporate stateless populations and their specific needs.
 - Consider the intersectional needs of stateless persons and persons without a recognized nationality status with other protected characteristics such as sex, age, ethnicity, religion, disability, or displacement. This should be done through community consultation with affected groups.
 - Ensure that stateless persons and persons (including those that are displaced across borders or internally) without a recognized nationality status in the context of climate change have non-discriminatory access to assistance and support services and are not arbitrarily detained.
 - Ensure those in a migratory context who are determined to be stateless are granted a right of residence as well as other rights, including the right to work, access to healthcare and social assistance, as well as a travel document.⁵⁹ Family reunion with spouses and dependents should also be facilitated.
 - Sensitize emergency service providers to ensure that they are aware of barriers, such as lack of identity documentation or fear of authorities, which may prevent stateless populations from accessing protection and services.
 - Ensure that stateless communities have access to long-term sustainable solutions including facilitated pathways to nationality (also relevant to Recommendation 9).
 - Accede to the 1954 Convention and ensure that its provisions are implemented in national laws and policies (also relevant to Recommendations 2 and 4).



Recommendation 4

Expedite the resolution of all known cases of statelessness, considering the compounding effects of being stateless in the context of adverse climate change impacts.

This Recommendation is relevant in contexts where there are:

- A** — Stateless persons and/or persons without a recognized nationality status **in their own country**; and
- B** — Stateless persons and/or persons without a recognized nationality status **outside their own country**.

Context:

7.19 Resolving existing, known cases of statelessness through the granting of nationality and associated rights is the best protection against the compounding effects of statelessness on vulnerability to climate change impacts.⁶⁰ For example, more stateless people are likely to face serious or life-threatening illness or injury due to having limited or no access to public healthcare in a context where there are higher incidences of extreme weather-related diseases and injuries. Stateless people may face increased housing precarity and homelessness due to their poverty and inability to own property in a context of greater scarcity of and more competition over access to water, fertile and habitable land or secure housing. Given that stateless people are more likely to work in the informal economy, or rely on subsistence living, they are more likely to face loss of livelihoods, resulting from climate-related hazards from which they may have little or no support to recover.

Recommendation 4

- 7.20

Where statelessness is protracted and intergenerational in nature, the compounding impacts of climate change have the potential to undermine development outcomes for affected communities and societies, which can in turn increase social tension and civil unrest.
- 7.21

Recognising stateless persons residing on the territory as nationals also reduces the risk of statelessness extending to other States when populations migrate or become displaced in the context of climate change.
- 7.22

If persons who migrate or are displaced in the context of climate change are already stateless or rendered stateless due to gaps in nationality laws or their inability to prove their nationality, receiving States should facilitate their naturalisation and that of their family where applicable (see Recommendation 2).⁶¹
- 7.23

For more information on reducing statelessness, please refer to UNHCR’s [Global Action Plan 2.0](#), Action 1: Resolve major situations of statelessness, and [UNHCR’s Good Practices Paper — Action 1. Resolving major situations of statelessness](#).

Implementation:

- 7.24

To implement Recommendation 4, States can:
- Grant nationality through targeted nationality campaigns or nationality verification efforts to existing stateless populations residing on the territory of States.

• Provide access to facilitated naturalisation for stateless persons who have migrated or been displaced across an international border in the context of climate change.

• Ensure that statelessness determination procedures are linked to pathways to facilitated naturalisation and that *derivative nationality* is available for children, in keeping with the right of every child to a nationality, and the principles of best interests of the child and family unity.

• Ensure that stateless persons who are granted nationality enjoy the full complement of human rights linked to the status of being a national.



Recommendation 5

Assess relevant legal and policy frameworks to identify where potential risks of loss of nationality and statelessness may arise to prevent loss of nationality and statelessness in the context of climate change (also relevant to Recommendation 9 under Prevent).

This Recommendation is relevant for contexts in which there are:

- C** — Nationals (at risk of losing their nationality and becoming stateless) **in their country of nationality**;
- D** — Nationals (at risk of losing their nationality and becoming stateless) **outside their country of nationality**;

Context:

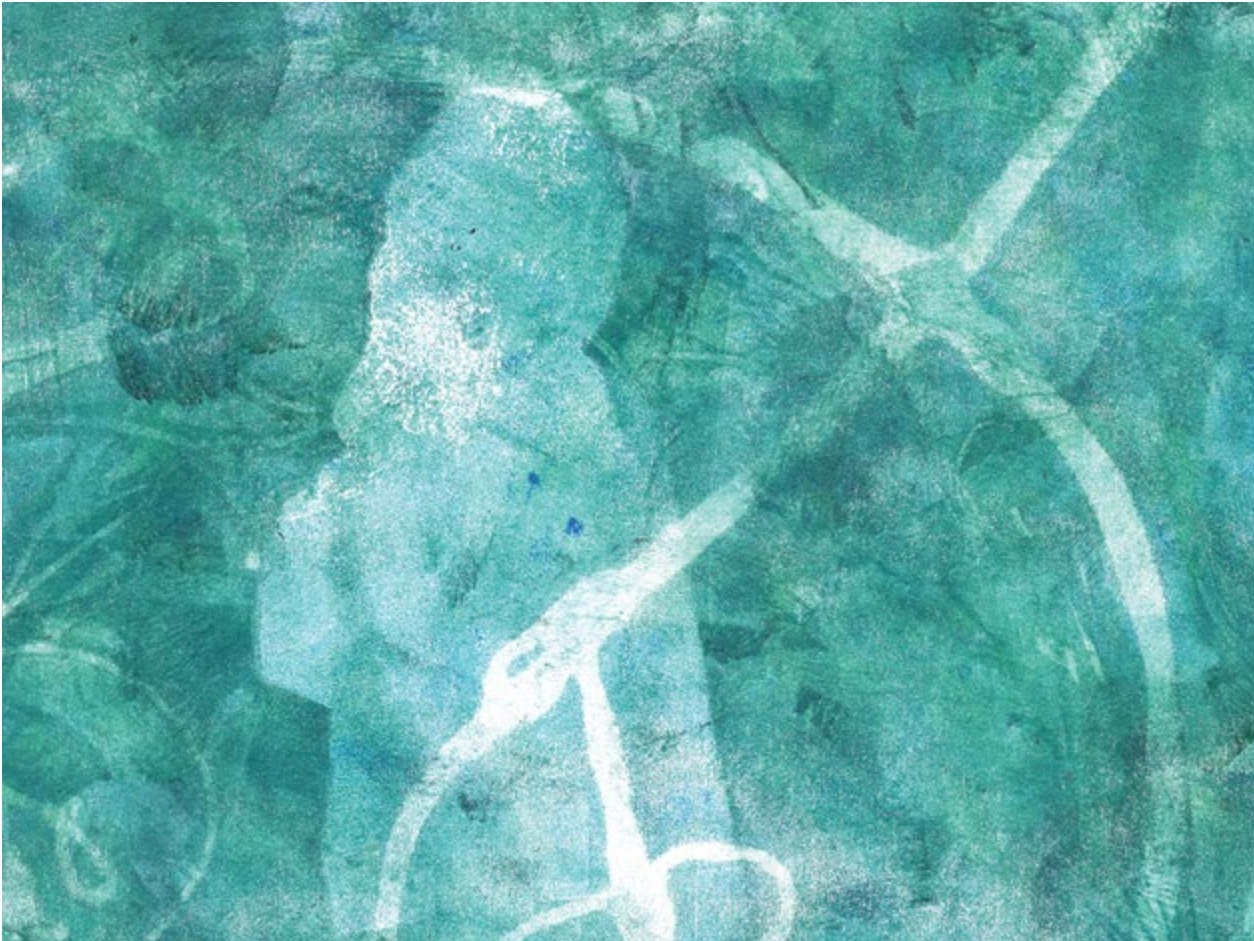
- 7.25** Extreme weather events and slow onset events or environmental processes linked to climate change have the potential to cause loss of life, displacement, and destruction of documentation. In crisis situations, risks of loss of nationality and statelessness can arise where domestic laws and policies fail to provide safeguards against loss of nationality and statelessness.⁶² For example, the absence of safeguards in nationality laws to ensure nationality is granted to children who are abandoned and whose parents are unknown (for example, due to death) could lead to statelessness. Likewise, nationality laws that prevent mothers from conferring their nationality to their children may result in children being left stateless if fathers are not present to attest paternity (e.g. because they are missing or have died).
- 7.26** For individuals outside their country of nationality, statelessness can arise if, for example, they are subject to laws that permit nationals to lose their nationality if they reside in another country for an extended period, or due to legislation or complex processes that limit the ability of children born abroad to acquire the nationality of their parents or of the country of birth. When documents are lost or destroyed, for example in situations of disaster due to extreme weather events, unclear, complex or non-existent procedures for the replacement or renewal of civil registration, nationality or identity documents may also compound risks of statelessness.⁶³

Recommendation 5

7.27 Annex 1 of the Global Recommendations sets out an annotated assessment template to support States to undertake country-specific or regional risk assessments. The template will assist States to analyse relevant domestic laws, policies and practices, identify potential gaps or lack of safeguards against statelessness, and examine potential conflicts of laws that may compound or lead to risks of statelessness.

Implementation:

- 7.28** To implement Recommendation 5, States can:
- Undertake country-specific and regional risk assessments to identify potential risks of statelessness in relevant laws and policies using the template set out in Annex 1.
 - Undertake further analysis into the interaction between the nationality laws of specific States of departure and destination to identify where risks of statelessness might arise in situations where displacement or migration in the context of climate change is anticipated.
 - Work within regional organisations of which they are members to harmonize nationality laws, particularly to reduce conflicts of laws that may create or increase risks of statelessness.



In crisis situations, risks of loss of nationality and statelessness can arise where domestic laws and policies fail to provide safeguards against loss of nationality and statelessness

Recommendation 6

Prevent loss or voluntary renunciation of nationality that might lead to statelessness for those who are displaced or migrate across international borders in the context of climate change (also relevant to Recommendation 9 under Prevent).

This Recommendation is relevant for contexts in which there are:

- D** — Nationals (at risk of losing their nationality and becoming stateless) **outside their country of nationality;**

Context:

- 7.29** Displacement or migration in the context of climate change may leave persons in a precarious position where they are unable or unwilling to return to their country of nationality and must reside abroad. In some cases, restrictive nationality laws of their country of nationality may not allow people to preserve their nationality due to extended periods of residence abroad. Such laws may contravene Article 7 of the 1961 Convention⁶⁴ and other provisions of international human rights law.⁶⁵ For example, some States permit loss of nationality for naturalized nationals due to residence abroad, placing naturalized nationals who are displaced or migrate across international borders at a heightened risk of statelessness.
- 7.30** The risk of statelessness may increase due to unavailability of consular assistance or the lack of capacity of States to undertake nationality verification, particularly due to additional strains on governments when managing disaster or crisis situations related to the impacts of climate change.
- 7.31** Some States permit nationals to renounce their nationality without offering protection against statelessness. The ability to renounce a nationality can assist people who wish to settle in another State, since some States require individuals to give up their existing nationality before they can be naturalized and enjoy the full suite of rights available to nationals in their new country of residence. However, if a person who renounces their nationality does not successfully obtain another, they will be left stateless unless the laws of their original country of nationality contain proper safeguards.⁶⁶

7.32 Although there is no obligation to permit dual nationality under international law, increased movement across international borders for reasons such as employment, education, or protection has led to the granting of dual (or even multiple) nationality becoming an increasingly common feature of state practice.⁶⁷ In the context of climate and disaster related human mobility, dual nationality can be a valuable tool for protecting people’s rights, ensuring their continued connection to their country of origin,⁶⁸ and preventing statelessness.⁶⁹ Dual nationality respects individuals’ right to retain their earlier nationality and may help preserve cultural identity. Acquisition of the nationality of their new State of permanent residence also enables individuals to fully participate in the social and political life of that country.

7.33 For more information on loss of nationality, please refer to UNHCR’s Guidelines on Statelessness No. 5: Loss and Deprivation of Nationality under Articles 5–9 of the 1961 Convention on the Reduction of Statelessness.

Implementation:

- 7.34** To implement Recommendation 6, States can:
- Amend nationality laws that may lead to loss of nationality and result in statelessness for persons who are displaced or migrate across international borders in the context of climate change.
 - Amend nationality laws to prevent statelessness arising from voluntary renunciation of nationality by adopting safeguards that continue to recognize a person as a national until they have formally acquired a new nationality.
 - Consider amending nationality laws to allow dual nationality to prevent loss of connections with the country of origin, enable integration in the new home country, and prevent statelessness.
 - Ensure that naturalized nationals have the same rights as natural born nationals to retain their nationality.
 - Accede to the 1961 Convention and implement its provisions through domestic laws and policies (also applies to Recommendations 7 and 9).

Recommendation 7

Ensure that all children are able to acquire a nationality in the context of climate change in order to prevent childhood statelessness (also relevant to Recommendation 9 under Prevent).

This Recommendation is relevant in contexts where there are:

- A** — Stateless persons and/or persons without a recognized nationality status **in their own country**; and
- B** — Stateless persons and/or persons without a recognized nationality status **outside their own country**.
- C** — Nationals (at risk of losing their nationality and becoming stateless) **in their country of nationality**;
- D** — Nationals (at risk of losing their nationality and becoming stateless) **outside their country of nationality**;



Context:

- 7.35** Risks of childhood statelessness may persist or be heightened in the context of climate change, as climate-related hazards have the potential to cause loss of life, displacement, family separation and destruction of documentation. These impacts can compound the effects of discrimination and gaps in and conflicts between nationality laws, raising risks of childhood statelessness. Given the severe negative impacts of statelessness on children’s enjoyment of their human rights, including the right to education and healthcare, preventing childhood statelessness is critical.
- 7.36** For example, for both stateless persons in their own country and stateless persons in a migratory context, nationality laws that lack legal safeguards that grant nationality to children who would otherwise be stateless fail to stop intergenerational statelessness. This is because statelessness in such situations continues to be transmitted from the parent to the child. The lack of such safeguards also increases the number of children who are likely to experience severe rights violations as a consequence of being left stateless.
- 7.37** For nationals, whether they are in their country of nationality or abroad, discriminatory nationality laws that prevent women from conferring their nationality to their children not only contravene Article 9 of the Convention on the Elimination of all Forms of Discrimination Against Women (‘CEDAW’), but may result in children being left stateless if fathers have gone missing or died, for example in the context of an extreme weather event linked to climate change or a disaster. In situations where both parents are missing and their identities are unknown, a lack of legal safeguards to grant nationality to *foundlings*, or children who are abandoned or permanently separated from their parents, may also leave children stateless.⁷⁰
- 7.38** The child’s right to a nationality is protected in major human rights instruments. A number of these instruments additionally provide the right to immediate birth registration (see Recommendation 8 below) and the equal right of parents to pass nationality to their children.⁷¹ Article 3 together with Articles 7 and 8 of the CRC requires that all actions concerning children, including in the area of nationality, must be undertaken with the best interests of the child as a primary consideration.⁷²

Recommendation 7

- 7.39** For more information on preventing childhood statelessness, please refer to UNHCR's [Global Action Plan 2.0](#), Action 2: Ensure that no child is born stateless and Action 3: Remove gender discrimination from nationality. Please also refer to [UNHCR's Guidelines on Statelessness No. 4: Ensuring Every Child's Right to Acquire a Nationality](#) through Articles 1–4 of the 1961 Convention on the Reduction of Statelessness, [UNHCR's Good Practices Paper — Action 2: Ensuring that no child is born stateless](#), and [UNHCR's Good Practices Paper — Action 3: Removing Gender Discrimination from Nationality Laws](#).

Implementation:

- 7.40** To implement Recommendation 7, States can:
- Adopt and implement nationality laws that grant nationality to children born in the territory of the State who would otherwise be stateless.
 - Adopt and implement laws to grant nationality to foundlings, or abandoned children of unknown parentage, present in the territory of the State.
 - Ensure that all nationals, women and men, have equal rights to confer their nationality to their children without discrimination.
 - Ensure that naturalized nationals have the same rights as natural born nationals to confer their nationality to their children.
 - Accede to CEDAW without reservations, or remove reservations, and implement its provisions with retroactive effect through domestic laws and policies.
 - Accede to the CRC without reservations, or remove reservations, and implement its provisions with retroactive effect through domestic laws and policies.

Risks of childhood statelessness may persist or be heightened in the context of climate change, as climate-related hazards have the potential to cause loss of life, displacement, family separation and destruction of documentation.



Recommendation 8

Provide everyone with access to birth registration and proof of nationality documentation in contexts where people are vulnerable to or affected by climate-related hazards in order to prevent statelessness (also relevant to Recommendation 3 under Protect, and Recommendation 9 under Prevent).

This Recommendation is relevant in contexts where there are:

- A** — Stateless persons and/or persons without a recognized nationality status **in their own country**; and
- B** — Stateless persons and/or persons without a recognized nationality status **outside their own country**.
- C** — Nationals (at risk of losing their nationality and becoming stateless) **in their country of nationality**;
- D** — Nationals (at risk of losing their nationality and becoming stateless) **outside their country of nationality**;



Context:

- 7.41** People who are impacted by climate-related hazards or who are displaced or migrate in the context of climate change may not be able to prove their nationality due to lost or damaged civil registration or identity documentation, or even physical repositories where such documents are held, for example due to floods or wildfires. They may also face barriers, such as distance or costs, to accessing civil registration and documentation services, such as (re)acquiring documentation, including birth certificates, passports, and national identity cards. Gender-based barriers may also prevail, if, for example, birth registration frameworks and practices require the presence of a father, or proof of marriage for a child’s birth to be registered. Lack of documentation that helps to prove or serves as proof of nationality can leave people at risk of statelessness or render them stateless, especially when authorities equate lack of proof of nationality with lack of nationality itself.
- 7.42** The right of every child to be registered at birth is universally protected.⁷³ Universal birth registration is also critical to achieving Target 16.9 of the Sustainable Development Goals to provide *legal identity*⁷⁴ to every person and preventing statelessness.⁷⁵ Although birth registration does not generally, in itself, constitute proof of nationality, it does help to prevent statelessness by establishing a legal record of where a child was born and who their parents are. These key facts are the foundation for acquiring nationality at birth. Without birth registration, including issuance of a birth certificate, children — especially those who have been displaced or migrated — may have problems proving their links to a State. This can make it difficult for them to have their nationality established and obtain proof of nationality.
- 7.43** Further, birth registration can help to facilitate the implementation of the legal safeguards against statelessness referred to in Recommendation 7. For children who are born stateless in contexts where there are no safeguards to prevent their statelessness at birth, birth registration remains important to facilitate their protection and enjoyment of rights, and it may also be helpful for resolving their statelessness later in life.

Recommendation 8

- 7.44** Relevantly, the Global Compact for Safe, Orderly and Regular Migration calls on States to provide their nationals with proof of legal identity, including proof of nationality that will allow ‘national and local authorities to ascertain a migrant’s legal identity upon entry, during stay and for return’.⁷⁶ This responsibility extends to providing replacement legal identity and proof of nationality documents. The Global Compact on Refugees calls on all States to support receiving States to contribute ‘resources and expertise to strengthen the capacity of national civil registries to facilitate timely access by refugees and stateless persons, as appropriate, to civil and birth registration and documentation.’⁷⁷
- 7.45** The continued reliance by many States on paper documentation places people at heightened risk of being left undocumented if physical documents are lost or damaged in the context of climate change. For people who have been displaced or migrated to another country which is not their country of nationality in the context of climate change, barriers to accessing consular services such as physical distance, lack of awareness or cost may also undermine their ability to reacquire documentation or verify their nationality status.⁷⁸
- 7.46** For more information on preventing statelessness by ensuring birth registration and access to proof of nationality, please refer to UNHCR’s [Global Action Plan 2.0](#), Action 7: Ensure birth registration for the prevention of statelessness, and Action 8: Issue nationality documentation to those with entitlement to it to prevent statelessness. Please also refer to [UNHCR’s Good Practices Paper — Action 7: Ensuring birth registration for the prevention of statelessness](#).

Implementation:

- 7.47** To implement Recommendation 8, States can:
- Review and amend, when necessary, laws and policies to ensure free, universal birth registration, regardless of parents’ sex, documentation, migratory, legal or nationality status.
 - Ensure clear, accessible, and efficient procedures for the (re)acquisition of civil registration documents or documents that serve as proof of nationality, such as passports or national identity cards.

- Facilitate the (re)acquisition of civil registration documents and documents that serve as proof of nationality by ensuring that policies regarding access to consular services or assistance for nationals are sensitive to the adverse impacts of climate change and disasters, specifically the increased likelihood of the destruction of or damage to documents.
- Train officials to support (re)acquisition of civil registration documents and documents that prove nationality for people impacted by climate-related hazards, including those who have been displaced or migrated in the context of climate change.
- Digitalize civil registration systems and other identity management systems to safeguard against the adverse impacts of extreme weather events.
- Digitize existing civil registration documents and documents that prove nationality and provide a secure alternative to physical IDs for everyone, including stateless persons. Digitisation needs to follow best practice to ensure that there is continuity between paper-based and digital documents and should be accompanied by explicit safeguards to ensure compliance with the right to privacy and applicable data protection standards.
- Assess and address discriminatory or practical obstacles that prevent people who have been impacted, including those who have been displaced or migrated in the context of climate change, from being registered at birth or (re)acquiring documentation. For example, distance from registration centres, or administrative, language, gender-based or financial barriers.
- Raise awareness among people who have been impacted, including those who have been displaced or migrated in the context of climate change, of the importance of civil registration and documents that prove nationality. Facilitate access to free legal aid to help access birth registration and documentation in complex situations.
- Work within regional organisations of which they are members to promote mutual recognition of identity documents, to facilitate proof of nationality and access to rights and services across borders.

Recommendation 9

Ensure that any bilateral or multilateral agreements that facilitate migration across an international border in the context of climate change protect against loss of nationality and statelessness.

This Recommendation is relevant in contexts where there are:

- D** — Nationals (at risk of losing their nationality and becoming stateless) **outside their country of nationality;**

Context:

- 7.48** States that are vulnerable to the adverse impacts of climate change are starting to enact bilateral and multilateral agreements which, *inter alia*, facilitate migration pathways for their nationals to other States where they may reside, usually on a permanent basis.⁷⁹
- 7.49** To safeguard the nationality of persons who utilize such migration opportunities and to protect against statelessness, these agreements need to explicitly engage with issues of nationality.⁸⁰ This includes any impacts of facilitated migration on the retention of existing nationality (see Recommendation 6), whether access to specific rights is linked to acquisition of nationality of the new country of residence, and whether such acquisition of nationality will be facilitated or subject to any special conditions.⁸¹
- 7.50** It is beneficial for the laws of States party to such agreements to allow for dual or multiple nationality (see Recommendation 6). This will help to ensure that people relocating pursuant to such agreements can retain their original nationality while also having the possibility to acquire the nationality of the country to which they are moving. This reduces risks of statelessness that might arise due to conflicts between and gaps in nationality laws (see Recommendation 7). It also helps those who are migrating to a new country to maintain legal and cultural ties to their country of origin, while facilitating integration in the new country. Allowing people to retain their original nationality will also help them to retain their voting rights in their country of origin, consistent with the concept of continuity of statehood (see Section 4). Retention of voting rights may be particularly important for indigenous groups to help preserve their cultural rights.

Implementation:

- 7.51** To implement Recommendation 9, States can:
 - Prior to entering into agreements concerning facilitated migration in the context of climate change with another State or States, undertake an assessment to identify and address potential gaps, missing safeguards in or conflicts between the nationality laws of the concerned States that may lead to statelessness (see Recommendation 5 above).
 - Meaningfully engage affected communities in the design, negotiation, and implementation of such agreements.
 - Ensure that such agreements directly address the potential impacts of migration on nationality status, indicate whether it is possible to retain and confer nationality of the country of origin, and set out the process for acquiring the nationality of the new country of residence where appropriate.
 - Ensure that affected communities are apprised of the implication for their nationality status should they migrate pursuant to such agreements.
 - Permit dual or multiple nationality by allowing migrants to retain their nationality as they integrate and acquire the nationality of the new country of residence (see Recommendation 6 above).
 - Ensure that agreements designed to respond to urgent or crisis-driven cross-border movement also explicitly address nationality matters and include safeguards against statelessness, including in temporary arrangements.



The Way Forward

- 8.1** The Global Recommendations are intended to support practical, early and adaptable action to prevent new cases of statelessness, reduce existing statelessness, and protect those whose rights are at risk because they are stateless as climate change impacts grow. They underscore the need to integrate statelessness considerations into climate adaptation, preparedness and resilience-building efforts before risks intensify and opportunities for prevention are lost. Implementation, including cooperation and resource mobilisation, will need to proceed at multiple levels.
- 8.2** Some measures are best advanced through international, multilateral, bilateral or regional cooperation, particularly where cross-border movement, and broader climate and disaster-related processes are concerned. Others can be taken forward through national and local processes that are already underway, including ongoing law and policy reform processes, efforts to strengthen civil registration and identity systems, the implementation of human mobility frameworks, climate action plans, disaster risk reduction strategies, and emergency preparedness, response and recovery measures. The Global Recommendations can thus strengthen coherence across legal, diplomatic, and climate policy agendas.
- 8.3** Many of the implementation measures set out in the Global Recommendations can be integrated into existing frameworks and administrative practice. This includes incorporating safeguards against statelessness into nationality laws, ensuring universal and accessible birth registration, digitalising civil registration and identity systems, and facilitating access to replacement national identity documentation. Inclusion of stateless persons and persons without a recognized nationality status in relevant planning and response systems continues to be essential.

- 8.4** At the same time, some actions will require more focused follow-through, including the establishment of accessible statelessness determination procedures, adoption of facilitated pathways to naturalisation where appropriate, and inclusion of safeguards in arrangements that facilitate safe, informed, and dignified cross-border movements and solutions.
- 8.5** Not all of these steps will require substantial new resources; however, some will require additional and sustained investments. Given differentiated capacities, low-income and small island countries and territories in particular will need climate finance and targeted support upon which the timely and effective implementation of these Global Recommendations will depend.
- 8.6** Finally, implementing the Global Recommendations is not a peripheral exercise: it is part of the urgent need to adapt, prepare and respond to climate change, particularly given the disproportionate and unjust impacts on countries and people in highly vulnerable situations. Indeed, statelessness is one of the clearest preventable protection risks associated with climate impacts, human mobility, and questions of statehood. The Global Recommendations are developed to help ensure that nationality laws and civil registration systems, climate change laws and policy, disaster risk reduction and response, and frameworks that govern human mobility are inclusive, human rights-based and capable of protecting those most at risk of being left behind.



GLOSSARY

Adaptation: Adjustments in ecological, social or economic systems in response to actual or expected climatic stimuli and their effects, which moderate harm or exploit beneficial opportunities.

Civil registration: The continuous, permanent, compulsory and universal recording of the occurrence and characteristics of vital events, like births, deaths, marriages, and divorces, in accordance with legal requirements in each country. It is a crucial process for establishing legal identity, providing vital statistics, and maintaining population data.

Climate change: A change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere, and which is in addition to natural climate variability observed over comparable time periods.⁸²

Climate-related hazards: Include both extreme weather events and slow-onset events and their potential impacts.⁸³ They may be variously characterized as ‘natural’ phenomena or processes (such as seasonal rainfall or temperatures), ‘socio-natural’ (such as when rainfall leads to floods in urban areas without adequate drainage), and ‘anthropogenic’ as influenced by anthropogenic climate change in addition to natural variability in the climate or weather.⁸⁴ See also Hazard.

Derivative nationality: The process by which certain individuals automatically acquire nationality as a result of a parent or spouse’s nationality status. Derivative nationality is acquired by operation of law, meaning it happens automatically rather than requiring a separate application process.

Disaster: A serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts.⁸⁵

Displacement: The forced movement of persons within a country (internal displacement) or across internationally recognized state borders (cross-border displacement), including as a result of, or in order to avoid, serious danger or harm related to the adverse effects of climate change⁸⁶, disasters, armed conflict, situations of generalized violence, or human rights violations.

Exposure: The situation of people, infrastructure, housing, production capacities and other tangible human assets located in hazard-prone areas.⁸⁷

Extreme weather event: Weather events that are unexpected, unusual, severe or unseasonal and that are ‘rare at a particular place and time of year’.⁸⁸ Current rates of climate change are leading to changes in the frequency, intensity, spatial extent, duration and timing of some extreme weather events.⁸⁹ Extreme weather events may occur on a variety of temporal and spatial scales, including single, discrete, rapid-onset events that occur in a matter of days or even hours, such as a hurricane or downpour, and others that refer to extreme weather conditions over a season such as below-average rainfall or drought. Extreme weather events include heatwaves, droughts, extreme precipitation or rainfall, tropical storms and tornadoes, snowstorms and storm surges.

Foundling: Children of unknown origin found in a territory. Nationality laws generally apply to children born within a territory, or to national parents. As the birth location and parentage of foundlings are unknown, such laws may prevent foundlings from attaining nationality unless it is explicitly granted to them.

Hazard: A process, phenomenon or human activity that may cause loss of life, injury or other health impacts, property damage, social and economic disruption or environmental degradation.⁹⁰

Human mobility: A descriptive term used under the UNFCCC system and processes to collectively refer to three forms of population movement in the context of climate change: Displacement, Migration and *Planned Relocation*.⁹¹

Legal identity: There is no international legal definition of the term ‘legal identity’. According to the UN’s operational definition, ‘legal identity’ is defined as the basic characteristics of an individual’s identity. e.g. name, sex, place and date of birth conferred through registration and the issuance of a certificate by an authorized civil registration authority following the occurrence of birth. In the absence of birth registration, legal identity may be conferred by a legally recognized identification authority. This system should be linked to the civil registration system to ensure an integrated approach to legal identity from birth to death. Legal identity is retired by the issuance of a death certificate by the civil registration authority upon registration of death.’⁹²

Loss and damage (or losses and damages): Climate change impacts resulting from extreme weather events and slow onset events, which may include economic losses (loss of resources, good and services traded in markets) or non-economic losses (losses that are not commonly traded in markets such as human lives, cultural heritage, displacement and, potentially, statelessness).⁹³

Migration: The movement of persons away from their usual residence, either across an international border or within a State. For the purposes of this document, the term refers to population movements that are primarily voluntary in nature.⁹⁴

Mitigation (of climate change): A human intervention to reduce emissions of greenhouse gases such as carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O), or to enhance natural and artificial sinks or reservoirs that store greenhouse gases, such as the deep ocean, forest biomass, and soil organic matter.⁹⁵

Nationality: A legal status which reflects a formal link between the individual and a particular State, giving rise to legal obligations between the individual and the State. At the international level the term ‘nationality’ is used interchangeably with the term ‘citizenship’.

Naturalisation: The process of granting nationality to a person (as opposed to that status being automatically acquired at birth). There are many ways in which a person may become a naturalized national, including residence for a prescribed period on the territory, marriage to a national, by descent, and by re-applying for nationality as a former national.

Own country: This term is interpreted in the sense envisaged by Article 12(4) of the International Covenant on Civil and Political Rights and the Human Rights Committee in its General Comment No 27. Stateless persons in their ‘own country’ include individuals who are long-term, habitual residents of a State which is often, but not always, their country of birth. It includes those who have been denied nationality due to state succession and/or those arbitrarily deprived of the right to acquire the nationality of the country of long-term residence.⁹⁶

Persons without a recognized nationality status: Includes individuals who lack proof or recognition of any nationality status but who may possess an entitlement to nationality. Persons without a recognized nationality status include those whose nationality status is unclear or under dispute. It also includes those who are stateless and who may self-identify as such, but where their statelessness status has not been formally recognized by the government in the country of residence, including those who are in the process of securing this recognition. It also includes those without a recognized nationality status because of real or perceived link(s) to another country/ies by the government in the country of residence.⁹⁷

Planned relocation: A planned process in which persons or groups of persons move or are assisted to move away from their homes or places of temporary residence, are settled in a new location, and provided with the conditions for rebuilding their lives. Planned relocation can be voluntary or involuntary, and usually takes place within the country, but may, in very exceptional cases, also occur across international borders.⁹⁸

Slow-onset events: An environmental event or process slowly evolving from incremental changes occurring over many years, or from an increased frequency or intensity of recurring events,⁹⁹ including sea-level rise, increasing aridity and desertification, salinization, rising temperatures, glacial retreat, land and forest degradation, loss of biodiversity and ocean acidification, as specified by Parties to the UNFCCC.¹⁰⁰

Stateless person (statelessness/ stateless): A person who is not considered as a national by any State under the operation of its law.¹⁰¹

Stateless persons in a migratory context: Stateless persons who have migrated or been displaced from their own country across international borders. They may have been stateless prior to their migration or displacement or become stateless in the context of their migration or displacement.

Statelessness determination procedure: A formal process established by a State to identify individuals who meet the definition of a stateless person under the 1954 Convention. By determining and documenting statelessness, the procedure enables States to fulfil their international obligations, assess the presence and needs of stateless persons within migrant populations, and regularize their legal status and stay within the country.

Stateless-led organisation: Refers to an entity that is led by stateless persons, or persons who are not themselves stateless but are affected by statelessness, such as family members of stateless persons, or persons who are formerly stateless.

Vulnerable/vulnerability: The propensity for a person or situation to be adversely affected. Vulnerability encompasses a variety of concepts and elements, including sensitivity or susceptibility to harm and lack of capacity to cope or adapt.¹⁰²

ANNEX — Assessment checklist

To identify potential risks of statelessness that may arise in the context of climate change, States may wish to undertake country-specific or regional assessments using the questions in the checklist below. Such assessments should review a broad range of laws, regulations and policies that may affect a person’s ability to acquire, confer or retain nationality; to naturalize; or to access civil registration or identity documentation services.

Relevant laws (and related regulations and policies) include: The national constitution, nationality laws, civil registration laws, immigration laws, refugee laws, family laws including laws relating to marriage and adoption, laws relating to equality and non-discrimination, census laws, laws relating to climate adaptation, management, and disaster risk reduction and relief, as well as laws relating to the migration of people in the context of climate change. Given the potentially wide range of laws and policies that may require assessment, States may wish to consider establishing a national taskforce or coordination mechanism, which brings together relevant ministries and departments to ensure that the assessment is conducted comprehensively and accurately.

Laws and policies relating to the acquisition of nationality

1. Is nationality acquired in the territory by jus soli, jus sanguinis, or a combination?
2. Can all nationals confer their nationality to their children born abroad? (Recommendation 7)
3. Can nationals who were born abroad confer nationality to their children born abroad? (Recommendation 7)
4. Is dual or multiple nationality permitted? (Recommendations 6, 9)
5. Is nationality granted to children born in the territory who would otherwise be stateless? (Recommendation 7)
6. Is nationality granted to foundlings present in the territory? (Recommendation 7)
7. Does the law facilitate the naturalisation of stateless persons in the territory? (Recommendations 4, 8)
8. Does the law permit the spouse and children of the person who is naturalized to also acquire nationality on a derivative basis? (Recommendation 4)
9. Have targeted nationality or nationality verification campaigns or measures for existing stateless populations residing in territories been planned or undertaken? (Recommendation 4)

Laws and policies relating to the loss of nationality

1. Can nationals lose their nationality by residing abroad? (Recommendation 6)
2. Can nationals voluntarily renounce their nationality even if this would leave them stateless? (Recommendation 6)

Laws and policies relating to birth registration and proof of nationality

1. Can all persons who give birth on the territory register the births of their children free of charge? (Recommendation 8)
2. Are simplified procedures in place to facilitate the (re)acquisition of identity documents in cases where they are lost or damaged? (Recommendation 8)
3. Are policies in place to allow for access to consular services for persons impacted by climate change who may lack identity documents? (Recommendation 8)
4. Have consular and government officials received training to support persons impacted by climate change to (re)acquire documentation? (Recommendation 8)
5. Is the State’s civil registration system digitalized? (Recommendation 8)
6. Have existing paper identity documents been digitized? (Recommendation 8)

Laws and policies relating to the identification of stateless persons

1. Do census exercises and government surveys count all persons residing in territories regardless of nationality, legal or migration status? (Recommendation 1)
 - a. Is census and other population survey data disaggregated based on age and sex? (Recommendation 1)
 - b. Are mechanisms in place (including bilateral and multilateral arrangements) to ensure that border-dwelling, nomadic and semi-nomadic populations are comprehensively counted? (Recommendation 1)
2. Have surveys been undertaken to identify and assess the specific needs and risks faced by stateless communities in the context of climate change? (Recommendation 1)
3. Does the law contain a definition of a stateless person in accordance with the international legal definition of a stateless person? (Recommendation 3)
4. Is an SDP in place to determine statelessness status for persons in a migratory context? (Recommendation 2)

- a. Does the SDP align with the standards set out in the UNHCR Handbook on the Protection of Stateless Persons? (Recommendation 2)
- b. Is the SDP accessible to persons who have migrated or been displaced to the country in the context of climate change? (Recommendation 2)
- c. Does a determination of statelessness lead to a legal status and a right of residence? (Recommendation 3)
- d. Are country information and guidance available to decision makers to ensure they are aware of the country contexts and profiles of persons who apply for statelessness status in the context of climate change? (Recommendation 2)

Laws and policies on climate adaptation, disaster risk reduction and emergency preparedness, response and recovery

1. Do laws and policies on climate adaptation, disaster risk reduction and emergency preparedness, response and recovery include stateless persons? (Recommendation 3)
 - a. Do laws and policies consider stateless persons with protected characteristics including women, children, indigenous persons, those with disabilities and those who are displaced? (Recommendation 3)
 - b. Have stateless communities been consulted as part of the development of laws and policies on climate adaptation, management and disaster risk reduction and relief? (Recommendation 3)
2. Are assistance and support services for persons displaced or impacted in the context of climate change available to all regardless of nationality or migration status? (Recommendation 3)
3. Has training been conducted with emergency service providers to sensitize them to the barriers which may prevent stateless persons from accessing services? (Recommendation 3) Laws and policies relating to international legal standards on nationality and statelessness
4. Does the nationality law discriminate based on gender, race, religion, etc? (Recommendation 6)
5. Does the nationality law discriminate/differentiate between naturalized and natural-born citizens? (Recommendation 6)
6. Is the State party to both 1954 and 1961 Statelessness Conventions?
7. Have the 1954 and 1961 Statelessness Conventions been implemented into domestic law? (Recommendations 2, 3, and 6)

8. Is the State party to the Convention on the Elimination of All Forms of Discrimination Against Women? (Recommendation 7)
 - a. Are there any reservations to Article 9 of the Convention on the Elimination of All Forms of Discrimination Against Women? (Recommendation 7)
9. Is the State party to the Convention on the Rights of the Child? (Recommendation 7) Laws and policies relating to bilateral or multilateral agreements to facilitate migration of nationals in the context of climate change
10. Are any bilateral or multilateral agreements envisaged between the State and other States to facilitate migration of nationals in the context of climate change? (Recommendation 9)
 - a. Are there any conflicts between the nationality laws of the State and the nationality laws of the receiving State? (Recommendation 5, 9)
 - b. Have affected communities been meaningfully engaged in the design, negotiation and implementation of bilateral and multilateral agreements? (Recommendation 9)
 - c. Do agreements directly address the potential impacts of migration on the nationality status of persons who are relocating from one country to another? (Recommendation 9)
 - d. Do agreements contain safeguards for the retention of nationality of the country of origin? (Recommendation 9)
 - e. Do agreements set out pathways to gain nationality of receiving States? (Recommendation 9)
 - f. Do all States party to the agreement permit dual or multiple nationality? (Recommendation 9)

END NOTES

1 Executive Committee of the High Commissioner's Programme, *Conclusion No 106 (LVII): Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons*, UN Doc A/AC.96/1035 (6 October 2006).

2 *Universal Declaration of Human Rights*, GA Res 217A (III), UN Doc A/810 (10 December 1948) art 15 ('UDHR').

3 Article 1 of the 1954 Convention relating to the Status of Stateless Persons defines a stateless person as someone who is 'not recognized as a national by any State under the operation of its law.' This definition has attained the status of customary international law, which means it applies to all States, not just those that are party to the 1954 Convention. *Convention Relating to the Status of Stateless Persons*, opened for signature 28 September 1954, 360 UNTS 117 (entered into force 6 June 1960) article 1 ('1954 Statelessness Convention'); UN High Commissioner for Refugees (UNHCR), *Handbook on Protection of Stateless Persons* (Report, 2014) 7 ('UNHCR Handbook').

4 Based on the latest figures reported by States, UNHCR reports 4.5 million stateless persons globally. However, this is a significant underestimate, with the true number projected to be many millions more. UN High Commissioner for Refugees, *Global Trends: Forced Displacement in 2025* (Report, 2025) ('Global Trends 2025').

5 Even if in theory, human rights are to be enjoyed by virtue of being human, see Human Rights Committee (HRC), *General Comment No 31* (2004): *The Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, UN Doc CCPR/C/21/Rev.1/Add.13 (26 May 2004) [80].

6 UNHCR, 'Stateless People', *UNHCR Australia* (Web Page, 2025) <<https://www.unhcr.org/au/about-unhcr/who-we-protect/stateless-people>>.

7 UNHCR, *Global Action Plan to End Statelessness 2.0*, 2 October 2024 ('Global Action Plan').

8 Global Alliance to End Statelessness (Web Page) <<https://statelessnessalliance.org>>.

9 *1954 Statelessness Convention* (n 3); *Convention on the Reduction of Statelessness*, opened for signature 30 August 1961, 989 UNTS 175 (entered into force 13 December 1975) ('1961 Statelessness Convention').

10 It should be noted that the right to a nationality is not among the rights to be granted to those who are stateless under the 1954 Convention. Other international instruments promote the right to a nationality — see Section 5: Guiding Principles.

11 International human rights instruments which uphold the right to a nationality, including the prohibition on the arbitrary deprivation of nationality, include UDHR (n 2) art 15; *International Covenant on Civil and Political Rights*, opened for signature 19 December 1966, 999 UNTS 171 (entered into force 23 March 1976) art 24 ('ICCPR'); *Convention on the Elimination of All Forms of Discrimination against Women*, opened for signature 18 December 1979, 1249 UNTS 13 (entered into force 3 September 1981) art 9 ('CEDAW'); *Convention on the Rights of the Child*, opened for signature 20 November 1989, 1577 UNTS 3 (entered into force 2 September 1990) art 7 ('CRC'); *International Convention on the Elimination of Racial Discrimination*, opened for signature 7 March 1966, 660 UNTS 195 (entered into force 4 January 1969) art 5 ('ICERD'); *Convention on the Rights of Persons with Disabilities*, opened for signature 13 December 2006, 2515 UNTS 3 (entered into force 3 May 2008) art 18 ('CRPD'); *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, opened for signature 18 December 1990, 2220 UNTS 3 (entered into force 1 July 2003) art 29 ('CPRMW'). In both Europe and Africa specific instruments have been drafted to cover the right to nationality: the *European Convention on Nationality*, opened for signature 6 November 1997, ETS No 166 (entered into force 1 March 2000); and the *Protocol to the African Charter on Human and Peoples' Rights Relating to the Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa*, signed 18 February 2024.

12 United Nations Framework Convention on Climate Change ('UNFCCC'), *Adoption of Paris Agreement* (29 January 2016) UN Doc FCCC/CP/2015/10/Add.1; *Sendai Framework for Disaster Risk Reduction 2015–2030*, GA Res 69/283, UN Doc A/RES/69/283 (23 June 2015, adopted 3 June 2015); *Global Compact on Refugees* ('GCR') GA Res 73/151, UN Doc A/RES/73/151 (10 January 2019, adopted 17 December 2018); *Global Compact for Safe, Orderly and Regular Migration*, GA Res 73/195, UN Doc A/RES/73/195 (11 January 2019, adopted 19 December 2018) ('GCM'), [18] (i).

13 Intergovernmental Panel on Climate Change ('IPCC'), *Climate Change 2023: Synthesis Report — Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* (Report, IPCC, 2023) 1–34.

14 Ibid.

15 See, for example, United Nations Office for Disaster Risk Reduction (UNDRR), *Technical Guidance on Comprehensive Risk Assessment and Planning in the Context of Climate Change* (Report, 2022) 9.

16 IPCC, *Climate Change 2022 — Impacts, Adaptation and Vulnerability: Working Group II Contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge University Press, 2023) ('Sixth Assessment Report'); United Nations Office for Disaster Risk Reduction, *Technical Guidance on Comprehensive Risk Assessment and Planning in the Context of Climate Change* (Report, 2022); UNHCR, *No Escape: On the Frontlines of Climate Change, Conflict and Forced Displacement* (Report, November 2024) ('No Escape').

17 For example, see the 24th Warsaw International Mechanism for Loss and Damage (WIM) Executive Committee Meeting, Item 10d (April 2026).

18 UNHCR, *Global Trends 2025* (n 4), 47.

19 *Australia-Tuvalu Falepili Union Treaty 2024* ('*Falepili Union Treaty*'); UNDRP 'No. 29 Policy Notes: A Strategic Approach to Climate Mobility Adaptation and Resilience in Latin America and the Caribbean' (2024); Craig Reucassel, Deborah Richards and Victoria Allens, 'In Fiji, the Climate Crisis Is No Longer off in the Future — It's a Daily Reality', *ABC News* (online, April 2023)<<https://www.abc.net.au/news/2023-04-06/fiji-climate-change-moving-villages-vunidogo-loa/102186670>>; UNICEF, 'Child Alert: Children Uprooted in the Caribbean' (Web Page, December 2019) <<https://www.unicef.org/media/62836/file/Children-uprooted-in-the-Caribbean-2019.pdf>>; David James Cantor, 'Cross-Border Displacement, Climate Change and Disasters: Latin America and the Caribbean' (*Platform on Disaster Displacement*, UNHCR, July 2018); CARICOM, 'Climate Change and Nature Disasters Key Drivers of Displacement in the Caribbean' (Web Page, 10 July 2024) <<https://caricom.org/climate-change-and-natural-disasters-key-drivers-of-displacement-in-the-caribbean/>>; Leah Ndimurwimo and Michaela Jahnig, 'The Impacts of Climate Change on Statelessness in the Southern African Region' (2022) 8(3) *African Human Mobility Review* 94–128. In its Advisory Opinion on the Obligations of States in respect of Climate Change, the International Court of Justice ('ICJ') acknowledges a specific linkage between climate change and displacement, referring to widely-accepted scientific evidence, that displacement is among the 'severe and far reaching' consequences of climate change that are already increasing in 'particularly vulnerable countries', such as Least Developed Countries and Small Island Developing States. The ICJ notes in particular that small island States experience 'forced displacement of populations within their territory or across borders' Preamble, [73], [303], and [357]. The United Nations General Assembly adopted resolution A/80/L.65 welcoming the Advisory Opinion of the ICJ on the Obligations of States in Respect of Climate Change on 20 May 2026. See: *Advisory Opinion of the International Court of Justice on the Obligations of States in Respect of Climate Change*, GA Res 80/L.65, UN Doc A/80/L.65 (13 May 2026) ('ICJ Advisory Opinion')

20 Internal Displacement Monitoring Centre, 'Global Internal Displacement Database' (Web Page) <<https://www.internal-displacement.org/database/displacement-data/>>; IPCC, Sixth Assessment Report (n 16).

21 UNHCR, *No Escape* (n 16).

22 *Convention on the Rights and Duties of States*, opened for signature 26 December 1933, 20165 LNTS 165 (adopted 26 December 1934) article 1 ('*Montevideo Convention*').

23 Ibid.

END NOTES

24 International Law Commission ('ILC'), 'Final report of the Study Group on sea-level rise in relation to international law' (2025) ('Final Report'), [35]–[36]; *Declaration on Sea-Level Rise and Statehood* (adopted by the Association of Small Island States, 23 September 2024); *Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate-Change Related Sea-Level Rise* (adopted by the Pacific Island Forum, 6 August 2023) ('*Declaration on the Continuity of Statehood*'); ILC, 'Sea-Level Rise in Relation to International Law: Second Issues Paper', UN Doc A/CN.4/752 (19 April 2022) 46–48; *Pacific Regional Framework on Climate Mobility* (endorsed by the 52nd Pacific Islands Forum, 6–10 November 2023); Michel Rouleau-Dick, 'Competing Continuities: What Role for the Presumption of Continuity in the Claim to Continued Statehood of Small Island States?' (2021) 22(2) *Melbourne Journal of International Law* 357.

25 Ibid, ILC Final Report, [38].

26 ICJ, Advisory Opinion (n 19), [355]–[357], [363].

27 UNHCR, Handbook (n 3) [53].

28 ICCPR art 2; CEDAW art 2; CRC art 2; ICERD art 2; CRPD art 5.

29 S Nazrul Islam and John Winkel, *Climate Change and Social Inequality* (UN Department of Economic and Social Affairs Working Paper No 152, October 2017); *UN Women*, 'How Gender Inequality and Climate Change Are Interconnected', *UN Women* (Web Page, 27 February 2022) <<https://www.unwomen.org/en/articles/explainer/how-gender-inequality-and-climate-change-are-interconnected>>.

30 Preambles of the UDHR and the ICCPR; ILC, 'Draft Articles on the Protection of Persons in the Event of Disasters' in *Yearbook of the International Law Commission* (2016) vol 2, pt 2, UN Doc A/71/10, art 4; *African Charter on Human and Peoples' Rights*, opened for signature 27 June 1981, 1520 UNTS 217 (entered into force 21 October 1986) art 5; UN Human Rights Committee ('UNHRC'), *General Comment No.36: Article 6: Right to Life* (3 September 2019) UN Doc CCPR/C/GC/36 ('General Comment No. 36').

31 UNHRC, General Comment No.36 (n 30) [26]; UN Committee on Economic, Social and Cultural Rights ('CESCR'), General Comment No.12: The Right to Adequate Food (12 March 1999) UN Doc E/C.12/1999/5, [4] CESCR, General Comment No. 15: The Right to Water (20 January 2003) UN Doc E/C.12/2002/11, [3]; CESCR, *General Comment No. 14: The Right to the Highest Attainable Standard of Health* (11 August 2000) UN Doc E/C.12/2000/4, [1], [3]; CESCR, *General Comment No. 4: The Right to Adequate Housing* (13 December 1991) UN Doc E/1992/23, [7]; Sarah Joseph, 'Extending the Right to Life Under the International Covenant on Civil and Political Rights: General Comment 36' (2019) 19(2) *Human Rights Law Review* 347; Elizabeth Wicks, 'The Meaning of "Life": Dignity and the Right to Life in International Human Rights Treaties' (2012) 12(2) *Human Rights Law Review* 199.

32 UNHRC, General comment No. 36 (n 30) [54], [61]; UNHRC, *CCPR General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment)* (10 March 1992) [2]; Manfred Nowak, 'Challenges to the Absolute Nature of the Prohibition of Torture and Ill-Treatment' (2005) 23(4) *Netherlands Quarterly of Human Rights* 674; Gerrit Zach, 'Definition of Torture' in Manfred Nowak, Moritz Birk, and Giuliana Monina (eds), *The United Nations Convention Against Torture and its Optional Protocol: A Commentary*, 2nd Edition (Oxford University Press, 2019) 23–71.

33 *Declaration of the United Nations Conference on the Human Environment*, adopted 16 June 1972, (1972) 11 ILM 1416, 1420 ('Stockholm Declaration') principle 24; *Declaration of the United Nations Conference on Environment and Development*, adopted 14 June 1992, (1992) 31 ILM 874, 877 ('Rio Declaration') principles 7, 27.

34 ILC, *Draft Articles on the Protection of Persons in the Event of Disasters* (2016) preamble, arts 7–8.

35 *Charter of the United Nations* (entered into force 24 October 1945) 1 UNTS XVI, arts 1, 55, 56. It is also identified as a key duty that States owe one another under the *Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States*, UNGA Res 2625 (XXV) (24 October 1970).

36 UDHR (n 2) preamble.

37 *International Covenant on Economic, Social and Cultural Rights*, opened for signature 16 December 1966, 993 UNTS 3 (entered into force 3 January 1976) arts 2, 11, 12 ('ICESCR'); CRC art 4. See also Committee on the Rights of the Child, *General Comment No. 26* (2023) on children's rights and the environment, in which the Committee underscored States' extraterritorial responsibilities through international cooperation to mitigate environmental harms that threaten the realization of children's rights; CRPD art 32; CPRMW art 64, 65.

END NOTES

38 *European Convention on Nationality* (1997) (n 11) 23; *Council of Europe Convention on the Avoidance of Statelessness in Relation to State Succession*, opened for signature 19 May 2006, CETS No 200 art 14; *Brazil Declaration and Plan of Action*, adopted 3 December 2014; *Protocol to the African Charter on Human and Peoples' Rights Relating to the Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa*, signed 18 February 2024, art 23.

39 ICJ, Advisory Opinion (n 19) [364].

40 ILC, Final Report (n 24) 36 [55]. See also *Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession* (2006) (n 41) article 14; *Brazil Declaration and Plan of Action* (2014) (n 38).

41 ICCPR, art 25; however, note that this article is limited to the right of nationals; *Obligations of States in Respect of Climate Change* (Advisory Opinion) [2025] ICJ Rep [115], [140]–[142], [301]–[308], [364].

42 *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, GA Res 53/144, UN Doc A/RES/53/144 (9 December 1998).

43 *Report of the United Nations High Commissioner for Refugees Part II Global Compact on Refugees*, GA Res 73/12 (Part II), UN GAOR, 73rd sess, Supp No 12, UN Doc A/73/12 (Part II) (17 December 2018).

44 Kaldor Centre for International Refugee Law, *An Independent Declaration on the Right of Persons with Experience of Forced Displacement or Statelessness to Participate in Decisions That Affect Them (Final Version with Commentary)* (Report, 15 December 2025); See also Elizabeth Tan, 'Leveraging Community-Based Protection in Evolving Operational Environments' (Speech, UNHCR Standing Committee, 93rd Meeting, Geneva, 17–19 June 2025).

45 Executive Committee of the High Commissioner's Programme, Conclusion No 106 (LVII): *Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons*, UN Doc A/AC.96/1035 (6 October 2006).

46 Expert Group on Refugee, IDP and Statelessness Statistics, *International Recommendations on Statelessness Statistics* (20 January 2023) 27 ('IROSS').

47 UNHCR, PMCS and Norwegian Refugee Council, *Statelessness and Climate Change* (Factsheet, October 2021); UNHCR Handbook (n 3) 6.

48 In UNHCR's Global Trends 2025, approximately half of the world's States are reported as having populations that are stateless or of undetermined nationality, leading to a global estimate of 4.5 million persons. UNHCR acknowledges that this figure is a significant underestimate of the true number of stateless persons globally. UNHCR, Global Trends 2025 (n 4), 47.

49 Christoph Sperfeldt, 'Statelessness and Governance at the Periphery: "Nomadic" Populations and the Modern State in Thailand, Côte d'Ivoire and Lebanon' in Tendayi Bloom and Lindsey N Kingston (eds), *Statelessness, Governance, and the Problem of Citizenship* (Manchester University Press, 2021) 201–2.

50 IROSS (n 46) 61–77.

51 A number of scholars have identified how the lack of enactment of SDPs by states hinders the ability of persons rendered stateless in the context of climate change to be protected. See: Michel Rouleau-Dick, 'Sea Level Rise and Climate Statelessness: From "Too Little, Too Late" to Context-Based Relevance' (2021) 3(2) *Statelessness & Citizenship Review* 287, 295, 302; Jane McAdam, Bruce Burson, Walter Kälin and Sanjula Weerasinghe, *International Law and Sea-Level Rise: Forced Migration and Human Rights* (Fridtjof Nansen Institute, 2016) 36; See broadly on the value of the establishment of SDPs in UNHCR Handbook (n 3), 'Part Two; Procedures for the Determination of statelessness in UNHCR' 25–44.

52 UNHCR Handbook (n 3) 25. A stateless person may simultaneously be a refugee. Where this occurs, it is important that each claim is assessed and that both statelessness and refugee status are explicitly recognized.

53 According to UNHCR, the 30 States that have established SDPs are: Albania, Argentina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Côte d'Ivoire, Ecuador, France, Georgia, Hungary, Iceland, Italy, Kazakhstan, Kosovo (under UNSC Res 1244 (1999)), Latvia, Mexico, Moldova, Montenegro, the Netherlands, Panama, Paraguay, Philippines, Portugal, Spain, Türkiye, Turkmenistan, Ukraine, the United Kingdom, and Uruguay.

Note: In Albania, Chile, Colombia, Portugal and Turkmenistan, the SDPs are not yet operational. In Côte d'Ivoire and the Netherlands, recognition of statelessness does not automatically result in a residence status or full rights under the 1954 Convention.

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56 Such characteristics are protected by a number of international human rights instruments including ICCPR art 2; CEDAW art 2; CRC art 2; ICERD art 2; CRPD art 5.

57 Human Rights Watch, ‘An Island Jail in the Middle of the Sea’: Bangladesh’s Relocation of Rohingya Refugees to Bhasan Char (Report, 7 June 2021).

58 Human Rights Committee (HRC), *General Comment No 15: The Position of Aliens under the Covenant* (11 April 1986); Human Rights Committee, *General Comment No 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant* (26 May 2004) UN Doc CCPR/C/21/Rev.1/Add.13; UN Sub-Commission on the Promotion and Protection of Human Rights, *The rights of non-citizens: Final report of the Special Rapporteur, Mr. David Weissbrodt, submitted in accordance with Sub-Commission decision 2000/103, Commission resolution 2000/104 and Economic and Social Council decision 2000/283*, (26 May 2003) UN Doc E/CN.4/Sub.2/2003/23.

59 UNHCR Handbook (n 3) 47–49.

60 Global Action Plan (n 7) ‘Action 1: Resolve Major Situations of Statelessness.’

61 UNHCR Handbook (n 3) 52–53. Michelle Foster, Nicola Hard, Hélène Lambert and Jane McAdam, ‘The Future of Nationality in the Pacific: Preventing Statelessness and Nationality Loss in the context of Climate Change’ (Report, PMCS, Kaldor Centre for International Refugee Law and University of Technology Sydney, May 2022) 29–30.

62 Bruce Burson, Walter Kälin and Jane McAdam, ‘Statehood, Human Rights and Sea-Level Rise: A Response to the International Law Commission’s Second Issues Paper on Sea-Level Rise in Relation to International Law’ (2023) 4(1) *Yearbook of International Disaster Law Online* 279; Foster, Hard, Lambert and McAdam (n 61); Jane McAdam and Tamara Wood, *Kaldor Centre Principles on Climate Mobility* (Report, Kaldor Centre for International Refugee Law, November 2023) (‘Kaldor Principles’) principle 9 <<https://www.unsw.edu.au/kaldor-centre/our-research/climate-mobility/principles-on-climate-mobility>>.

63 See generally Foster, Hard, Lambert and McAdam (n 61). ‘The Future of the Nationality in the Pacific Report’ is one of the first examples of a detailed risk assessment of laws of states in the Pacific to precisely identify risks of statelessness associated with movement of nationals from those States in the context of climate change; See also Leah Ndimurwimo and Michaela Jahng (n 19), who provide an analysis and risk assessment of the laws and policies of three Southern African States (Mozambique, South Africa and Tanzania) and how they may compound or protect against the risk of statelessness in the context of climate change.

64 Article 7(6) of the 1961 Convention stipulates that except in specific circumstances that ‘a person shall not lose the nationality of a Contracting State, if such loss would render him stateless, notwithstanding that such a loss is not expressly prohibited by any other provisions of this Convention. Under Article 7(4) of the 1961 Convention, a person may in certain limited circumstances lose nationality such that they would become stateless. Article 7(4) provides that ‘[a] naturalized person may lose his nationality on account of residence abroad for a period, not less than seven consecutive years, specified by the law of the Contracting State concerned if he fails to declare to the appropriate authority his intention to retain his nationality.’ See also, UNHCR Guidelines on Statelessness No. 5: Loss and Deprivation of Nationality under Articles 5–9 of the 1961 Convention on the Reduction of Statelessness (2020) HCR/GS/20/05, [34]; Foster, Hard, Lambert and McAdam (n 61) 17, 23–24; Kaldor Principles (n 62) principle 9.

65 In particular, the principle of non-discrimination which appears in numerous widely ratified international human rights treaties, including ICCPR (n 11) art 26, CRC (n 11) art 2, CEDAW (n 11) art 9 and ICERD (n 11) art 5.

66 UNHCR, Global Action Plan (n 7).

67 By 2018, 75% of States permitted dual nationality. Maarten Vink, Gerard-René de Groot and Peter Meerts, ‘The International Diffusion of Expatriate Dual Citizenship’ (2019) 7 *Migration Studies* 362.

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69 Jane McAdam ‘Preserving Statehood through Population and Government: Safeguarding Nationality and Franchise in the Context of Sea-Level Rise and Mobility’ (2022) 20 *New Zealand Yearbook of International Law* 25.

70 UNHCR, *Guidelines on Statelessness No 4: Ensuring Every Child’s Right to Acquire a Nationality through Articles 1–4 of the 1961 Convention on the Reduction of Statelessness*, UN Doc HCR/GS/12/04 (21 December 2012) 12 (‘Guidelines on Statelessness No 4’); UNICEF, *Guiding Principles for Children on the Move in the Context of Climate Change* (Report, 2022) 49–51, see specifically ‘Principle 9: Nationality’.

71 1961 *Statelessness Convention* (n 9) arts 1–4; ICCPR (n 11) art 24; CEDAW (n 11) art 9; CRC (n 11) arts 7, 8; CRPD (n 11) art 18; CPRMW (n 11) art 29.

72 CRC (n 11) art 3; UNHCR, Guidelines on Statelessness No. 4 (n 70) 3. Committee on the Rights of the Child, *General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)* (29 May 2013) UN Doc CRC/C/GC/14.

73 ICCPR (n 11) art 24(2); CRC (n 11) art 7(1).

74 There is no international legal definition of ‘legal identity’, however under the UN’s working definition, ‘legal identity is defined as the basic characteristics of an individual’s identity. e.g. name, sex, place and date of birth conferred through registration and the issuance of a certificate by an authorized civil registration authority following the occurrence of birth. In the absence of birth registration, legal identity may be conferred by a legally recognized identification authority. This system should be linked to the civil registration system to ensure a holistic approach to legal identity from birth to death. Legal identity is retired by the issuance of a death certificate by the civil registration authority upon registration of death.’ See: United Nations Statistics Division, ‘United Nations Legal Identity Agenda’, *United Nations* (Web Page) <<https://unstats.un.org/legal-identityagenda/>>.

75 Transparency, Accountability and Participation Network, *Halfway to 2030: Report on SDG16 – A Civil Society Assessment of Progress towards Peaceful, Just and Inclusive Societies* (Report, 2023) 45, ‘Target 16.9: By 2030, provide legal identity for all, including birth registration’.

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78 Kaldor Principles (n 62); Eleanor Thomas, ‘Disappearing Nations: Youth Statelessness at the Frontline of Climate Change’ (Web Page, June 2024) *Environmental Migration Portal*, International Organization for Migration (IOM) <<https://environmentalmigration.iom.int/blogs/disappearing-nations-youth-statelessnessfrontline-climate-change>>; Tanmoy Bhaduri, *Climate Change: Hungry Tides of the Brahmaputra. The Hindu BusinessLine* (Web Page, October 31 2019) <<https://www.thehindubusinessline.com/blink/shoot/climate-changehungry-tides-of-the-brahmaputra/article29843657.ece>>; Chandari Sinha, ‘Climate Refugees Stripped of Citizenship in Assam’, *Dialogue Earth* (Web Page, 8 November 2019) <<https://dialogue.earth/en/climate/climate-refugees-stripped-of-citizenship-in-assam/>>.

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99 UNFCCC Secretariat, *Slow onset events technical paper*, UN Doc FCCC/TP/2012/7 (26 November 2012) [20].

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101 Article 1 of the 1954 Convention Relating to the Status of Stateless Persons defines a stateless person as someone who is ‘not recognized as a national by any State under the operation of its law’, *1954 Statelessness Convention* (n 3); UNHCR Handbook (n 3) 7.

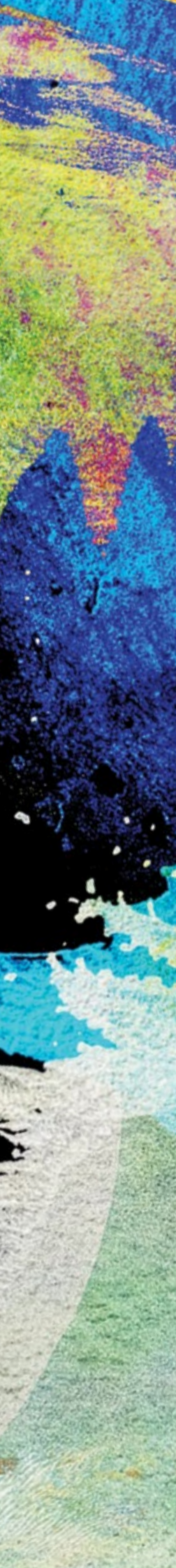
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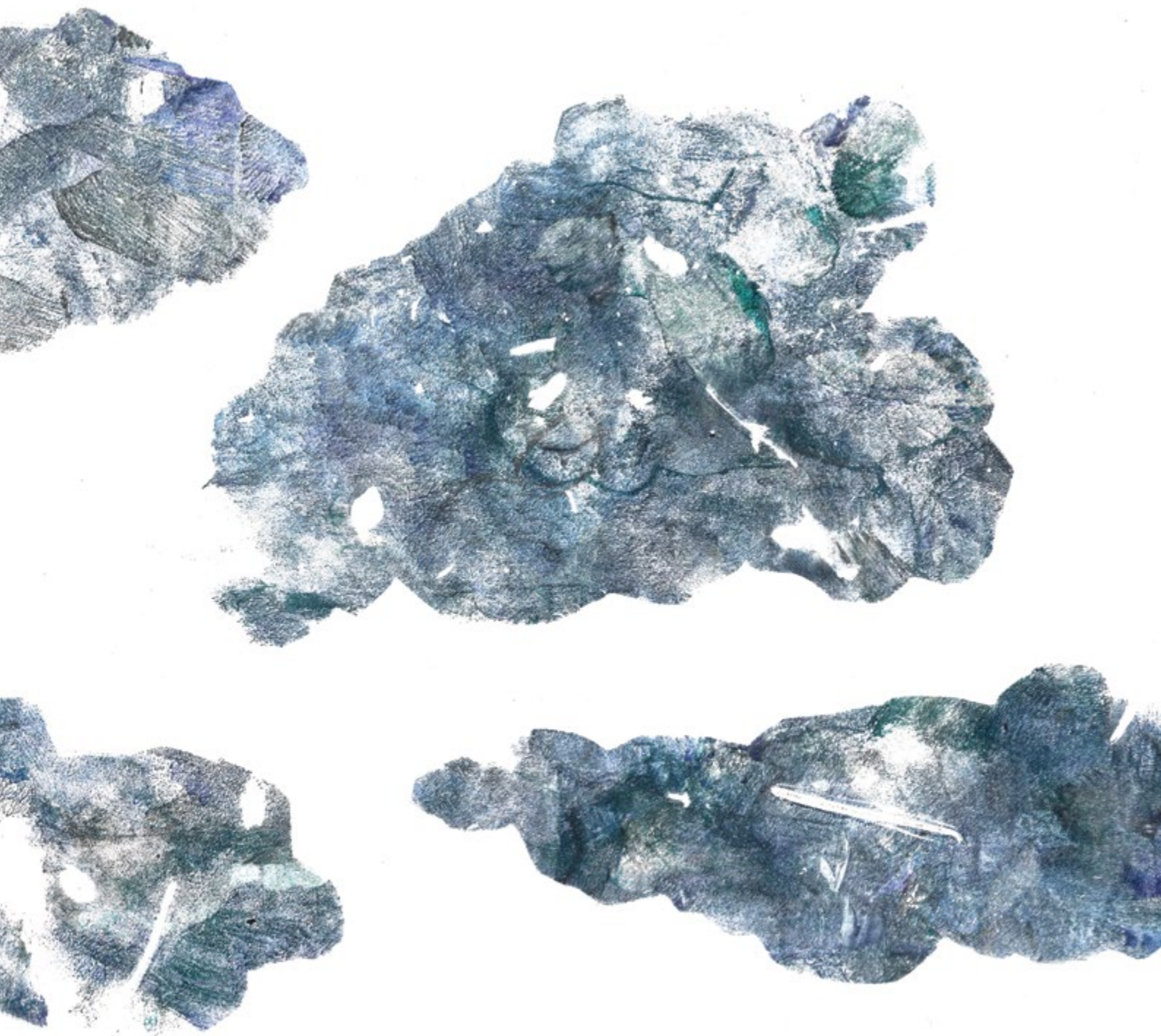


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**PETER McMULLIN
CENTRE ON
STATELESSNESS**



UNHCR
The UN Refugee Agency