

Submission by the United Nations High Commissioner for Refugees

For the Office of the High Commissioner for Human Rights' Compilation Report

Universal Periodic Review: *Fourth Cycle, 51st session*

THE REPUBLIC OF NAURU

UNHCR welcomes the opportunity to provide the following observations and recommendations on issues affecting forcibly displaced and stateless persons under UNHCR's mandate arising in the Republic of Nauru (Nauru).¹

I. BACKGROUND INFORMATION

Nauru is a party to the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol relating to the Status of Refugees* (hereinafter collectively referred to as the *1951 Convention*); the *Convention on the Elimination of All Forms of Discrimination against Women*; the *Convention on the Rights of the Child*; and the *Convention on the Rights of Persons with Disabilities*. Nauru ratified the *Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment* (CAT) and has acceded to the *Optional Protocol of the Convention against Torture* (OPCAT). Nauru is not a party to the *1954 Convention relating to the Status of Stateless Persons* (the *1954 Convention*) nor to the *1961 Convention on the Reduction of Statelessness* (the *1961 Convention*). Nauru has signed (though not ratified) the *International Covenant on Civil and Political Rights* (ICCPR).

The *Refugees Convention Act 2012*², *Refugees Convention Regulations 2013*³ and *Refugees Convention (Recognition of Declaration for Refugee Status, Derivative Status and Complementary Protection by Papua New Guinea) Regulations 2019*⁴ govern access to, and set the parameters for, the State-led refugee status determination (RSD) mechanisms. The latter regulations ensure that decisions made under the laws of Papua New Guinea (PNG) regarding refugee status, derivative status, or complementary protection are recognized and individuals are given similar status or protection in Nauru.⁵ Pursuant to Article 35 of the *1951 Convention*, Nauru has undertaken to cooperate with UNHCR in discharge of its supervisory responsibilities.

Over more than two decades, Nauru has received approximately 4,000 asylum-seekers transferred by Australia for offshore processing.⁶ The current arrangement underpinning the

¹ UNHCR is concurrently filing a UPR submission with respect to Australia. Several issues raised herein intersect with Australia; therefore, it is suggested to read the submissions together.

² *Refugees Convention Act 2012*, Act No. 12 of 2012, 10 October 2012, <https://www.refworld.org/legal/legislation/natlegbod/2012/en/123594>.

³ *Refugees Convention Regulations 2013*, PACLII website, available at: https://www.paclii.org/nr/legis/sub_leg/rca2012rcr2013549.pdf

⁴ *Refugees Convention (Recognition of Declaration for Refugee Status, Derivative Status and Complementary Protection by Papua New Guinea) Regulations 2019*, PACLII, website, available at: https://www.paclii.org/nr/legis/sub_leg/rcodfrdsacpbpngr20191399.pdf.

⁵ The Supreme Court of Papua New Guinea in 2016 held that the detention of asylum-seekers on Manus Island was unconstitutional, and the Australian Government in 2021 ended its offshore processing arrangement with Papua New Guinea. In this context, Nauru in 2019 implemented regulations to ensure continuity of protection status for any individuals transferred to Nauru from Papua New Guinea.

⁶ From 2001-2008, a total of 1,322 persons were housed at the Nauru centre.

(https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Regional_processing_Nauru/Regional_processing_Nauru/~media/Committees/nauru_cte/Final_Report/c01.pdf). From August 2012 to July 2013, approximately 1,000 transfers took place, followed by approximately 1,500 direct transfers and approximately 40 transfers from PNG to Nauru from 2013 to 2015. A further 150 transfers have occurred from 2023 to 2025.

some 1,153 asylum-seekers were sent to Nauru and PNG under the so-called "Pacific Solution". Of these, 705 were subsequently settled in Australia, while the remainder achieved solutions in New Zealand, Sweden, Canada, Denmark and Norway. *The Conversation*, "Fact Check: were 70% of people sent to Nauru under the Pacific Solution resettled in Australia?", 12 August 2013.

transfers was confirmed in an “enduring” form by both States in 2021.⁷ During the peak of the transfers in 2013-2015, approximately 1,500 individuals were transferred directly to Nauru, as well as at least 40 individuals from PNG, where they initially had been transferred by Australia. At least 200 children of transferred persons have also inherited their parents’ transitory status. For 9 years, no transfers were made; however, in the period between September 2023, when transfers resumed,⁸ and June 2025, some 150 individuals were transferred to Nauru.

Of the approximately 1,700 individuals affected by these bilateral transfers since 2013, approximately 930 individuals have departed for resettlement (including to the US, New Zealand and other countries), while an uncertain number have elected assisted voluntary repatriation to their country of origin.⁹ At least 760 people remain in need of a solution, including approximately 670 re-transferred to Australia¹⁰ and 93 (all of whom have arrived since 2023) who remain in Nauru for offshore processing as of July 2025.

In late 2024, Australia further expanded its externalisation policy by enacting laws authorizing “third country reception arrangements” to facilitate the removal - regardless of status or international protection needs - of non-citizens present in Australia who are unable to be returned to their country of origin.¹¹ Nauru subsequently entered into an agreement with Australia to receive such persons, including some who have been determined to be refugees.¹² UNHCR publicly expressed concerns with respect to the development, noting such arrangements go beyond what is lawful under international law.¹³

II. KEY RECOMMENDATIONS

Issue 1: Involuntary transfer of forcibly displaced persons

UNHCR’s longstanding position¹⁴ is that Australia’s bilateral transfer arrangements, including those with Nauru, reflect an impermissible externalization¹⁵ of its international protection obligations. States may make arrangements with other States to ensure international protection, as long as these arrangements enhance responsibility sharing -- as opposed to responsibility shifting -- and guarantee access to all relevant rights. As such, efforts to ‘share responsibility’ for the international protection needs of persons seeking international protection may constitute illegal externalization where they (1) involve inadequate

⁷ Joint media release by Hon Karen Andrews MP and Hon Lionel Aingimea, 24 September 2021, available at: <https://minister.homeaffairs.gov.au/KarenAndrews/Pages/maritime-people-smuggling.aspx>. The earlier Memorandum of Understanding (MOU) between Australia and Nauru regarding the transfer and assessment of asylum seekers was signed on August 29, 2012: Archived version available at: <https://web.archive.org/web/20170320214234/http://www.kaldorcentre.unsw.edu.au/sites/default/files/MOU%202.pdf>.

⁸ Ben Doherty, “Number of asylum seekers on Nauru jumps as Australia transfers 37 people who arrived by boat,” *The Guardian*, 4 June 2024, <https://www.theguardian.com/world/article/2024/jun/04/number-of-asylum-seekers-on-nauru-jumps-as-australia-transfers-37-people-who-arrived-by-boat>.

⁹ Official data show that between September 2023 and September 2024, 43 transferred persons departed from Nauru through the Assisted Voluntary Return Program. Department of Home Affairs, Senate Legal and Constitutional Affairs Legislation Committee, 24 February 2025, Hansard transcript, p.73, available at: [Legal and Constitutional Affairs Legislation Committee_2025_02_24_Official.pdf?fileType=application/pdf](https://www.legislation.gov.au/Comittee_2025_02_24_Official.pdf?fileType=application/pdf).

¹⁰ On 19 July 2013, the Australian Government implemented a policy barring permanent settlement in Australia for those arriving irregularly by sea. Those arriving from that date onwards remained subject to offshore processing and, if found to be a refugee, would be settled in Nauru, PNG or a third country. Therefore, transferees who initially arrived on or after 19 July 2013 and were later returned to Australia from Nauru for medical or other reasons hold temporary status with limited rights (including access to family unity) and are unable to access a durable solution in Australia.

¹¹ *Migration Amendment Act 2024 (Cth)*, available at: <https://www.legislation.gov.au/C2024A00105/asmade/text>.

¹² T Crowley and O Caisley, “Nauru to take non-citizen NZYQ cohort freed from immigration detention,” *ABC News*, 16 February 2025, <https://www.abc.net.au/news/2025-02-16/nauru-agrees-to-settle-group-of-nzyq-cohort/104942562>.

¹³ News comment: UNHCR statement on Australia’s new detention and removal laws,” *UNHCR*, 3 December 2024, <https://www.unhcr.org/news/press-releases/news-comment-unhcr-statement-australia-s-new-detention-and-removal-laws>.

¹⁴ See a listing of UN and UNHCR positions and observations on Australia’s transfer arrangements with Nauru and PNG available here: <https://www.unhcr.org/au/publications/united-nations-observations-australias-transfer-arrangements-nauru-and-papua-new>.

¹⁵ UNHCR, *UNHCR Note on the “Externalization” of International Protection*, 28 May 2021, <https://www.refworld.org/policy/legalguidance/unhcr/2021/en/121534>.

safeguards to guarantee that protection, or (2) effectively shift, minimize or avoid responsibility for identifying or meeting international protection needs.

For persons transferred by Australia, conditions in Nauru are extremely challenging and durable solutions are not currently available. In 2021, UNHCR exceptionally agreed to facilitate a bilateral resettlement arrangement between Australia and New Zealand that provided for resettlement of a limited number of individuals who had been subject to Australia's offshore processing policies and transferred to Nauru during 2013 and 2014. Under this arrangement, New Zealand committed to resettling up to 450 refugees over three years between 2022 and 2025, using spaces from within its existing annual refugee quota. As of 22 July 2025, 310 refugees have departed for New Zealand, with 111 currently pending departure or a final decision. Hundreds of individuals formerly transferred, as well as those transferred to Nauru since 2023, remain outside the scope of the arrangement and have no options for durable solutions. Nevertheless, transfers continue to be made to Nauru by Australia.

Establishing long-term settlement arrangements within Nauru is unlikely to result in a durable legal status and sustainable local integration for refugees. The complex health, educational, child protection and welfare, social, and vocational needs of the refugee population on Nauru exceed the capacity of Nauruan services. As most refugees are unlikely to voluntarily return to their countries of origin, they remain in a state of limbo with significant impacts on mental health.

Distinct from Australia's offshore processing arrangements, in late 2024 Australia passed laws that authorize it to enter into agreements to pay foreign countries to receive non-citizens (including refugees and stateless persons) removed from Australia involuntarily.¹⁶ These laws, which remain subject to judicial review, were part of a suite of responses to the High Court of Australia decision in *NZYQ*,¹⁷ which found immigration detention unlawful where there is no real prospect of removal from Australia in the reasonably foreseeable future.¹⁸ Australia has entered into an initial bilateral arrangement with Nauru to facilitate transfers of these individuals, and Nauru has established a regulatory framework and new associated visa class.¹⁹ This arrangement further expands Australia's externalization of its international obligations and fails to provide necessary safeguards, including permanent residency.

Despite verbal assurances that the Australian Government will exercise its removal powers in accordance with international non-refoulement obligations, such safeguards are not stipulated in law. Accordingly, UNHCR recommends that the Government of Nauru cease to receive involuntary transfers under these or similar arrangements. However, if transfers continue, both Governments must ensure that all necessary safeguards are in place, including ensuring access to asylum, all relevant rights, and durable solutions for all individuals affected.

Recommendations:

- **Stop receiving forcibly displaced and stateless persons involuntarily transferred by Australia.**
- **Retaining joint responsibility, with Australia, for all forcibly displaced and stateless persons involuntarily transferred by Australia, guarantee all of their**

¹⁶ *Migration Amendment Act 2024 (Cth)*, available at: <https://www.legislation.gov.au/C2024A00105/asmade/text>. News comment: UNHCR statement on Australia's new detention and removal laws," *UNHCR*, 3 December 2024, <https://www.unhcr.org/news/press-releases/news-comment-unhcr-statement-australia-s-new-detention-and-removal-laws>.

¹⁷ *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] HCA 37

¹⁸ *NZYQ* resulted in the release from indefinite immigration detention of more than 300 people, including refugees and asylum-seekers, whose visas had been cancelled due to criminal offending, identity concerns or other issues.

¹⁹ *Immigration (Long Term Stay Visa) Regulations 2025* (Nauru), available at:

https://ironlaw.gov.nr/pdfviewer/docs%252FFlaws%252F2025%252FImmigration%2520%28Long%2520Term%2520Stay%2520Visa%29%2520Regulations%25202025_serv4.pdf.

rights under the *1951 Convention* as well as other applicable international human rights laws and standards.

Issue 2: Risk of arbitrary detention

Under the *Immigration Act 2014* and *Immigration Regulations 2014*, asylum-seekers transferred by Australia to Nauru are granted Regional Processing Centre visas, subject to the condition that the ‘holder shall reside in premises specified in the visa’.²⁰ This effectively authorises the detention of asylum-seekers upon transfer to Nauru for an unspecified period, as Nauruan law does not prescribe time limits for detention. Release from detention in most cases will be available only once an asylum-seeker is either recognised as a refugee or finally determined not to have international protection needs.

The transfer of individuals from Australia to Nauru, has for over a decade, created a critical humanitarian situation which remains unresolved.²¹ The significant physical and mental harm experienced by transferees to Nauru has been well-documented,²² including in two October 2024 decisions of the UN Human Rights Committee finding that Australia retained responsibility for the arbitrary detention of asylum-seekers transferred to Nauru. The Committee found that the authors, including 24 unaccompanied minors, all of whom had been detained at the Nauru Regional Processing Centre (RPC) from 2014 onward, had been detained arbitrarily in violation of their rights under the ICCPR. The Committee credited “background reports on the mandatory immigration detention, without an individualized assessment, including whether less restrictive measures were appropriate, the prevalence of unsafe environment including violence, overcrowding and prison-like conditions, and the absence of opportunity for the authors...to appeal such decision on mandatory immigration detention.”²³

Nauru has claimed that it has no detention centres, and that persons transferred there from Australia are accommodated in “open centres”.²⁴ Despite this, the Committee found that for the purpose of article 9 (1) of the Covenant, “the extent of restrictions on movement in an officially designated place of detention may be relevant to the reasonableness and proportionality of the detention but does not alter the fact of detention”.²⁵

²⁰ Immigration Regulations 2014, r. 9(6)(a).

²¹ Although those transferred to Nauru between 2012 and 2022 have since departed the island, approximately 670 concerningly remain in limbo without a durable solution in Australia or a third country. More broadly, as of 31 December 2024, there were 927 persons formerly transferred offshore (to either Nauru or Papua New Guinea) and subsequently returned to Australia but barred from accessing permanent residency. Of that group, 810 were on a bridging visa E. Department of Home Affairs, Senate Legal and Constitutional Affairs Committee, Additional Budget Estimates, 24 February 2025, Hansard transcript, p.97, available at: [Parliamentary Business Senate estimates legcon-25 Additional estimates - aph.gov](https://www.parliament.gov.au/hansard/2025-02-24-additional-budget-estimates)

²² See for example: Kaldor Centre for International Refugee Law, *Cruel, Costly and ineffective: The failure of offshore processing in Australia*, August 2021, available at: https://www.kaldorcentre.unsw.edu.au/sites/kaldorcentre.unsw.edu.au/files/Policy_Brief_11_Offshore_Processing.pdf.

Similarly, the Special Rapporteur on the Human Rights of Migrants, reporting on his 2017 visit to the offshore processing centre in Nauru, found that “the forced offshore confinement (although not necessarily detention anymore) in which asylum-seekers and refugees are maintained constitutes cruel, inhuman and degrading treatment or punishment according to international human rights law standards”.²² At the time, 410 asylum-seekers required to live in the offshore processing centres, including 306 men, 55 women and 49 children.

²³ M.I. et al. v Australia, CCPR/C/142/D/2749/2016, UN Human Rights Committee (HRC), 31 October 2024, <https://www.refworld.org/jurisprudence/caselaw/hrc/2024/en/149345>; Nabhari v. Australia, CCPR/C/142/D/3663/2019, UN Human Rights Committee (HRC), 25 October 2024, <https://www.refworld.org/jurisprudence/caselaw/hrc/2024/en/149344>. See also: UNHCR, Press release: UN ruling on Australia’s responsibility for people transferred to Nauru, 16 January 2025, available at: <https://www.unhcr.org/asia/news/press-releases/un-ruling-australia-s-responsibility-people-transferred-nauru>.

²⁴ Republic of Nauru, Full version of Responses to the 3rd Cycle UPR Recommendations, Annexure 1, available at: <https://www.ohchr.org/en/hr-bodies/upr/nr-index>.

²⁵ *Nabhari v. Australia*, op. cit., at para 7.16.

²⁶ Official data show that between late 2023 and the end of 2024, the Australian Government intercepted 27 maritime vessels and subsequently transferred approximately 100 individuals to Nauru for offshore processing. Australian Border Force, Senate Legal and Constitutional Affairs Legislation Committee, 24 February 2025, Hansard transcript, p.126, available at: [Legal and Constitutional Affairs Legislation Committee 2025_02_24 Official.pdf?fileType=application/pdf](https://www.parliament.gov.au/hansard/2025-02-24-official.pdf?fileType=application/pdf); Department of Home Affairs, Statistics of Transitory Persons Regional Processing Statistics, 31 August 2024, available at: <https://www.homeaffairs.gov.au/about-us-subsite/files/population-number-resettled-31-august-2024.pdf>.

UNHCR understands that 93 individuals are currently on Nauru for offshore processing.²⁶ As UNHCR has been unable to visit Nauru since the resumption of transfers in 2023, the Office cannot attest to the current nature or conditions of detention or other restrictions on liberty of movement. However, UNHCR understands from communications with detained individuals who have contacted the Office that, upon arrival and until status is determined, individuals are held in the complex formerly known as Regional Processing Centre 1 (RPC1). UNHCR also understands that after status determination, many individuals are released to the community. Yet UNHCR has also been informed of some instances where detention is extended without clear justification or legal recourse.

Nauru does not have specific laws or policies regulating the length of time individuals may be held at RPC1.²⁷ This raises serious concerns regarding the absence of individualized assessments, the indefinite nature of detention, and the potential for discriminatory treatment. Nauru must uphold international standards by providing for judicial review of the lawfulness of detention,²⁸ and ensuring that detention is used only as a measure of last resort, for the shortest period possible, and with full respect for the dignity and rights of all individuals.²⁹ Efforts must be made to promptly transfer individuals from RPC1 into community-based settings to mitigate the harmful psychological and physical effects of prolonged detention.

Recommendation:

- **Ensure that immigration detention of forcibly displaced and stateless people is used as a measure of last resort, after a consideration of all available alternatives, and respects the requirements of reasonableness, necessity and proportionality.**
- **Ensure due process rights for forcibly displaced and stateless people in immigration detention, including the opportunity to challenge detention decisions and the periodic review of the justification for continuing the detention by a court or independent administrative authority.**

Issue 3: Access to timely and appropriate healthcare

With a population fewer than 12,000, Nauru does not possess healthcare infrastructure or trained medical personnel to adequately respond to the complex health needs of the many transferred asylum-seekers and refugees. While basic medical care is provided through a subcontracted service (IHMS) funded by Australia, refugees are reliant on Nauru's under-resourced public hospital. Inadequate medical care has resulted in serious risks to the health and well-being of those transferred, including loss of life.³⁰ Furthermore, for specialised care, refugees have been evacuated to Taiwan without support for interpretation, undermining the individuals' ability to communicate with medical professionals and to receive appropriate treatment. In line with the right to the highest attainable standard of physical and mental health,³¹ UNHCR urges that individuals requiring specialised or emergency care be

²⁶ Official data show that between late 2023 and the end of 2024, the Australian Government intercepted 27 maritime vessels and subsequently transferred approximately 100 individuals to Nauru for offshore processing. Australian Border Force, Senate Legal and Constitutional Affairs Legislation Committee, 24 February 2025, Hansard transcript, p.126, available at: [Legal and Constitutional Affairs Legislation Committee 2025_02_24_Official.pdf:fileType=application/pdf](#); Department of Home Affairs, Statistics of Transitory Persons Regional Processing Statistics, 31 August 2024, available at: <https://www.homeaffairs.gov.au/about-us-subsite/files/population-number-resettled-31-august-2024.pdf>.

²⁷ Azadeh Dastyari, "Refugee Law and Policy: The 'Pacific Solution' Revisited," (2015) 38(2) *UNSW Law Journal* 842, <https://www.austlii.edu.au/cgi-bin/viewdoc/au/journals/UNSWLJ/2015/24.html>.

²⁸ ICCPR article 9(4).

²⁹ United Nations Human rights Committee, General Comment No. 35: Article 9 (Liberty and security of person), CCPR/C/GC/35 (2014).

³⁰ Inquest into the death of Omid MASOUMALI, Coroner's Court of Queensland, 1 November 2021, available at: https://www.courts.qld.gov.au/_data/assets/pdf_file/0008/699119/cif-masoumali-o-20211101.pdf; *FBV18 v Commonwealth of Australia*, [2024] FCA 947, available at: <https://www.judgments.fedcourt.gov.au/judgments/Judgments/fca/single/2024/2024fca0947>.

³¹ See further: UN Economic and Social Council, General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12 of the Covenant), E/C.12/2000/4, UN Committee on Economic, Social and Cultural Rights (CESCR), 11 August 2000, paras. 9, 11, 128, <https://www.refworld.org/legal/general/cescr/2000/en/36991>.

medically evacuated to Australia without delay, where comprehensive and linguistically accessible services are available.

Recommendation:

- **Ensure timely access to appropriate healthcare services for asylum-seekers and refugees, including through medical evacuation where needed.**

Issue 4: Facilitating UNHCR’s supervisory responsibilities

UNHCR’s statute charges the High Commissioner with responsibility for supervising the application of international refugee law,³² and States Parties to the *1951 Convention* undertake per article 35 to cooperate with UNHCR in the performance of its functions. This includes the requirement that UNHCR be permitted unhindered access to refugees and asylum-seekers and locations where asylum processes are undertaken. Section 13 of Nauru’s *Asylum Seekers (Regional Processing Centre) Act 2012*, reflects this, providing that a representative of the United Nations High Commissioner for Refugees may enter and inspect a regional processing centre at any time. UNHCR’s request to access refugees and asylum-seekers in Nauru has been pending since April 2024.

Recommendation:

- **Facilitate UNHCR’s access to asylum-seekers and refugees in Nauru, in line with its supervisory responsibility under the 1951 Convention relating to the Status of Refugees.**

Issue 5: Preventing and reducing statelessness

UNHCR recommends that Nauru accede to both the *1954* and the *1961 Statelessness Conventions* and that it adopt a statelessness determination procedure for the identification of stateless persons.

UNHCR commends Nauru for accepting and implementing prior recommendations to amend the *Naoero Citizenship (Amendment) Act 2017* to provide nationality for children who would otherwise not have the nationality of any other country.³³ In addition, UNHCR commends the Government of Nauru for removing gender discriminatory provisions in its nationality laws that limited the ability of women to pass citizenship to their spouse.

To further uphold the fundamental right to a nationality and reduce any potential situations of statelessness, UNHCR encourages Nauru to:

- a) Ensure adequate safeguards against statelessness in section 23 of the *Naoero Citizenship (Amendment) Act 2017*. Under this provision, citizenship can be cancelled where an individual engages in terrorism, is convicted of offences against the *Anti Money Laundering Act 2008*, or fails to return to or reside in Nauru for a period of three years. While under section 23 (5) the Cabinet is required to consider whether a person would become stateless, this provision is not an adequate safeguard to prevent statelessness from occurring. In order to be in compliance with International law, it should be amended to ensure non-revocation of citizenship where a person would be rendered stateless.³⁴ While Nauru is not currently Party to the *1961 Statelessness Convention*, all States have obligations concerning loss and deprivation of nationality pursuant to the prohibition of arbitrary deprivation of

³² *Statute of the Office of the United Nations High Commissioner for Refugees*, Annex to General Assembly Resolution 428 (V), 14 December 1950, para 8.

³³ See Official response to 3rd Cycle UPR Recommendations - Recommendation 99.156 to introduce provisions in the Constitution to put an end to statelessness of abandoned minors and the loss or stripping of nationality, available at: <https://www.ohchr.org/en/countries/nauru>.

³⁴ See <https://justice.gov.nr/wp-content/uploads/2023/12/Naoero-Citizenship-Act-2017.pdf>.

nationality.³⁵

- b) Strengthen the wording of section 22 (3) of the Act, consistent with article 7 of the *1961 Convention*, to disallow renunciation of citizenship in circumstances where it would result in the individual becoming stateless.
- c) Include an appropriate definition of statelessness in its nationality legislation.³⁶

The risk of statelessness is increased when people are on the move, including during displacement in the context of climate change. Nauru remains highly vulnerable to climate change impacts. UNHCR recognises that the adverse effects of extreme weather and disasters have diverse consequences for States and societies, as well as the well-being and enjoyment of human rights by individuals. Strengthening Nauru's nationality laws to prevent and mitigate against statelessness represents a forward-leaning risk mitigation measure to ensure people at risk of statelessness in climate vulnerable locations have access to nationality and birth registration.

Recommendations:

- **Accede to the *1954 Convention relating to the Status of Stateless Persons* and the *1961 Convention on the Reduction of Statelessness*.**
- **Make relevant changes to its domestic legal framework to prevent and reduce statelessness.**

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³⁵ Guidelines on Statelessness No. 5: Loss and Deprivation of Nationality under Article 5-9 of the 1961 Convention on the Reduction of Statelessness, available at: <https://www.refworld.org/policy/legalguidance/unhcr/2020/en/123216>.

³⁶ The *1954 Convention relating to the Status of Stateless Persons* defines a stateless person in Article 1 as: "A person who is not considered as a national by any State under the operation of its law."