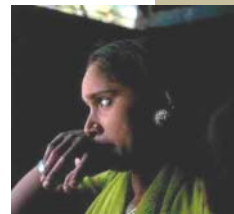


# Lives on Hold:

## The Human Cost of Statelessness

M. Lynch, Ph.D.  
February 2005



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## The Human Cost of Statelessness

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**February 2005**

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*"Everyone has  
the right to a  
nationality."*

-1948 UN Declaration  
of Human Rights



## EXECUTIVE SUMMARY

Every person has the right to a nationality. Yet statelessness continues to be a fundamental cause of discrimination, exploitation, and forced displacement in all regions of the world. Statelessness is a highly complex legal and often political issue with a disproportionate impact on women, children, and ethnically mixed families. It has serious humanitarian implications for those it affects, including no legal protection or the right to participate in political process, poor employment prospects and poverty, little opportunity to own property, travel restrictions, social exclusion, sexual and physical violence, and inadequate access to healthcare and education.

States have the sovereign right to determine the procedures and conditions for acquisition and termination of citizenship, but statelessness and disputed nationality can only be addressed by the very governments that regularly breach protection and citizenship norms. To date, only 57 states have become party to the 1954 Convention relating to the Status of Stateless Persons and even fewer states, just 29, are party to the 1961 Convention on the Reduction of Statelessness.

The exact number of individuals affected by statelessness is not known. Refugees International believes the low end estimate to be over 11 million. They are found among individuals from the former Soviet bloc, some of Thailand's ethnic groups, the Bhutanese in Nepal, Muslim minorities in Burma and Sri Lanka, Palestinians, Europe's Roma, the Bidoon in Kuwait, Bahrain, Saudi Arabia, and United Arab Emirates, specific cases in the Horn of Africa, ethnic minorities such as the Batwa 'Pygmy' and Banyarwanda of the Great Lakes Region of Africa, Bihari and Rohingya in Bangladesh, Kurdish populations, numbers of Arab Shiites, some Meskhetian Turks, and Zimbabweans of Indian descent or with links to Malawi and Mozambique.

The 1954 Convention Relating to the Status of Stateless Persons identifies a stateless person as someone who does not have the legal bond of nationality with any state. Unlike refugees and internally displaced people, stateless individuals generally do not benefit from the protection and assistance of governments, aid agencies, and the United Nations, despite its mandate over stateless persons. They are essentially international orphans. At present, only two staff people at the headquarters of the United Nations High Commissioner for Refugees (UNHCR) are employed to focus on this large and growing population.

In November 2004, Refugees International (RI) launched a multi-country assessment mission to take a closer look at the global problem of statelessness.

- In Bangladesh, RI representatives visited eleven of the sixty-six camps where more than 250,000 Biharis (also called stranded Pakistanis) have lived under harsh conditions for thirty-three years. Both Pakistan and Bangladesh refuse to offer them citizenship. It is a critical humanitarian situation, and no one is helping to find short or long-term solutions.

*"We are  
between the  
earth and the  
sky..."*

-A stateless Bidoon,  
United Arab  
Emirates

- In Estonia, RI learned first-hand about the labor and socio-economic challenges faced by 160,000 Russian-speaking minority residents who were left behind when Estonia entered the European Union earlier this year. Because there is minimal mixing of the populations, it is difficult for Russian-speakers to develop adequate Estonian language skills required to pass the citizenship test needed to acquire better jobs, participate in national elections, and travel abroad.
- In the United Arab Emirates, Bidoon keep a low profile and live quietly in shantytowns waiting for a solution to their problem. “We are like a boat without a port,” one Bidoon told RI.

The gap between rights and reality must be closed. This report takes a look at the issue of statelessness through a humanitarian lens, provides an in depth examination of the problem in three countries, presents a global review of statelessness, and makes concrete recommendations to prevent new cases of statelessness and end the problem where it exists.

Refugees International will take these findings and its recommendations to the UN, national governments, regional bodies, non-governmental organizations, and the general public in order to raise awareness of this often purposely hidden problem, and to advocate for changes in the status quo. Ultimately the prevention and reduction of statelessness contributes not only to the promotion of human rights, an improved quality of life for affected individuals, and increased overall human security, but it also aids in the reduction of forced displacement and refugee flows.

Refugees International recommends that:

#### **States**

- Respect the right of all individuals to have a nationality.
- Become party and adhere to international standards to protect stateless people and reduce statelessness by facilitating acquisition of nationality.

#### **UN and Non-Governmental Agencies**

- Clearly define agency mandates and outline concrete operational objectives in regard to statelessness.
- Strengthen UNHCR as the lead agency in accordance with its mandate on statelessness, including establishment of a dedicated department to focus on this issue.

#### **Donor Governments**

- Require and evaluate protection of stateless populations.
- Provide new funding to support UN and non-governmental agency work on behalf of stateless people.

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## NATIONALITY: A FUNDAMENTAL HUMAN RIGHT

“My only crime is that I am not a citizen of any country.” Tom Chu is a 28-year-old Chinese from Sri Lanka now studying abroad. “I am treated with suspicion at the immigration checkpoints no matter where I go, all due to my statelessness.” Tom told RI, “I was under the impression the UN passed an international law, *Convention on the Reduction of Statelessness*, requiring nations governed by international law to abide by this and provide citizenship to those who are stateless. I suppose Sri Lanka either doesn’t comply or the Constitution somehow supersedes such laws.”

Tom adds, “The older generation of Chinese isn’t affected much because they became traders or craftsmen and are happy living a peaceful life in Sri Lanka. Now, though, most of the 2nd and 3rd generation Chinese, me included, can no longer ignore the fact we are stateless. With the world becoming smaller, travel due to work is common, and a big hassle for us. Have you ever been taken to an interview room at a check point? I have. I sat there with others who have either forged documents or no documents. My crime is carrying an identity certificate in lieu of a passport. We have no voting rights, and no protection when traveling overseas. As human beings, aren’t we entitled to be able to build our own homes?”

Tom’s case draws attention to the need to put statelessness in a proper historical, legal, and human rights context. After World War II, the need to regulate the legal status of stateless persons, and reduce cases of statelessness, was recognized. One result was Article 15 in the 1948 Universal Declaration of Human Rights, which states that “Everyone has the right to a nationality” and “No one shall be arbitrarily deprived of his nationality, nor denied the right to change his nationality.” The subsequent European Convention on Human Rights does not directly regulate acquisition or loss of citizenship, but decisions about citizenship are subject to its requirements.

The word nationality (membership in a nation) is often, although not always, used synonymously with citizenship (member of a state). They are categories states use to define membership. They also provide a legal connection between an individual and a state, serving as a basis for certain rights, including the state’s right to grant diplomatic protection and representation on the international level. A stateless person is someone who, under national laws, does not have the legal bond of nationality with any state. Where possible, naturalization, the process by which non-nationals receive citizenship, is the key to reducing the problem of statelessness. It enables people to secure employment, utilize public services including access to education and health services, participate in the political process, move about freely, avoid labor exploitation, and have access to the judicial system.

Legal reference points for statelessness are the 1954 Convention Relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness. Originally intended as a Protocol to the 1951 Convention Relating to the Status of Refugees, the 1953 Convention was adopted to cover stateless persons

*“No one shall be arbitrarily deprived of his nationality, nor denied the right to change his nationality.”*

-1948 UN Declaration of Human Rights



who are not refugees and covered by the 1951 Convention. It is the primary international instrument to regulate the legal status and treatment of stateless persons. It does not apply to persons about whom there is serious reason to consider they have committed a crime against peace, a war crime, a crime against humanity, acts contrary to the purpose and principles of the United Nations, or a serious nonpolitical crime outside the country of their residence.

The main goal of the 1961 Convention is to help avoid statelessness. It is the only international instrument which outlines specific ways to identify a person's nationality where statelessness would result otherwise. At present, 57 states are party to the 1954 Convention Relating to the Status of Stateless Persons, and 29 states are parties to the 1961 Convention on the Reduction of Statelessness (see p. 51).

In addition to the 1954 and 1961 Conventions, a number of other international instruments touch on the right to a nationality: the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, the Convention on the Elimination of Discrimination Against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Nationality of Married Women, and the 1930 Hague Convention on Certain Questions Relating to the Conflict of Nationality Laws.

The UN Convention on the Rights of the Child (CRC), Article 7(1) states that “national governments must register children immediately after birth, and children enjoy the right from birth to acquire a nationality.” It requires that governments protect that same right as children mature and that a government must place its international obligation to protect children's right to nationality ahead of other national considerations. The CRC also states that a national government has a duty to grant a child born in its territory citizenship if the child is not recognized as a citizen by any other country.

The International Covenant on Economic, Social, and Cultural Rights protects the rights of everyone, regardless of citizenship, to work (Article 6); labor under just and favorable conditions (Article 7); establish trade unions (8); have social security (9); enjoy an adequate standard of living, and the continuous improvement of living conditions (11); attain the highest standard of physical and mental health (12); access education (13), and participate in cultural life (15). The Migrant Convention protects migrant workers and their families, but does not generally include employees of international organizations, foreign development staff, refugees, stateless persons, students, and trainees. It provides for, among other things, the right of a child to a name, birth registration, and nationality, and equal access to public education (30).

Regional instruments, such as the 1997 European Convention on Nationality, also contribute significantly to protecting the rights of stateless persons. The document underlines the need of every person to have a nationality, and seeks to clarify the rights and responsibilities of states in ensuring individual access to a nationality.

When human rights are violated, the doors to creating statelessness are opened. And statelessness is at the nexus of human rights and displacement. Here is how it happens.

*When human rights are violated, the doors to creating statelessness are opened. And statelessness is at the nexus of human rights and displacement.*

## NO RIGHT TO RESIDE: CONDITIONS THAT CREATE STATELESSNESS

Statelessness can occur as a result of one or more of these complex factors:

- political change
- targeted discrimination, often due to race or ethnicity
- differences in the laws between countries
- transfer of territory
- law relating to marriage and birth registration
- expulsion of people from a territory
- nationality based solely on descent, often only that of father
- renunciation of nationality (without prior acquisition of another nationality)
- working conditions
- abandonment
- lack of financial ability to register children

States frequently justify citizenship policies with national security, economic, and public health concerns. Since September 11, 2001, the situation has further deteriorated with governments using the threat of terrorism to justify draconian policies and overt denial of rights. Asylum seekers may also become or remain stateless by choice to enhance their prospects for admission to a country.

The problem of ineffective nationality is often compounded by discrimination on the basis of gender. Where rights of citizenship are restricted to the children of male nationals, female citizens are discouraged from marrying men of a distinct race or nationality because their children would be denied citizenship. That is, in some countries *jus soli* (soil) governs, and citizenship is determined by place of birth. In other countries, citizenship is determined according to *jus sanguinis* (blood ties), whereby a legitimate child takes citizenship from the father and an illegitimate child takes citizenship from the mother. It has been estimated that some 50 million births per year alone go unregistered.

Problems also arise when children of migrant workers are born in foreign territories. Authorities in the host country may refuse to register the birth, and the home country also may have a policy of granting citizenship based on the territory of birth, in which case the children of migrant workers will be denied citizenship a second time. Statelessness may also arise when children are abandoned for political or economic reasons. For example, the citizenship rights of an illegitimate child born to members of United Nations peacekeeping troops and a female national has not yet been determined. All of these conditions, alone or when taken together, have created a massive number of stateless people.

*Since September 11, 2001, the situation has further deteriorated with governments using the threat of terrorism to justify draconian policies and overt denial of rights.*



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## NO COUNTRY TO CALL HOME: THE SCOPE OF STATELESSNESS

The sheer magnitude of global statelessness is overwhelming. Stateless persons are just one category of the world's 175 million so-called non-citizens that include refugees and asylum-seekers, migrants, immigrants who have entered a new country for reasons other than employment (e.g., family reunification), non-immigrants (foreign students, business visitors, temporary foreign workers, and unsuccessful asylum-seekers), trafficked persons, and undocumented individuals.

*Who is a stateless person?*

Article 1 of the 1954 Convention Relating to the Status of Stateless Persons defines a stateless person as “a person who is not considered as a national by any state under the operation of its law.” The UNHCR identifies a stateless person as someone who is “not recognized by any country as a citizen,” and this definition generally refers to a specific group of people known as *de jure* (legally) stateless persons. It generally does not encompass the many people, *de facto* (or effectively) stateless persons, who are unable to establish their nationality or whose citizenship is disputed by one or more countries. However, a resolution attached to the 1961 Convention recommends that persons who are *de facto* stateless should as far as possible be treated as *de jure*, to enable them to acquire an effective nationality.

Stateless persons may be registered as foreigners, non-national residents, or be categorized as nationals of another state even in instances where the other state does not consider them as nationals and will not protect them. In other cases, persons may be registered as stateless, but this information may not be available due to political sensitivities. Some stateless people may not register at all fearing that state authorities use registration records to identify them for persecution. A stateless person may also be a refugee if forced to leave the country of habitual residence because of a well-founded fear of persecution.

*How many stateless people are there?*

The exact number of stateless people is unknown. While UNHCR previously used an estimate of nine million, the agency's Global Appeal 2005 uses simply “millions.” A survey conducted by the agency in 2003 indicated over half of the respondents had encountered problems of statelessness. Nonetheless, UNHCR reports statistics are hard to compile because: 1) unclear citizenship or nationality is often disputed; 2) the concept of statelessness is surrounded by ambiguities; 3) there is a reluctance of governments to collect or disseminate information; 4) some people prefer to remain stateless rather than to be given a nationality not to their preference; 5) there is little information about stateless persons in detention centers; 6) UNHCR and other agencies have limited operational involvement; and 7) this issue is not yet an international priority. Based on evidence available, Refugees International estimates the low end estimate to be over 11 million. Estimates including only the largest populations range from hundreds of thousands to several million, including the Banyarwanda, hill tribes in Thailand, Kurds, Palestinians, and Roma.

*The exact number of stateless people is not known.*

### *The Banyarwanda*

Among the Banyarwanda, the Banyamulenge are ethnic Tutsis who went to Zaire (now Democratic Republic of Congo) from Rwanda centuries ago to find greener pasture and escape high taxes being imposed by the Rwandan government. They settled in the hills called Mulenge, found between Lake Kivu and Tanganyika, in what is now referred to as South Kivu. They were accepted by the local population. Over time, the population of Banyamulenge has become an estimated 300,000 to 400,000.

In January 1972, Zairian citizenship was granted to all Rwandan and Burundian natives who had settled in Zaire prior to 1950. The Banyamulenge used this new-found political influence to their advantage and began to purchase ancestral land from the traditional chiefs. By 1981, the 1972 decree had been invalidated by the Zairian parliament effectively rendering the people of Rwandese origin (including the Banyamulenge) stateless persons.

In 1996, officials intensified their claims that the Banyamulenge were not legitimate citizens. A local official warned that all Banyamulenge must leave the country within a week and threatened to confiscate their property. As violence increased, the Banyamulenge people armed themselves and counterattacked, repelling the Zairian offensive. The areas rapidly fell into the hands of rebels.

In December 2004, a new Citizenship act was adopted by the Congolese Parliament which only partially addresses the access to Congolese citizenship by the Banyarwanda populations presently living in Congo or having fled as refugees in neighboring countries.

### *Thailand's Hill Tribes*

Another large group lacking effective nationality is Thailand's hill tribe people. This group includes members of Akna, Lanu, Lisu, Yao, Hmong, and Karen ethnic communities, and is estimated by the government of Thailand to be two million persons. Despite being born in Thailand, almost half of the country's hill tribe people lack Thai citizenship, and are unable to vote, buy land, seek legal employment, or travel freely.

In 2001, the Thai Cabinet granted temporary residency rights for one year to those who had previously taken part in government survey and other individuals lacking identification. To secure citizenship they had to show that they, and at least one of their parents, had been born in Thailand. This had been difficult for those born in remote mountainous communities. The government extended the filing deadline to 2003. Following expiry of the most recent filing deadline, many hill tribe people, considered illegal migrants and/or stateless persons, have lived under threat of expulsion, and been denied access to many economic and social benefits. In December 2004, the Thai Government admitted that up to 2 to 2.5 million people live in Thailand without citizenship and created an inter-ministerial taskforce to propose solutions to facilitate acquisition of Thai nationality including systematic birth registration.

*Despite being born in Thailand, almost half of the country's hill tribe people lack Thai citizenship, and are unable to vote, buy land, seek legal employment, or travel freely.*

### *The Kurds*

The Kurds live primarily in the mountains and uplands where Turkey, Iraq, and Iran come together. About half of the world's 25 million to 30 million Kurds live in Turkey (about 20 percent of Turkey's population); six million to seven million Kurds live in Iran (about 10 percent of the population); 3.5 million to four million Kurds live in Iraq (about 23 percent of the population), and 1.5 million live in Syria (of whom some 200,000-300,000 are arbitrarily deprived of Syrian citizenship, prohibited from working in the public sector, and considered foreigners.) There are also Kurdish communities in Lebanon and Armenia. Kurds in the former Soviet Union are said to number some 500,000. They also live in Europe and the United States.

Before World War I, the Kurds led a nomadic life. Afterwards, the Kurds were promised an independent state by the 1920 Treaty of Sevres, but in the end they found themselves divided among Turkey, Iran, and Iraq. The Kurds were generally treated with suspicion and pressured to conform to majority ways.

Baghdad granted the Kurds language rights and self rule in 1970, but the deal ultimately broke down. Clashes broke out in 1974, and 130,000 Kurds were forced into Iran. Iraqi attacks on the Kurds continued throughout the Iran-Iraq War (1980-88), culminating in poison-gas attacks on Kurdish villages to crush resistance. The capture and execution of male Kurds plus the gassing cost about 200,000 lives in 1988 alone. In 1991, after the Persian Gulf War, northern Iraq's Kurdish area came under international protection. This came after another Kurdish uprising against Iraqi rule was crushed by Saddam Hussein's forces; 500,000 Kurds fled to the Iraq-Turkey border, and many more fled to Iran. In 1992, the Kurds held a general election. But the Kurds were split into two opposed groups who fought each other in a bloody war for power over northern Iraq.

The Turkish government attacked its Kurdish minority in 1992, killing more than 20,000 people and displacing about two million others. Rival factions in Iraq hammered out a peace deal in 1999. Reforms were passed in 2002 and 2003 to help Turkish entrance in the European Union. These included ending the ban on private education in Kurdish and on giving children Kurdish names.

### *The Palestinians*

Millions of Palestinians are not only refugees, but are stateless as well. After World War II, the British withdrew their mandate from Palestine, and the UN partitioned the area into Arab and Jewish states, an arrangement rejected by the Arabs. After a series of wars, Israel occupied the West Bank, Gaza Strip, Golan Heights, and East Jerusalem. In December 1987, a collective Palestinian popular uprising erupted against Israel in the West Bank and Gaza areas. This period of violence is known as the Intifada, or "shaking off."

A process of reconciliation between Israel and the Palestinians began with the Madrid Conference in 1991, and was followed by the 1993 Oslo Peace Process.

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However, settlement expansion, continued occupation, and resistance to these conditions stalled the Oslo process. In September 1995, Israel and the Palestine Liberation Organization signed the Interim Agreement on the West Bank and the Gaza Strip. Palestinian residents of the West Bank, Gaza Strip, and East Jerusalem chose their first popularly elected government in 1996 that included President Arafat.

In 1997, the Wye River Memorandum was signed, and in 1999 direct negotiations to determine the permanent status of Gaza and West Bank began again. Discussions were derailed as a second Intifada broke out in September 2000 when Israeli leader Ariel Sharon visited the Temple Mount.

In April of 2003, the "Road Map", a plan pieced together by diplomats from the United States, Russia, the European Union and the United Nations, was greeted with cautious optimism. The peace plan quickly lost ground due to renewed violence. In December, the "Geneva Accord", a document drafted and signed by Palestinian and Israeli negotiators acting in private capacities, was put forward and received extensive international attention.

Following the war in 1948, more than 750,000 Palestinians were displaced and became refugees in neighboring Arab States and in lands now occupied by Israel. Over the last 56 years, the number of Palestinians worldwide has grown to between an estimated eight and nine and a half million people. While the Palestinian population technically has had a state since the approval of UN General Assembly Resolution 1981 (1947), they have been unable to return to their homes. Their claim to a right of return to their homes has been disputed by Israel, often leaving them stateless. Apart from Jordan, neighboring Arab countries have not granted citizenship to Palestinian refugees, leaving four million individuals as *de jure* stateless persons. The legal status, social class, and standard of living of Palestinians vary enormously.

#### *The Roma*

Among Europe's stateless people is some part of the region's eight million Roma. Since they first entered Europe from the east some 500 years ago, the Roma have been persecuted. In the last century, Nazis tried to exterminate the group, and some 500,000 were killed. During the Cold War, communist governments tried to abolish the Roma identity by employing methods such as forced sterilization. In Bulgaria during the 1970s and 1980s, the government forced Roma to change their names and did not allow them to speak their language in public.

While the breakup of Yugoslavia violated the rights of many ethnic groups, it also exacerbated the loss of Roma rights. They were forcibly evicted and placed in camps. Roma fled to other countries and became *de facto* stateless. Some are now being forced back to the republics they left years ago. They lack health care, social services, education, housing, and are unable to exercise economic and political rights, as a result of their status. Today, the EU Parliament has its first Roma deputy.

Solving the problem of statelessness for these five groups involves difficult political decisions, many with international ramifications. Nevertheless, every person has the right to a nationality. Stateless populations need someone on their side.

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## WHOSE JOB IS IT ANYWAY? UNHCR'S SECOND MANDATE

The primary responsibility for ending statelessness rests on governments. However, when states violate their obligations and people need protection, the task of helping the world's stateless people falls to the office of the UN High Commissioner for Refugees. The UNHCR was given a mandate over stateless persons when the 1961 Convention on the Reduction of Statelessness came into force.

In 1974, the UN General Assembly requested the UNHCR to undertake the functions foreseen under the Convention on the Reduction of Statelessness. In 1995, the UNHCR Executive Committee (ExCom) and the United Nations General Assembly (UNGA) requested UNHCR to broaden its activities concerning statelessness to include *all* states. The office was also asked to gather and share information on the problem of statelessness globally, to train staff and government officials, and to regularly report back to the ExCom.

Since few states had ratified the statelessness conventions, UNHCR was asked by the UNGA in 1996 to actively promote accession to the 1954 Convention and the 1961 Convention, as well as to provide relevant technical and advisory services pertaining to the preparation and implementation of nationality legislation to interested states. In 2004, ExCom invited UNHCR to pay particular attention to situations of protracted statelessness and explore with states measures that would ameliorate the situations and bring them to an end.

The UNHCR has achieved some success. The agency launched a campaign to prevent and reduce statelessness among formerly deported peoples in Crimea, Ukraine (Armenians, Crimean Tatars, Germans, and Greeks who were deported en masse at the close of World War II). Another success has been the naturalization of Tajik refugees in Kyrgyzstan, as well as the participation in citizenship campaigns enabling 300,000 Estate Tamils to acquire citizenship of Sri Lanka. The UNHCR assisted the Czech Republic to overcome the large number of stateless persons created when it separated from Slovakia.

The agency must be encouraged to build on these successes. An internal evaluation released in 2001 suggested that UNHCR had done little to exercise its mandate on statelessness. It is not clear how many of the recommendations from that report have been followed up, but at present, only two individuals are tasked with overseeing work in this area at UNHCR headquarters, though field officers have been trained to address these issues. There is no dedicated budget line. The staffing issue, combined with budget constraints, limits the number of field missions that can be undertaken.

There is much to be done to get the UNHCR on track to fulfill its mandate for stateless people. Other humanitarian and rights organizations, including the office of the UN High Commissioner for Human Rights, must also rally to the cause if any progress is to be made.

*The primary responsibility for ending statelessness rests on governments.*



### Aran's Story\*



Aran says life is a struggle. There is no work in the Bihari camp where he lives, and the living conditions are bad. There is “no health, no sanitation, and no education,” Aran says. This year the government of Bangladesh reduced the relief aid, and that hampers their lives still further. Sometimes the family goes hungry if he can not get work. This week he worked two days and earned 80 taka (US \$1.25). Due to the shortage of money, they do not eat every day each week, only a few meals. Aran has three daughters. He worries about their future because he can not afford to get them married.

\*names have been changed

## **“CITIZEN, THIRD CLASS”: FINDINGS FROM RI’S STATELESS PROJECT**

Stateless people fall through the cracks of the international relief and protection systems. In November 2004, Refugees International undertook a multi-country mission to examine the situation of stateless people in three diverse regions: the Biharis in Bangladesh, Estonia’s Russian-speaking minority, and the Bidoon of the United Arab Emirates. The following is a summary and analysis of the findings from the RI mission.

### *Bangladesh*

While the Bangladesh government has hosted stateless Biharis for more than three decades, the already desperate living conditions worsened over the last year. The delivery of government-subsidized food aid was ended, and there was a substantial loss of homes to tornado, fire, and eviction. The situation is critical and requires immediate attention.

In pre-independence India, the Biharis were an Urdu-speaking Muslim minority in the Hindu region of Bihar. In 1947, at the time of partition, the Biharis moved to what was then East Pakistan. When civil war broke out between East and West Pakistan, the Biharis, who consider themselves Pakistani, sided with West Pakistan. In 1971, however, East Pakistan became the independent state of Bangladesh. The Biharis were left behind as the Pakistani army and civilians evacuated and found themselves unwelcome in both countries. Pakistan feared that a mass influx of Biharis could destabilize a fragile and culturally mixed population, and Bangladesh scorned the Biharis for having supported the enemy. With neither country offering citizenship, the Biharis (also called stranded Pakistanis) have remained stateless for 33 years.

An estimated 250,000 to 300,000 Biharis live in 66 camps in 13 regions across the country. All camps have one thing in common – they are severely overcrowded. In Rangpur, northern Bangladesh, there are several instances where a dozen or more family members sleep huddled together in a single room no larger than eight by ten feet. As families grow without access to more land, they are forced to live in increasingly small quarters. “We have no privacy,” one 9-year-old student told RI.

Dirt floors become nothing more than deep mud in the monsoon season. Rainwater creates another problem for those with less than adequate roofing. A widow and mother of four reported, “We cannot stay here when it rains. We have to live in the railway station.” In September, a tornado ripped through one camp and destroyed 54 homes. Temporary structures, some without a roof, were rebuilt, leaving no protection from the elements. On December 4, 2004, fire ripped through a camp in Saidpur, leaving several hundred people homeless. During the last year, over 150 families have been threatened with eviction notices, and in one Chittagong camp some residents were forcibly removed from their homes.

*While the Bangladesh government has hosted stateless Biharis (or stranded Pakistanis) for more than three decades, the already desperate living conditions worsened over the last year.*

### Saida's Story



Saida has resided in Geneva Camp since its establishment in 1972. Geneva Camp is the so-called Paris of the Bihari camps because it was rebuilt by embassies and non-governmental organizations after a fire destroyed it in 1996. There is electricity and well-water for drinking and washing, but men and women share the same latrines. Saida's husband died two years ago. Now her 19-year-old son is the primary breadwinner for the family, and he has been able to secure embroidery work. He earns about 250 taka (US \$4.15) for the two pieces he completes each week. Once he completes a piece, he hands the completed work to a local Bangladeshi businessman who in turn sells the pieces for 800-1,000 taka (between US \$13 and \$17). Since it costs about 800-1,000 taka to feed the family each week, Saida also works making flower garlands. She usually works about six hours a week, and can make about 15 Taka (US \$0.25) a day. Mostly though, she worries about her children. "There is no future here," she says.

Lack of water and co-habitation with animals, combined with poor drainage and sanitation systems, contribute to a variety of medical problems, including skin disease, water-borne illness, upper respiratory infections and gastro-intestinal disorders. In one camp, only two working wells supply water to 650 families. In Mirpur's Millat Camp, there was only one latrine for 6,000 people. Few medical clinics exist, and several camps have no health care at all, leaving entire families susceptible to both medical and related financial hardship.

For Bihari children, the right to education has become a luxury. The school in Saardar Bahardur camp closed this year from lack of funding. In Adamgee, only six boys from an entire camp made it to secondary school. Teachers go unpaid, students study in shifts, and requests to the Minister of Education for new books have been turned down. One teacher, who has not been paid since September said, "In this environment, learning is a lot of work for the students. There is no time to get wiser. Children work after school to get money by doing handicrafts and making jewelry. At home they live like animals. Their families cook, eat, work, and sleep in the same small room."

This lack of education, combined with an already impoverished economy, provides little opportunity for employment inside or outside the camps. One young man said he makes 100 taka a day as a rickshaw driver. After he pays a 40 taka bicycle rental, he is left with only 60 taka (about \$1.00) to feed his family. Those fortunate enough to find work often face discrimination and harassment. In Geneva camp, vendors complained of locals taking merchandise without paying. Other individuals have simply disappeared, and their families have been asked for "ransom" for their return.

A permanent solution is possible if the governments of Pakistan and Bangladesh offer citizenship to the Biharis. Some camp residents think of themselves as Pakistani and would like to be reunited with family members in Pakistan. This repatriation could be funded by money already put aside in Pakistan. Others, who have never been to and have no family in Pakistan, can only imagine a life in Bangladesh. Those Biharis that are keen to establish lives as Bangladeshi citizens sometimes see "no other way" and marry local Bangladeshis. Others, such as 20-year-old Abdul, who survives hand to mouth as a garment factory worker, says he would like to go to Pakistan. In any case, the UNHCR is not addressing the plight of the Biharis.

Refugees International has recommended and is advocating that the Government of Pakistan work with the Government of Bangladesh and UNHCR to offer the possibility of resettlement and citizenship for Biharis who wish to live in Pakistan. The Government of Bangladesh likewise should work with Pakistan and the UNHCR to grant citizenship to Biharis who wish to remain in Bangladesh. The country should provide immediate accommodation and other support for people who have lost their homes to the recent fire and tornado. Meanwhile, Bangladesh should provide relief for immediate needs, including food, and in conjunction with local and international NGOs, ensure that each camp has enough basic amenities, including water, latrines, schools, and medical clinics, to accommodate its population.

*"In this environment, learning is a lot of work for the students. There is no time to get wiser. Children work after school to get money by doing handicrafts and making jewelry. At home they live like animals. Their families cook, eat, work, and sleep in the same small room."*

- A Bihari teacher

### **Ivan's Story**

Ivan grew up in the northeastern section of Estonia where more than 96 percent of the population is Russian-speaking. His mother holds a Russian passport, and his father resides inside Russia, but one aunt who came to Estonia from the St. Petersburg area learned Estonian very quickly and passed the citizenship exam in a short time. After seeing her success, Ivan moved to Estonia's capital, Tallinn, for better job opportunities. It was a difficult move for Ivan. This year, when Estonia became part of the European Union, Ivan was motivated to start the process of becoming an Estonian citizen. He says he is lucky to be living in Tallinn, because the language portion of the citizen test is especially difficult for people who live in areas where Russian is spoken and do not have an opportunity to practice language skills. After passing the test, Ivan says he felt safer both practically and psychologically. Ivan says his children won't be Estonian. "They'll get the blue passport, but they won't be Estonians," he says, "because the wife I choose will be Russian."

Refugees International has called on the United Nations High Commissioner for Refugees to take a proactive role to provide relief consistent with its mandate to address stateless people in the same manner as refugees, specifically securing a resolution of the Biharis' situation, by facilitating an agreement between Pakistan and Bangladesh resulting in citizenship for all Biharis in one or both of the countries. The option for third country resettlement can and should be explored.

### *Estonia*

When Estonia joined the European Union on May 1, 2004, the country's 160,000 Russian-speaking non-citizens remained in limbo. These individuals are being forced to choose between learning a new language and passing an exam to acquire Estonian citizenship; applying for Russian citizenship and thus surrendering the benefits of EU membership; or remaining stateless with limited political access and foreign travel restrictions. While Article Nine of the Estonian Constitution states that "the rights, freedoms and duties of each and every person, as set out in the Constitution, shall be equal for Estonian citizens and for citizens of foreign states and stateless persons in Estonia," this mandated equality is not the reality for Estonia's stateless persons.

The problem of statelessness in Estonia has a long history. In June 1940, Soviet troops occupied Estonia, abolishing its independence and establishing a new Soviet order. From 1944 to 1991, Estonia belonged to the Soviet Union. During this time, thousands of Estonians were killed or deported, while Russians were forced to migrate to Estonia. The Russian-speaking population in Estonia jumped from eight to approximately 40 percent. On August 20, 1991, Estonia re-established independence. At that time, the government restricted automatic citizenship to those who held it before the Soviet occupation and their descendents, leaving hundreds of thousands of individuals stateless. Over time, albeit slowly, Estonia has taken steps to reduce the numbers of stateless people.

Estonia justifies its current citizenship legislation based on the collective right of ethnic Estonians to their historical territory as well as the need to protect Estonian culture and undo the injustices suffered during the years of Soviet occupation. With tears in his eyes, one elderly Estonian man who spent time doing forced labor in Siberia, told Refugees International, "True Russians are good people, those with mixed blood are not." Non-Estonians feel they are discriminated against based on language and the association of Russians with the Soviet occupation. They criticize Estonia for not adhering to the international standards of minority and human rights. Others see no need to acquire citizenship or believe that obtaining Estonian citizenship would hamper their visits to see relatives in Russia. The ongoing debate has left 12 percent of Estonia's entire population carrying 'alien' (gray) passports.

To acquire citizenship, one must pass Estonian language and constitution exams. However, it is difficult for Russians to learn Estonian since there is little mixing between the two groups, limiting opportunities for Russians to develop adequate

*Over time, albeit slowly, Estonia has taken steps to reduce these numbers of stateless people.*

### Katrina's Story



Katrina says the current situation for “undetermined citizens” or gray passport holders “is all about politics.” She says she is going to get a Russian passport. “My father came from the Ukraine, and my husband’s family from Kazakhstan. He worked in a coalmine in Siberia for some 25-30 years.” Katrina worked in a Russian school in Oru for almost as long and continues to help out part-time. The number of students at the school has now dropped from 400 to 200. Katrina gets a small pension for her work, over half of which goes to cover her rent. “Our situation is not good, but it could be worse,” she says. There is little work for residents in a part of the country where unemployment hovers near 20 percent. Utilities, such as hot water, used to be provided free of charge, but recently the policy changed and now those who refuse to pay or cannot afford it, especially the elderly, go without.

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Estonian language skills. To address this issue, the Estonian government has imposed a reform plan that increases the percentage of the school curriculum taught in Estonian. However, Estonian language teachers in Russian schools are often non-native speakers themselves. The constitution component of the citizenship exam is reportedly challenging even for ethnic Estonians. Despite access to study guides, many Russians feel reluctant to study for a test to include them into a culture they are otherwise excluded from. This makes obtaining an EU passport the primary motivation for gaining Estonian citizenship.

Although Russians and Estonians have inhabited the same soil for decades, there is little intermingling between the two groups. This is demonstrated by the few marriages that occur between Russians and Estonians and the regionalization of the Russian-speaking community. Outside Tallinn, Russian-speakers live in an economically depressed area and have fallen into a socio-economic quagmire. With a lack of resources and limited hope, the Russians are over-represented in prisons (58 percent of prisoners are non-Estonian) and orphanages, and have a higher incidence of drug addiction and HIV/AIDS (approximately 80 percent of all HIV positive cases are Russian speakers), perpetuating the negative stigma Estonians already associate with Russians dating back to the Soviet era.

In the predominantly ethnic Russian northeast, lack of citizenship touches the daily life of each resident. Mines, industrial complexes, and Soviet military bases have either closed or relocated. Unemployment hovers just below 20 percent. In Sampo, the local shale mines closed some six years ago. The area is now a virtual ghost town, and most of the remaining 700 residents are forced to eke out a meager existence in nearby Ufi. Eighteen-year-old Marta spends her days working alone in a sparsely stocked tin kiosk. She is one of the few employed individuals in a town that once had 1,500 residents.

The Estonian government does encourage gray passport holders to apply for either Estonian or Russian citizenship. For example, in 1998 one amendment was passed to give children born in Estonia after February 25, 1992, and whose parents have lived in Estonia for at least five years, automatic citizenship. Then access to citizenship for persons with disabilities was adjusted. In 2004, Riigikogu (Parliament) passed a bill to reduce the time to gain citizenship. Legislation is currently being debated to help elderly people as well.

Despite all its efforts, Estonia has continued to drag its feet over signing the 1954 Convention Relating to the Status of Stateless Persons. One reason is that the United Nations High Commissioner for Refugees (UNHCR), with its mandate to protect stateless people has played a very limited role. It is time to get Estonia on UNHCR's agenda.

Refugees International has recommended and is advocating that the Government of Estonia sign the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The country should actively promote economic development in the northeastern region, so all regions have comparable rates of employment. It is also important for Estonia to ensure that Russian-speakers and Estonians alike are provided with the same level of

*In the predominantly ethnic Russian northeast, lack of citizenship touches the daily life of each resident.*



### **Kamal's Story**

Kamal is one of the few Bidoon willing to talk about what it is like to be stateless in the UAE. "What have we done to be treated like animals?" he asks. We can't get jobs and can't move. We are like a boat without a port." The struggles of the Bidoon are not limited to employment and travel. "Access to education is also a problem," Kamal says. "I didn't finish high school or go to college." Bidoon can seek health care at private hospitals, but not government ones. In Kamal's case, not being able to travel outside the UAE for specialized medical services meant that a treatable condition became a permanent disability. While some Bidoon are able to find work as drivers or mechanics, others survive by begging, an illegal activity in the UAE. Kamal says his sisters have married local men. Fifteen years from now they will be able to claim Emirati citizenship for themselves. "They have solved their problem," Kamal claims, "and their children have local nationality."

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education. The UN High Commissioner for Refugees should continue to facilitate discussions and partner with Estonian government to ensure that all individuals who wish to acquire citizenship have the opportunity to do so.

#### *United Arab Emirates*

In the United Arab Emirates (UAE), the Bidoon (which means persons without nationality) are broadly represented by two major groups, Arabs (from neighboring countries) and non-Arabs (mainly from Iran and the Indian Sub-Continent) whose families settled in the Gulf generations ago as merchants or workers. Exact numbers of the Bidoon are not generally known, but they have been unofficially estimated at about 100,000. While these individuals are not subject to deportation by the authorities, they do face discrimination in the labor market and, as a result, encounter socio-economic challenges. The Bidoon in the UAE have limited access to medical care and education, and without passports and other basic identity documents, are restricted in their movement both within the country and internationally. The UAE government has recently undertaken an initiative to address human rights. It is important these plans address the situation of Bidoon who do not have effective nationality, and as a result, face unnecessary hardship.

Like many of the world's stateless, the Bidoon are trapped in a system that allows them no protection. Refugees International has recommended and is advocating for the government of the United Arab Emirates to take concrete steps to end statelessness in the UAE, giving special attention to stateless children born on Emirati soil. The UAE should also sign the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and make a tangible gesture in upholding human rights.

#### *Exploring the Common Themes*

While the three studies outlined above present situations that are different in terms of background and current conditions, a number of common themes emerged during the course of first-person interviews: an on-going sense of abandonment by the international community, lack of equal employment opportunities and related socio-economic hardship, violation of human rights that included access to basic education, freedom of movement, access to political processes, and the need for rapid resolution to each situation, possibly to be achieved with international pressure.

The most telling similarity in these three cases is the fact that stateless individuals have been largely ignored by the governments of the countries where they are living and by the global community at large. In each case, many years, even generations, have passed since lives were put on hold. Complex legal, political, social, and economic factors prevent rapid resolution, and the plight of individuals is slowly forgotten. There is very little detailed information about these populations readily available for interested and concerned parties, particularly in the case where indigenous groups are involved.

*The Bidoon in the UAE have limited access to medical care and education, and without passports and other basic identity documents, are restricted in their movement both within the country and internationally.*

### Han's Story



In the Mirpur area of Dhaka, twenty-two-year-old Han spends his days in a small two-floor wooden structure completely filled by two huge looms and a set of narrow steps leading upstairs. Sitting for long hours at the machine is not physically difficult for him because he has worked like this since he was age ten. He can produce about three saris in a nine or ten hour work day, with a break every three hours. A six-meter garment made by two people is sold for about 300 Taka (US \$5.00). Most of this earning is used to rent the equipment from a local Bangladeshi owner, and the rest Han uses to help support his parents and siblings. Han acknowledges that the camp where he lives needs education and a technical institution, but he says that what Biharis really need is a solution. "We are not citizens of Bangladesh or Pakistan. It's like being in a 'hanging position,'" Han says.

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Government responses to stateless people vary. Of the three primary cases presented in this report, only Estonia has taken some serious steps toward reducing the numbers of stateless people in the country. While the government of Bangladesh has continued to host the Bihari for over three decades, the country ceased food aid and some financial assistance in 2004. In the United Arab Emirates, lack of governmental co-operation on providing statistical information has left the UNHCR to work on a case-by-case basis instead of tackling the problem in a more comprehensive manner.

These situations are a very low priority on the agenda of the United Nations. At the Geneva headquarters of the UNHCR, only two individuals focus on helping the world's stateless people. UNHCR field offices have guidelines that regulate the activities in the field of statelessness, but at the local level, representatives and protection staff alike appear unwilling to take on these caseloads. UNHCR Dhaka, for example, believes the situation of the Bihari will work itself out in time so the office does not need to be involved. In the few cases where they were previously involved, non-governmental organizations have moved on. Key humanitarian donors, such as the United States, do not have policies regarding assistance to the world's stateless persons or a point person or specialist on statelessness at the Bureau of Population, Refugees, and Migration (PRM). And, except for recently agreeing to resettle a group of Meskhetians, PRM ignores them.

Violation of the right to nationality is directly or indirectly related to the violation of other rights such as education, political participation, property ownership, and freedom of movement. In all three countries, lack of citizenship and ID cards leads to unemployment, underemployment, and lower salaries. Lower levels of income lead to socio-economic problems including hunger and substandard accommodation. Unable to work or move freely, the lives of millions of people are on hold.

Individuals and families who are stateless for prolonged periods of time sometimes take it upon themselves to resolve their case to the extent that they can. They may seek to enter another country illegally, whether by direct means or become victim to trafficking schemes. Women may purposely marry local men. In one case, an individual told RI that if their situation could not be resolved by non-violent means, in time, they might resort to the use of terrorist tactics.

Gender-based discrimination in the area of citizenship is a form of bias faced by women everywhere. Yet, governments, international bodies, and the general public alike know and do very little about the plight of people who lose or are denied citizenship, especially women and girls and elderly stateless persons.

Refugees International has highlighted three cases of statelessness. There are millions of other individuals who face similar hardships. What follow are a set of recommendations and a survey of the world's stateless population in Africa, Asia, the Americas, Europe, the Middle East, and Oceania. Refugees International welcomes updates, corrections, and alternative interpretations to these profiles.

*These situations are a very low priority on the agenda of the United Nations.*

### Monica's Story



Monica, age 40, was born in a Bihari camp, but married a local Bangladeshi man more than 25 years ago because there was no other way to get citizenship. Now a mother of five, she lives as a citizen in a Chakma area. Her husband is a dressmaker. All of her children are able to attend school, and the oldest one is now in 10<sup>th</sup> grade. She is happy that her family no longer lives from hand to mouth. She says that is the reason many Bihari women marry Bangladesh citizens and now live scattered throughout the country.

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## CONCLUSION AND RECOMMENDATIONS

Stateless individuals are some of the world's most vulnerable people. They are also some of the least known. This report has attempted to document the human costs of statelessness and ineffective nationality through an examination of the cases of Bangladesh, Estonia, and the United Arab Emirates and the survey of problems of statelessness throughout the rest of the world that begins on page 27.

No region of the world has been left untouched by the statelessness issue, but statelessness is not an unsolvable problem. It is certainly true, however, that durable solutions must be implemented by states. They must work harder to avert and resolve such situations. All governments can sign and implement the 1954 Convention Relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness. In most cases, it is not difficult to determine with which country an individual has a genuine effective link with for purposes of nationality decisions. Rather, difficulties in preventing or reducing statelessness often occur as a result of legislative, judicial, administrative, and political decisions which fail to recognize basic principles of international law with respect to nationality.

The global community must work together to end statelessness. In the words of Carol Batchelor, long-time senior legal officer for UNHCR's Department of International Protection, "The challenge is to establish a harmonized international framework for acknowledging and responding systematically to statelessness problems. A common platform is needed for reaching consensus on the definition of statelessness, on mechanisms for identifying statelessness, and on appropriate solutions to avoid the creation of cases which ensuring that, at a minimum, stateless persons are provided a legal status in an appropriate country." It is time to begin.

Refugees International therefore recommends that:

### All States

- Respect the right of all individuals to have a nationality.
- Become party and adhere to international standards to protect stateless people and reduce statelessness by facilitating acquisition of nationality.
- Allow non-citizens greater access to rights and entitlements within their respective borders.
- Re-evaluate the case of stateless populations within borders and pursue durable solutions.
- Act within collective governmental bodies to end statelessness in the region.
- Develop mechanisms to address especially difficult problems of statelessness.
- Identify and take steps to avoid status discrimination based on gender.

*The global community must work together to end statelessness.*

- Ensure every child is registered at birth and is granted nationality if otherwise stateless.

### **UN and Non-Governmental Agencies**

- Clearly define agency mandates and outline concrete operational objectives in regard to statelessness.
- Strengthen UNHCR as the lead agency in accordance with its mandate on statelessness, including the establishment of a dedicated department.
- Organize a global survey to identify stateless populations with more precision.
- Identify and implement immediate steps to reduce statelessness globally, including increasing the number of protection and legal staff trained on matters of statelessness in field offices, staff who are willing to tackle political hurdles over extended periods of time.
- Further develop capacities in the area of statelessness, including for early warning methodology and to address the needs of women, children, adolescents, and older stateless persons.
- Utilize all possible mechanisms of the Human Rights Commission, including the appointment of a Special Rapporteur of the Commission on Statelessness, passage of a resolution, and development of a working group focused on statelessness and other cases of ineffective nationality.
- Provide relief for immediate needs, including food and medical care.
- Develop or supplement education programs for children where needed.
- Collaborate on programs to reduce statelessness or enhance socio-economic profiles and actively engage in information-sharing on all matter related to statelessness.
- Actively campaign for ratification of the 1954 and 1961 UN Conventions.

### **Donor Governments**

- Require and evaluate protection of stateless populations.
- Provide new funding to support UN and non-governmental agency work on behalf of stateless people.
- Identify, as in the case of the United States, a specialist or point person on statelessness at the Bureau of Population, Refugees, and Migration.

## GLOBAL REVIEW OF STATELESSNESS

### REGION: AFRICA

After a Moroccan invasion and the withdrawal of the colonial power of Spain in 1975, Saharawis fled Western Sahara to neighboring Algeria. Estimates of the population range from 110,000 to 155,000. Most of these individuals are still in four camps near Tindouf, a historic oasis town in southern Algeria. They have been stateless for about 28 years, and Morocco, which continues to occupy the territory, has prevented efforts by the United Nations to allow the Saharawis to participate in an independence referendum. Saharawis have faced the continual dilemma of whether or not to hold out for their right to vote on their political future, a right fully endorsed by a 1975 ruling by the International Court of Justice and subsequent United Nations resolutions. Thirteen percent of children under five are acutely malnourished. Insufficient quantities of water and inadequate water distribution pose serious problems for the Saharawis. Dryness also prohibits the development of agriculture.

Another problem in Algeria is that Algerian citizenship is derived exclusively from the father. Consequently, children of an Algerian mother and a non-Algerian father are not eligible for Algerian citizenship.

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Some 70,000-87,000 Pygmies, the Batwa, live in Rwanda, Burundi, Uganda and the Democratic Republic of the Congo (DRC). Before the opening of several parks in Uganda, the World Bank required an assessment of issues that would be faced by Batwa. Four years later, Uganda reported on those challenges and made several suggestions to aid the Batwa in their transition. Among these suggestions was compensation for land and integration programs. But, as Batwa are not members of local governmental institutions, compensation or profit-sharing did not include them. While citizens are issued birth certificates and identity cards free of charge, Batwa must undergo an involved bureaucratic process. Without these cards, it is difficult to enroll in school and receive government-funded health care, benefits which are guaranteed to other similarly vulnerable people in the country. Without the resources of the forests and the ability to sell their once popular pottery in a highly competitive market, an estimated 80 percent earn capital from begging. Some also work as day laborers, servants, and tenant farmers or other unskilled jobs.

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Among the Banyarwanda, the Banyamulenge are ethnic Tutsis who came to Zaire (now the Democratic Republic of Congo) from Rwanda centuries ago and settled in the hills called Mulenge, found between Lake Kivu and Tanganyika, between the towns of Uvira and Bukavu in what is now referred to as South Kivu. Over time, the population of Banyamulenge has become an estimated 300,000 to 400,000.

Relations between the groups grew strained during post-Independence in 1964 when Mulele rebels advocated a type of communism in which property, land and cattle were to be shared among the local people. The ethnic groups in the Kivu province supported the rebellion. The Banyamulenge, however, did not; they helped the Congolese National Army crush the rebellion in the Kivus.

In January 1972, Mobutu signed a decree collectively granting Zairian citizenship to all Rwandan and Burundian natives who had settled in Zaire prior to 1950. In 1981, the highly unpopular 1972 decree was retroactively invalidated by the Zairian parliament effectively rendering the people of Rwandese origin stateless. During the genocide in 1994, thousands of Banyamulenge crossed back to neighboring Rwanda and joined the Tutsis led rebels (Rwanda Patriotic Front) to topple the elected government of President Juvenal Habyarimana.

In 1996, a local official warned that all Banyamulenge must leave the country within a week and threatened to confiscate their property. As violence increased, the Banyamulenge armed themselves and counterattacked, repelling the Zairian offensive. The areas rapidly fell into the hands of the rebels. The group later joined the RCD rebels led by Laurent Kabila, inspired to oust President Mobutu. Kabila's support among the Banyamulenge eroded in August 1998 when he decided to expel Rwandese and Ugandan contingents from his army.

In December 2004, a new citizenship act was adopted which only partially addresses access to Congolese citizenship by the Banyarwanda populations.

As noted in the Burundi profile, the DRC also hosts a Batwa population.

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### ALGERIA

### BURUNDI

### DEMOCRATIC REPUBLIC OF THE CONGO (FORMERLY ZAIRE)



**EGYPT**

The collapse of the Russian and Ottoman Empires in the early 20<sup>th</sup> century led to large-scale displacement. Prior to the Egyptian revolution of 1952, the number of Armenians residing in Egypt was about 70,000-75,000. Subsequently, an agreement between the Egyptian government and the United Nations High Commissioner for Refugees in 1954, and later ratified in May 1981, assigned the UNHCR the responsibility of caring for stateless populations living in Egypt, individuals of Russian, Armenian, Yugoslav, Albanian, Hungarian, Czech, Bulgarian, Polish, Romanian and Estonian origins. Some 130 stateless persons remain of concern to UNHCR.

Another problem of statelessness occurs in Egypt because only males may confer citizenship, making children born to Egyptian mothers and non-Egyptian fathers stateless. They cannot attend public school or state universities, are barred from certain professional schools, and cannot work without meeting foreign residency requirements and obtaining work permits. There are believed to be 400,000 to more than a million such children in the country.

In 2003, President Hosni Mubarak closed the annual ruling party conference with a number of announcements, including a statement that the Interior Ministry would begin processing citizenship applications for children of Egyptian mothers and foreign fathers. It has been predicted that if the president's assurances are implemented, Egyptian women will gain the historic right to pass their nationality on to their children.

Excluded, however, are Palestinians (estimated at 55,000-77,000), based on a 1959 agreement not to give Palestinians citizenship in order to preserve their national identity. Also, Palestinian men who have left the country to work abroad face further difficulties because Egypt has closed the office that issues return visas. They live abroad illegally and cannot return to Egypt, a situation that makes them stateless.

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**ERITREA/  
ETHIOPIA**

The conflict between Ethiopia and Eritrea has rendered many people in mixed marriage situations or being descendents thereof, effectively stateless, unwelcome, and persecuted in both countries. Following war in the 1990s, Ethiopia decided to denationalize Eritrean citizens (mother or father of ethnic origin), of whom there were more than 200,000. At the start of the dispute, in 1998, there were an estimated 600,000 Eritreans, or persons of Eritrean origin living in Ethiopia, including approximately 200,000 persons living in the Tigray border region. An estimated 100,000 Ethiopians were living in Eritrea. Between 1998 and 2000, an estimated 70,000 people believed to be in favor of Eritrean independence were expelled, and many reside in a UNHCR-administered camp. Those who were issued blue identity cards like Eritrean citizens preserved their rights to return. A smaller unconfirmed number (1,000-2,000) were not given blue identity cards, but rather yellow temporary cards, leaving them in a precarious situation and one in which they must pay to annually renew their card. A few individuals were not accepted back by Eritreans and attempts were made to expel them again. These individuals became stranded in a no man's land. The detention conditions they face are notably poor. In Eritrea, unspecified numbers of Ethiopians were reported expelled immediately after the conflict erupted in 1998 and again in May 2000 when the fighting resumed.

Those who were not expelled and remain (an estimated 150,000) are not considered Ethiopians, but have not acquired other nationality. They face lack of access to employment, and education, and remain subject to deportation (although in 2000 there was a policy change which resulted in somewhat fewer deportations). A proclamation on Ethiopian Nationality was promulgated in December 2003 and in January 2004 the Security, Immigration, Refugee and Returnee Authority of Ethiopia adopted an internal directive concerning reacquisition of citizenship by ethnic Eritreans living in Ethiopia.

Outside of Ethiopia and Eritrea, still further challenges arise when individuals try to secure travel documents. Increasingly they are subjected to an assessment of their political views by the issuing embassy and face difficulty securing passports, leaving them stranded in all parts of the world.

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**KENYA**

In the early 1990s, the total number of Somalis in Kenya was estimated at hundreds of thousands, but the number has steadily declined with Somali clan elders placing the number of at some 10,000. Citizenship of those who are nationals is not fully recognized by the government, especially in disputed border areas. Political restrictions against the group include limits on the freedom of expression, voting and recruitment to military and civil service. There is no automatic naturalization of foreign male spouses for Kenyan men as foreign spouses for Kenyan men.

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Palestinians in Libya live under threat of deportation, physical attack, humiliation, arrest, and are denied the rights to work and travel as well as other basic rights. There are no precise statistics on Palestinians in Libya, but in the mid 1990s, it was estimated that 20,000 remained after the mass deportation in the summer of 1994. The majority of these Palestinians came in 1970s seeking work opportunities. They are denied the rights to housing, work, and education.

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In 1989 and 1990, Mauritanian leaders and the majority of the nation's lighter-skinned population of Arab-descent began a campaign to "purify" the nation. They expelled tens of thousands of Mauritanians of sub-Saharan descent from their homes, claiming that none of them were truly Mauritanians due to their skin color.

In this period, some 75,000-100,000 individuals of sub-Saharan descent left Mauritania, and 15,000 nomadic Mauritanians who were in Senegal during this period were not allowed to return to Mauritanian territory. During the 1990's, there were claims of progress in repatriation of this population (estimates vary from 20,000-60,000), but in 1999 UNHCR ended its work, and there is little information regarding how many of these people remain, nor of the conditions in which they live. Sources vary widely on how many Mauritanian individuals remain in Senegal and Mali. In 1999, the UNHCR claimed there were 25,000 persons who had not repatriated, while other estimates are 45,000 to 60,000. Children born outside the camp do not have a nationality and are in a shaky situation.

Those who do return to Mauritania face numerous obstacles to full and sustainable repatriation: the native "moors" who expelled them also confiscated their property while they were gone and do not offer them citizenship or try to integrate them into society, although the Saharawi refugees from the Western Sahara occupation by Morocco and other refugees from Mali and Sierra Leone were offered citizenship.

There is some disagreement about the conditions faced by returnees. Some say those who repatriated did not receive official citizenship cards and lacked freedom of movement inside Mauritania. UNHCR has offered a more positive assessment, however, reporting that most returnees recovered their land and identity papers. There has been no recent evidence to support either claim, but Mauritanians inside and out of the country speak of strong racism as the continuing source of their oppression and abandonment.

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Rwanda hosts a Batwa population as noted in the Burundi profile.

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See Mauritania.

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Non-ethnic Swazis can obtain passports and citizenship documents; however, it should be noted that individuals seeking these documents sometimes experience lengthy processing delays, in part due to the prejudice that mixed-race and white persons are not real citizens. Political dissenters had their citizenship questioned and experienced difficulties in obtaining travel documents. The Constitutional Review Commission made a recommendation that could render a child stateless if born to a citizen mother and a foreign father; however, it was not included in the final draft.

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Details about Uganda's Batwa population can be obtained in the Burundi profile.

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Farm workers of foreign origin represent one of most vulnerable groups in Zimbabwe. One-fifth (approximately 80,000 workers and their families) of the former farm workers are descendents of migrant workers from Malawi, Mozambique and Zambia. Many were born in Zimbabwe. Most lack birth certificates or national identity cards. They have also lost ties with their country of origin and have no place to return to when evicted from the farms. Unlike other former farm workers, they cannot rely on traditional or local government leaders to gain access to land or humanitarian assistance.

Reversing a previously complex and expensive procedure that effectively disenfranchised the foreign workers, the 2004 Amendment to the Citizenship Act now grants citizenship to all people with parents from the Southern African Development Community who were born in Zimbabwe. But since many farm workers did not have the opportunity to register for birth certificates, there remain significant doubts about the administrative capacity of the government to provide national identity registration.

## LIBYA

## MAURITANIA

## RWANDA

## SENEGAL

## SWAZILAND

## UGANDA

## ZIMBABWE

REGION: THE AMERICAS

CANADA

Canadian law and policy generally recognize the importance of citizenship. However, UNHCR and partner organizations have long encountered difficulties in resolving the situation of individuals in Canada who are not recognized as nationals by any state. According to the Citizenship and Immigration Canada (CIC), 341 stateless persons made refugee or protected persons claims in 2002. A further 96 claims were made by persons whose nationality was entered as unknown. Yet statistics provided by the Immigration and Refugee Board (IRB) for the same period indicate that of the 39,498 refugee claims referred to it by CIC during that year, not a single one concerned a stateless person. The discrepancy was possibly caused by IRB's case management system, which currently does not collect data relating to statelessness. The CIC worked with the Department of Public Works and Government Services to develop a new management system, and it will be implemented over a five-year period that began in 2003. Statistics about stateless persons held in immigration detention are reportedly difficult to obtain.

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CHILE

Chilean legislation does not regulate the status of unaccompanied children, who are considered stateless.

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DOMINICAN REPUBLIC

Haiti and the Dominican Republic share the island of La Española (also called Hispanola), with about 225 miles of border between the two countries. Many factors, including political repression, poverty, and deprivation, drive Haitians out of their country. Some pay traffickers to take them to the Dominican Republic where they obtain jobs on farms, on construction sites, and in the lowest-paying service industries where they eke out sub-survival wages, living in villages with no running water and no electricity.

No one knows the exact numbers of Haitians living in the Dominican Republic, since there has been no census taken, but Human Rights Watch has estimated 'a million or so' do. According to the U.S. State Department, approximately 650,000 Haitians live in *bateyes*, clusters of concrete barracks or wooden shacks, near the sugarcane plantations without any documentation, sanitation, or health care. Because of their illegal status and darker skin complexion, many are singled out for discrimination and deportation.

Children of Haitian parents born in the Dominican Republic face difficulty proving their citizenship and thus become stateless. Even though Article 11 of the Constitution allows everyone born in Dominican Republic to be a citizen, Haitian children are denied citizenship on the basis that they are "in transit" (staying in the country for less than 15 days). In principle, undocumented children in the Dominican Republic can gain free public education. However, without proper legal papers, they cannot continue education in secondary schools. The descendants of Haitian immigrants in Dominican Republic are entitled to Haitian nationality under the Haitian Constitution which provides for citizenship by descent, however, the children have to be officially registered at the Haitian consulate. Although children are registered each year at the Haitian embassy in Santo Domingo, it is probable that a high proportion is not registered because the parents never approached the embassy due to lack of knowledge, economic resources, documentation proving their Haitian citizenship.

In 2002, the presidents of the two countries signed a joint declaration aiming at regularizing the status of nationals of each country who find themselves in the state without documentation. Although undocumented Haitians have been able to receive Haitian birth certificates, no relevant progress have been made to regularize those Haitians working and living in the country.

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MEXICO

Unlike Mexican nationals, non-citizens fight for their freedom in unfair and unequal conditions; and their right to freedom is subordinate to unclear migratory laws and policies. Irregular status in Mexico leads to discrimination.

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UNITED STATES

In accordance with the fourteenth amendment of the Constitution of the United States, all persons born in the U.S. are citizens (except persons such as diplomats accredited to the United States who are not subject to U.S. jurisdiction). Qualified non-citizens may acquire citizenship through naturalization in the U.S., after which their citizenship is protected. The U.S. recognizes the right of voluntary extradition, and in 1967 the Supreme Court ruled that citizenship can be lost only if freely and expressly renounced.

Notably, the number of United States residents of Mexican ancestry has quadrupled over the last 30 years. Those who have not retained citizenship in Mexico and have not applied for citizenship in the U.S. may be stateless individuals invisible to both nation-states because they constructed their lives in transnational circuits that looped between Mexico and the United States.

Cubans in the U.S. may not be stateless per se as there is no indication that their Cuban nationality had been withdrawn or disputed. However, given that re-entry to Cuba is not possible in many cases, the UN has suggested it is more an instance of ineffective nationality. These cases must be treated with great care. For Mariel Cubans (as well as others) who were paroled into the U.S., 'entry' to the U.S. was not possible, so the result was a 'legal lacunae.' Ineffective nationality became an issue in these cases because of the instances of indefinite detention in the U.S. that resulted.

In addition, several thousand other individuals held in U.S. immigration detention facilities are believed to be stateless.

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Under Venezuelan law, all children born in the country are entitled to Venezuelan citizenship. However, local civil registration offices often prevent undocumented Colombians from registering their new-born children, leaving them stateless.

## VENEZUELA

### REGION: ASIA

There are an estimated 270,000-290,000 Meskhetians living in the former USSR, with 80,000-100,000 in Kazakhstan, 50,000-70,000 in Russia, 40,000-60,000 in Azerbaijan, 25,000-30,000 in Kyrgyzstan, 15,000-20,000 in Uzbekistan, and 5,000-10,000 in the Ukraine. There are also estimated to be 20,000 Meskhetians in Turkey. While no one country considers deported Meskhetians to be their nationals, efforts to repatriate Meskhetians and provide citizenship in Azerbaijan and Turkey have taken root over the last decade.

## AZERBAIJAN

The Meskhetian (also Meshketian) Turks originally lived in the Meskhetian Range region (also known as the Akhalsikhe Region) in southern Republic of Georgia located along the Turkish border. Although Meskhetian Turks had been subject to repression and violence in the 19<sup>th</sup> and 20<sup>th</sup> centuries, they had no clear sense of ethnic identity or unity until the 1940's. At that time between 115,000 and 200,000 Meskhetian Turks were deported to Central Asia because the group proved resistant to Soviet assimilation and because the group lived in a strategic border with Turkey. Under Stalin's leadership in 1945, another 40,000 Meskhetians were deported from Georgia. Unlike other populations deported under Stalin's reign, the Meskhetian people were not allowed to return home in the 1950's.

In 1999, Georgia promised the Council of Europe to have the Meskhetian Turk population repatriated within twelve years as a condition of membership into the Council. Fewer than a thousand Meskhetians have been repatriated due to Georgian popular and governmental resistance. Many Meskhetian Turks cannot speak, read or write the Georgian language, presenting another major barrier to repatriation.

Turkey and Azerbaijan have allowed Meskhetian Turks to gain citizenship. Turkey opened its doors to the Meskhetian Turk population in 1990, and about 20,000 Meskhetians have immigrated since then. In Azerbaijan, UNHCR helped implement a 1998 citizenship law. Some Meskhetian men, however, do not apply for citizenship until after they turn 29 and are no longer compelled to serve in the Azerbaijan army. This delay puts them at increased risk for statelessness because Azerbaijan considers such evasion a criminal offense, and those who put it off are not granted citizenship.

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Stateless populations in Bangladesh include Bihari, Rohingya, and individuals of Indian origin.

## BANGLADESH

Bihari. The Bihari have ties with Pakistan and Bangladesh, but both countries have refused to offer full protection and citizenship to these people. For the past two decades, 250,000-300,000 Biharis have lived in 66 camps throughout Bangladesh where they have suffered discrimination, severe demographic stress, poor conditions, and lack of basic amenities.

During the East Pakistani struggle for independence in the 1970s, the Biharis sided with western Pakistanis. However, following India's military intervention, which helped in creating Bangladesh, violence between the Biharis and Bangladeshis flared. The Biharis were stripped of their properties and several thousand were jailed.

Over the decades, the Biharis have tried to draw international attention to their plight by means including street demonstrations and hunger strikes. Yet not much has been done to change their conditions, and there has been no headway toward a durable solution.

Rohingya. The Arakan State of Burma which borders Bangladesh, is inhabited by two ethnic communities, the Rakhine Buddhists and the Rohingya Muslims. The Rakhine Buddhists are the majority group and is

to the Burman in terms of religion and language, while the minority group, the Rohingya, is ethnically and religiously related to the people from the region of Chittagong in southern Bangladesh.

Around the time of World War II, communal riots erupted between the two ethnic groups and after Burma's independence in 1948, Muslims carried out an unsuccessful armed rebellion, demanding an independent state. This resulted in a backlash against the Muslims that led to their removal from civil posts, restrictions on their movement, and confiscation of their property.

Under the military regime of General Ne Win, beginning in 1962, Muslim residents of Arakan were labeled illegal immigrants. The 1974 Emergency Immigration Act took Burmese nationality from the Rohingyas, making them foreigners in their own country.

Following the takeover of the country by the military in 1988, there has been increased army presence in Arakan state, more human rights abuses, and discrimination. Individuals need authorization to travel outside of their villages, their land is confiscated by the government for use by Buddhist settlers, their mosques are destroyed by the military and they are routinely subjected to forced labor.

The Rohingya escaped to Bangladesh in large numbers, with the biggest influx in 1991-1992, when about 250,000 crossed the border. Although many of these refugees have since then been repatriated to Burma, there are still just under 20,000 refugees living in two camps in southern Bangladesh. The refugees are completely dependent on UN and aid agencies for food. At first, the Bangladesh government welcomed the Rohingyas and made efforts to accommodate them. Since 1995, new arrivals have been denied camp access. There are an estimated 100,000-200,000 Rohingya living illegally outside without access to protection or humanitarian assistance.

The Government of Bangladesh, in order to improve relations and economic ties with Burma, declared that the remaining Rohingya refugees in the camps should be repatriated. Those who are forcibly returned or *refouled* often have no choice but to re-enter Bangladesh.

Indian Enclaves. Nearly 200,000 people living in Indian enclaves along the Bangladeshi border have no voting rights because of a dispute between the two countries over carrying out a census there. Many residents feel they are stateless and belong to neither country. They say they risk their lives if they try to cross over into India, and are often harassed by the security forces of both countries.

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## BRUNEI

There are a number of stateless persons, mostly ethnic Chinese, who are not automatically given citizenship and its attendant rights, including the right to own land. Stateless persons and permanent residents are entitled to free education at government schools, but they are not entitled to subsidized medical care. One reform to the nationality law allows some older stateless persons over age 50 to acquire citizenship by passing an oral, rather than a written, nationality test.

Also, under the Brunei Nationality Act, citizenship is transmitted through males only. Female citizens who are married to foreigners or bear children by foreign fathers cannot transmit citizenship to their children, even when such children are born in the country. This has resulted in the creation of a large population of stateless children, estimated at some 5,000. In October 2002, a reformed nationality law was passed that now allows women to pass their nationality to their children.

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## BURMA

There are at least three groups of stateless persons in Burma, the Rohingya (see also Bangladesh and Malaysia), people of Indian origin, and children of Burmese parents born in Thailand.

Rohingya. Rohingya Muslims are denied citizenship rights by the Citizenship Act of 1982, and subject to forced labor, relocation, rape, and plunder by the military. After UNHCR intervened in the 1990's, they were issued temporary registration cards that state the cards themselves are not evidence of citizenship.

As a direct consequence of their lack of legal status, the Rohingyas are deprived of freedom of movement. Traveling outside villages requires several passes, which they have to pay for and generally cannot afford. Lack of movement denies access to health facilities, higher education, employment opportunities, and markets. Added to forced labor, land confiscation, rape and other abuses, the Rohingyas' statelessness creates intolerable and dehumanizing conditions that lead to forced migrations.

Indian Origin. There are thousands of persons of Indian origin (PIOs) who have been living over four generations and yet do not belong either to India or Burma. The last official

census in Burma was held in 1983, and the results published in 1986. At that time, there were approximately 428,000 persons of Indian origin in Burma. The current population is estimated to be about 600,000. However, according to a report commissioned by the Indian government, there could be 2.5 million PIOs living in Burma. It is estimated that only about 2,000 of such persons hold Indian passports. In other words, an essentially unknown number of people (between 500,000-2,500,000) are stateless, possessing no citizenship documents.

Though they have been living in the country for more than four generations, speak Burmese fluently, and have adopted local customs, they are still not Burma's citizens due to lack of documents required by the Burmese citizenship law of 1982. They cannot travel outside the country and face low economic status.

In addition, the Burmese government refuses to give citizenship to the children of Burmese parents born in Thailand. The reasons for refusing Burmese citizenship are: 1) the children do not have birth certificates; 2) the parents left Burma illegally; and/or 3) the parents themselves were never provided with proper citizenship papers. Neither recognized by the Burmese government nor wanted by the Thai government, many of the children are stateless and live their lives in limbo.

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Several groups of people are affected by statelessness in Cambodia. For example, a law defining Khmer nationals as people whose parents are Khmer nationals, makes it difficult for persons belonging to minority groups, in particular ethnic Vietnamese and indigenous people, to establish their citizenship.

A problem also arises among victims of trafficking. Believed to number in the thousands, some 80 percent of people trafficked in Cambodia are Vietnamese women and girls. One report noted the role of statelessness in trafficking in which a 15-year old Vietnamese girl was sold into prostitution in Cambodia, then passed to Hong Kong and Macau, where she saved money and returned to Cambodia to pursue her case in court. When the alleged trafficker was acquitted, the girl fled back to Vietnam, but the situation got more complicated yet. Her father never registered her at birth, so she is stateless and the Vietnamese government does not recognize her.

Small numbers of Amerasians in Cambodia also face statelessness. According to a bill presented in the U.S. House of Representatives in 2003, Amerasians born in five Asian countries, including Cambodia, between December 21, 1950 and October 22, 1982, can be eligible for American citizenship under the Amerasian Immigration Act of 1982. The bill has been referred to the Subcommittee on Immigration, Border Security, and Claims. It is expected to be reintroduced to the House in the upcoming session.

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Anecdotal evidence suggests that trafficking of North Korean women is widespread and appears to pervade villages in Jilin province. In one village, a North Korean woman said she knows of fifteen other North Korean women living nearby with their Chinese husbands. Out of these fifteen, seven or eight of them were trafficked. Most of them now have children with their Chinese husbands. Since the Chinese Government will not give legal residency to the North Korean wives of Chinese men, this has engendered another social problem: lack of legal rights for their children. Thus a growing number of children in Jilin province are stateless and have no access to formal education.

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There is little contemporary information about the situation of children of Indochinese refugees in Hong Kong. The original refugees entered Hong Kong after the 1979 China-Vietnam war, when Vietnam expelled thousands of ethnic Chinese. Many of them ultimately migrated to Hong Kong. Under Hong Kong law at the time, if a migrant settled in China before coming to Hong Kong they were regarded as an illegal immigrant and would be repatriated to China. China, meanwhile, refused to accept many of these migrants because they were viewed as Vietnamese or Republic of China nationals, although Taiwan and Vietnam refused to recognize these migrants as nationals.

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Tens of thousands of people, including Chakmas, Hajongs, Kashmiris, and Punjabis are deprived of the right of nationality. In addition, a recent amendment to India's nationality law in 2003 means that children born to an Indian parent in India with one foreign "illegal" parent will not receive citizenship, increasing the risk of statelessness as they might not receive anything else either.

Chakmas and Hajongs. About 30,000 Chakmas and Hajongs from the Chittagong Hill Tracts of then East Pakistan (now Bangladesh) migrated to India and were settled in Arunachal Pradesh. Children of these

## CAMBODIA

## CHINA

## HONG KONG

## INDIA/ PAKISTAN

migrants have not been granted the right to nationality. Now numbering some 65,000, many Chakmas have the right to citizenship and to vote, but the government has systematically denied them access to social, economic, and political rights to which they are entitled.

Kashmiris and Punjabis. The area of Kashmir has been at the center of a territorial dispute between India and Pakistan since the two nations gained their independence in 1947. Under the partition plan provided by the Indian Independence Act of 1947, Kashmir was free to accede to India or Pakistan. The Maharaja, Hari Singh, wanted to stay independent but eventually decided to accede to India, signing over key powers to the Indian Government, in return for military aid. In addition to the rival claims of Delhi and Islamabad to the territory, there has been a growing and often violent separatist movement against Indian rule in Kashmir since 1989.

There are approximately 1.5 million displaced Kashmiris. Under Indian law, Kashmiris are entitled to the same rights as citizens. Some 20,000 Hindu families from Pakistan who went to the Indian side after the partition riots are still stateless. India has reportedly amended its Citizenship Act of 1955 and Citizen Rule of 1965 authorizing the district magistrate of Jaisalmer to grant Indian citizenship to Pakistanis who have been living in the border district for the last five years. These individuals may acquire citizenship soon. Kashmiri Pandits represented approximately 12 percent of the population in the Valley in 1947. Since 1989, at the beginning of the more recent 15-year conflict, about 300,000 families have been forced out. In addition, over a hundred thousand Punjabi refugees fled to Jammu and Kashmir from neighboring Sialkot district of Punjab province (now in Pakistan) in 1947 during the partition. Until now, they have not been granted citizenship. The descendents of these stateless people continue to be denied the right to nationality.

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Several stateless populations are recognized in Indonesia, including Afghans, Chinese, and East Timorese.

Afghans. In 2001, many people fled the fighting in Afghanistan, including a number that fled by boat. When the Australian Navy found vessels carrying Afghans, they were deported to Indonesia because Indonesia was often the last stop before Australia. Indonesian authorities permitted asylum seekers to remain until UNHCR processed their claims. The asylum seekers were sometimes detained in refugee camps or 'quarantined' in other places. Many Afghans simply walked out of the camps and integrated themselves into Indonesian society. There is little information about their location, situation, or numbers.

Chinese. In 1958, the People's Republic of China claimed that every Chinese person in the world was a Chinese citizen. The Indonesian government responded by giving individuals of Chinese descent the option of choosing their citizenship. Chinese ships were supposed to carry back those opting for Chinese citizenship, but the ships came only once and many were left with no citizenship at all.

In 1965, relations with Beijing were frozen and the communist party, with which many Chinese in Indonesia were affiliated, was blamed for an attempted coup in Indonesia. The Indonesian government then issued many citizenship-related regulations. It became very difficult for those of Chinese descent to obtain legal documents, including ID cards which are necessary for legal marriage. Furthermore, children born out of official wedlock were not recognized by the state.

Suharto saw the ethnic Chinese as having a place in Indonesia's development because he could use them without worrying that they would become a political threat because they are a minority group. The elite ethnic Chinese became wealthier during the deregulation of the 1980's. However, many ethnic Chinese were still stateless, without ID cards or citizenship certificates unless they were obtained through bribes. To correct this, Beijing announced in 1992 that it would issue passports by January 1993 for stateless Chinese. The citizenship document requirement was abolished in 1996, but authorities still require the documents from ethnic Chinese in some instances, where ethnic Indonesians only need birth certificates. In 1999, the Indonesian economy collapsed, and Chinese communities throughout the country, especially in Jakarta, were attacked. Hundreds of people were killed, ethnic Chinese women were systematically raped, and thousands fled the country.

By 2000, Jakarta stated that out of the 208,820 registered stateless ethnic Chinese, 140,000 would receive Indonesian citizenship by the year's end. However, the stateless ethnic Chinese had to apply, and of those who did, over 8,000 were denied. Discriminatory measures still affect both the stateless and citizen ethnic Chinese living in Indonesia; they are targets for extortion, and imprisonment is often a penalty if identity cards are not produced to police during raids.

It is possible for ethnic Chinese to obtain identity cards, but only if they pay about Rp 25,000 (\$2.80) and have a Citizenship Certificate (also difficult to obtain). There are more than 12 bureaucratic institutions

## INDONESIA

involved in the process of issuing citizenship certificates and many seeking the certificates simply give up because of the process's complexity. Without citizenship certificates, it can be difficult or impossible to obtain business licenses, credit applications and university applications.

East Timorese. After 450 years of rule by the Portuguese and a brief period of independence, East Timor was annexed by Indonesia at the end of 1975, resulting in a heavy Indonesian military presence in the region. This recent period has been characterized by conflict, forced resettlement, and human rights violations.

The United Nations responded to the crisis in East Timor. The United Nations Transitional Administration for East Timor (UNTAET) took up the administration of East Timor, including humanitarian assistance and emergency rehabilitation. Meanwhile, the Government of the Republic of Indonesia and UNHCR worked together to facilitate durable solutions for the estimated 250,000 East Timorese refugees living in West Timor and other parts of Indonesia. Camps were established in several areas near the border in Indonesia, the largest of which were in Atambua and Kupang. Widespread malnutrition and disease, especially among children, were reported in the camps. The population also suffered from high rates of domestic violence and rape.

After East Timor gained independence in May 2002, an estimated 220,000 East Timor refugees returned home. And in December 2002, the declaration of the cessation of refugee status for East Timorese refugees living in Indonesia resulted in a further trickle of returns. The estimated 28,000 East Timorese who remained in Indonesia (mostly former militia, military, police, government officials and their families) after this declaration are no longer officially considered refugees.

In September and October 2003, the Indonesian Directorate for Population Registration (Ministry of Home Affairs) conducted a registration of all East Timorese residing in Indonesia. One of the main objectives of this registration was to reconfirm the Indonesian citizenship of those East Timorese who opted to remain in Indonesia as Indonesian citizens. East Timorese could also opt for Timor-Leste citizenship and stay in Indonesia as aliens with a valid resident permit. The vast majority of those who registered opted for Indonesian citizenship. A minority chose not to be Indonesian citizens, but, in the absence of bilateral arrangements between Indonesia and Timor-Leste, the latter individuals were unable to apply for Timor-Leste citizenship, thus left in limbo in terms of citizenship. If not rapidly resolved, this problem could lead to a potential situation of *de facto* statelessness. UNHCR is supporting a project implemented by the Indonesian and Timor-Leste authorities who have agreed to verify all the cases of those East Timorese currently in Indonesia who opted not to Indonesian citizens.

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Koreans living in Japan today are descended from a population that entered the country during its 1910 to 1945 colonial rule. Many of these Koreans were brought over to work in mines, factories, and other jobs. Japanese colonists kidnapped women and girls to become "comfort women," or sex slaves. During this time, there were about 2.3 million Koreans living and working in Japan as citizens. However, after World War II the Japanese government stripped Koreans of their Japanese citizenship and repatriated them to Korea. In 1952, the Korean population was declared to be resident aliens, but nationality laws perpetuating *jus sanguinis* prevented Koreans from fully integrating into Japanese society. Even Koreans born in Japan did not qualify for Japanese citizenship. To become a Japanese citizen, Koreans often had to give up their Korean names and, in effect, their Korean identities. As a result of these government policies, only 30 percent of the Korean population has been naturalized in the past forty years.

In the late 1970's the Japanese government enacted reforms that made the legal status of Korean residents more secure and gave them social welfare benefits such as social security and health insurance based on the rights and obligations the Koreans filled as tax-paying citizens. In 1984, children from inter-marriages between Japanese and Koreans could obtain Japanese citizenship through either their father or mother. In 1991, all former colonial subjects and descendants were given more options to become Japanese Nationals with more rights than other foreigners living in Japan. In 1995, the Japanese Supreme Court ruled that local and regional governments could allow Korean permanent residents to vote. So far, 15 percent of the governments have done so.

Although the standing of Koreans in Japan has improved greatly since the Second World War, Koreans still do not receive the full benefits that Japanese citizens enjoy. Korean children attending Japanese schools are often taunted and those attending Korean schools must take the same university entrance exams as drop-outs because the education in Korean schools, although often identical to that received in Japanese schools, is not recognized by the Japanese Ministry of Education. Furthermore, if a Korean is not a

## JAPAN



Japanese national, they cannot serve in most levels of the civil service and cannot vote where the 1995 Supreme Court decision is not implemented.

In 2000, Tokyo put into effect programs to protect the welfare of stateless children, whose births their mothers refused to register for fear of forcible repatriation. According to Justice Ministry statistics, 720 stateless minors under the age of five were in the country in 2000.

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## KAZAKHSTAN

Kazakhs were forced to flee political turmoil and repression, forced collectivization, and a hunger crisis in the 1920s and 1930s. During this period, the population dropped from 3.63 million to 2.31 million. Many Kazakhs did not return to their homeland until it received independence from Soviet rule in 1991. At this point, Kazakhstan initiated a program of "Kazakhization" to improve the percentage of ethnic Kazakhs and to offset the large-scale emigration of ethnic Russians and Germans. Ethnic Kazakhs were promoted in the government bureaucracy, educated in their language, and invited to return home. They are referred to by the government as oralman.

While many ethnic Kazakhs did return home, only about half received Kazakh citizenship by 2002, and the rest remain stateless. This occurred because the government implemented a quota system that limited the number of ethnic Kazakhs allowed to repatriate each year. The unregistered families are at risk for employer abuse, arrest, poverty, poor education and social exclusion.

It is believed that the plight of the stateless oralman is improving. In 2002, UNHCR reported 100,000 stateless ethnic Kazakhs at the beginning of the year with 35,000 new arrivals and a decrease of 51,800 stateless oralman. By the beginning of 2003, UNHCR reported only 83,200 stateless ethnic Kazakhs, a number that decreased by 78 percent by the year's end, when the group numbered 18,594.

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## KOREA, REPUBLIC OF

The Republic of Korea faces several issues related to citizenship.

There are approximately 20,000 ethnic Chinese in Korea. They cannot obtain citizenship or become public servants, and may have difficulty being hired by some major corporations. Due to legal, as well as societal discrimination, many ethnic Chinese have emigrated from Korea to other countries since the 1970's.

In June 1998, the Government passed legislation to allow a female citizen to transmit citizenship to her child regardless of the citizenship of the child's father. Amerasians face no legal discrimination but informal discrimination is prevalent, making it more difficult for them to succeed in academia, business, or government. A bill to grant automatic American citizenship to some Amerasians was presented to the U.S. House of Representatives in 2003. According to the bill, Amerasians, who were born in five Asian countries, including South Korea, will be eligible for automatic American citizenship under the Amerasian

Immigration Act of 1982 (applies only to those who were born in these five countries between December 31, 1950, and October 22, 1982). The bill clearly stipulates that Amerasians are also American citizens, so they are entitled to have all the rights, privileges and responsibilities as such. It has been referred to the Subcommittee on Immigration, Border Security, and Claims. It is expected to be reintroduced to the Congress in the upcoming session.

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## KYRGYZSTAN

Ethnic Kyrgyz fled Tajikistan during the five-year civil war that erupted following the country's independence from the Soviet Union in 1991. Between 6,000 and 7,000 have since repatriated, and some 4,000 have been naturalized. More recently, others have been naturalized (89 men and women – the actual number of people who obtained Kyrgyzstan nationality was much higher as children obtain citizenship through their parents. Thus, the total of newly naturalized individuals may be several hundred persons) leaving some 6,000. The naturalization of Tajik refugees in Kyrgyzstan is the first time any country in the region has offered citizenship to significant numbers in response to a refugee influx.

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## LAOS

As is true in many countries in the region, children born to one national parent and an American in Laos do not enjoy the rights provided for by the constitution. To help change this, a bill was introduced into the U.S. House of Representatives in 2003, under which Amerasians in five countries including Laos will be eligible for automatic American citizenship under the Amerasian Immigration Act of 1982 December 31, 1950, and October 22, 1982. The bill has been referred to the Subcommittee on Immigration, Border Security, and Claims. It is expected to be reintroduced to the Congress in the upcoming session.

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Rohingya and Acehese are two of the groups facing statelessness in Malaysia.

## MALAYSIA

Rohingya. Approximately 10,000 to 15,000 Rohingya who fled to Malaysia because of persecution by the Burmese military are stateless and at risk for deportation, bribes, and abuse. Upon entering Malaysia, the Burmese Rohingya find themselves in a no less precarious situation.

In 1999, an estimated 1,473 Rohingya applied for refugee status in Malaysia. Only 43 were granted this status and are thus eligible for resettlement in a third country. External monitors, such as the UNHCR, are not allowed inside the camps to monitor conditions. Former detainees report difficult conditions within the camps, a lack of food, poor sanitation facilities, and prisoner abuse.

If the Rohingya manage to avoid arrest, detention, and deportation, they are still at risk within Malaysia. Although Malaysia's constitution provides citizenship to children born on its territory who would otherwise be stateless, it does not extend this provision to Rohingya children. Because they do not have permission to live legally in Malaysia, their children cannot attend school, families are at risk of arrest and detention, and the population is impoverished. Jobs available to them are low-wage, and they put themselves at increased risk for arrest and deportation by working.

In November 2004, the Malaysian government decided to grant temporary stay permits to the Rohingya.

Acehnese. Acehnese arrive in Malaysia each year seeking refuge from an ongoing secession battle in their home province. The government chooses to view any incoming refugees or asylum seekers as illegal immigrants, places them in detention camps, and eventually deports them. The Acehnese, because they are involved in a secession movement from Indonesia, believe that they are stateless.

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Individuals from Tibet and Bhutan are stateless in Nepal.

## NEPAL

Tibetans. An estimated 20,000 Tibetan refugees are in Nepal, many of whom live in Kathmandu and surrounding areas, have no defined legal status, and are generally divided into two classes: (1) residents who entered Nepal before 1989 and their children, and (2) new arrivals with no right to remain in Nepal. Tibetans cannot travel to certain restricted regions of Nepal, typically those near the border with China. Nonetheless, an estimated 3,000 refugees travel back to Tibet each year.

While Nepal's Citizenship Act makes many Tibetan residents theoretically eligible for citizenship, the government does not view citizenship as a viable option for Tibetans. Candidates for citizenship must also demonstrate that they have made or can make a substantial contribution to science, philosophy, art, literature, and world peace. Other officials argue Tibetans never relinquished their prior citizenship.

Bhutanese. Over 100,000 individuals of ethnic Nepali origin were stripped of their citizenship and forcibly expelled from Bhutan in the early 1990s, and their right to return has been systematically obstructed by the Bhutanese government. They are also refused citizenship in Nepal.

The stateless Bhutanese in Nepal are predominantly Hindus from southern Bhutan, ethnically and culturally distinct from the majority ethnic group and ruling elite, the Buddhist Ngalongs from northern Bhutan. Most of the individuals sought safety in Nepal where they now live in camps administered by UNHCR. After many rounds of joint ministerial talks between Nepal and Bhutan, the refugees are no closer to returning to their homes in Bhutan. Bhutanese in Nepal are currently under consideration for the U.S. resettlement program.

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Pakistan has challenges of statelessness related to Kashmiris (see India/Pakistan) and Afghans. The UNHCR estimates that at one point there were about 1.1 million Afghan refugees in the 200 camps in Pakistan. The number of Afghan children born in Pakistan since the crisis began a quarter a century ago many number in the millions. UNHCR initiated a program to issue birth certificates to newborn Afghans in the North West Frontier Province. It is uncertain whether the UNHCR will have the resources to extend the program to the older camps or to cover any child born before 2003. Issuing birth certificates to Afghan children born outside the camps in Pakistan would be even more difficult. The government of Pakistan and the UNHCR have recently agreed to undertake a census of all Afghan citizens living in Pakistan.

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## PAKISTAN

## PHILIPPINES

At the end of the Vietnam War, 1.5 million people fled the country. Many of them set out in the South China Sea on rickety boats to avoid political persecution in their home country and reached neighboring countries in the region, including the Philippines. To slow the massive movements, 74 countries signed the UNHCR-sponsored Comprehensive Plan of Action. Vietnamese boat people had been granted automatic refugee status, but under the 1989 agreement they would be required to go through status evaluations. The screening process was slow and corrupt, leaving thousands stateless in the Philippines.

In 1996, UNHCR withdrew its support and resources. As many still fear persecution in Vietnam and no repatriation program currently exists, it is difficult for the Vietnamese to return. Without permanent residency status in the Philippines refugees are not permitted to travel, own property, or to work, and they do not have access to social and health resources. In 2004, the United States agreed to consider the permanent resettlement for most of the 1,855 stateless Vietnamese in the Philippines. The U.S. has said there will be an interview process for the nearly 700 families.

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## SRI LANKA

Stateless groups in Sri Lanka include Estate Tamils and some individuals of Chinese heritage.

Estate Tamils. British colonialists brought Estate Tamils, now about 5.5 percent of the population, from India in the 19<sup>th</sup> century to work on the tea and rubber plantations. When the former colony gained independence in 1947 and passed the 1948 Ceylon Citizenship Act, Estate Tamils in Sri Lanka were denied nationality and stripped of all civil rights. From 1954 various agreements were concluded between the two countries. Under these agreements 506,000 persons applied for Indian citizenship and 470,000 persons applied for Ceylon citizenship. Ceylon citizenship was granted in the proportion of 4 to 7, linked to repatriation. Out of the persons that applied for Indian citizenship about 330,000 had been repatriated by 1983, while the remainder expressed their interest to stay in Sri Lanka. In 1988, under pressure from civil strife in the north, Sri Lanka enacted legislation granting citizenship to all Up Country Tamils. Although problems persisted for those whose parents or grandparents may have applied for Indian citizenship under former agreements with India, but who never repatriated to India. Officially included on an application for Indian citizenship, they were not entitled to Sri Lankan citizenship despite being born on the island. Reports of discrimination and hostility in India against the repatriated Estate Tamils led to a stalemate of the process.

In October 2003, a bill was unanimously passed by the Sri Lankan parliament, and in December of the same year, a registration campaign was undertaken by the government of Sri Lanka and UNHCR. The bill provides for the granting of citizenship to all persons of Indian origin who had lived in Sri Lanka since October 30, 1964, and their descendants. So far citizenship was granted to approximately 190,000 heads of households. The total number of stateless persons was anticipated to be 300,000, but it is now estimated that the real number may be almost 700,000 persons.

Chinese. Sri Lanka also has Chinese Sri Lankans who left China in the 1930's to get away from the hardships and avoid prosecution from the civil conflict in that country. The population was largely ignored due to their small number at the time (estimated to be around 300).

None were granted citizenship because Sri Lanka's citizenship laws state that a grandparent has to be born in Sri Lanka in order to be a citizen. They currently have travel Identity Certificates (IC) which are generally accepted by most countries (though not all), but these have limited use as they have to be renewed every two years and only for a maximum period of four years. Multiple entry visas are all but impossible.

Chinese individuals in Sri Lanka do not have the right to buy land (without a 100 percent tax and then only on a 99-year lease), some have intermarried with Sri Lankans, some have gone to other countries whenever possible, and others remain stateless. The last attempt by the Chinese society in Sri Lanka to submit a petition to the government asking to be made citizens was refused.

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## THAILAND

In Thailand, hill tribes, children of Burmese refugees, and Amerasians may lack nationality.

Thailand's hill tribe people, who include members of the Akha, Lanu, Lisu, Yao, Hmong, and Karen ethnic communities, number around two million. Despite being born in Thailand, almost half of them lack Thai citizenship, and are unable to vote, buy land, seek legal employment, or travel freely. Since an influx of refugees and migrants into Thailand in the 1980s, the Thais have denied hill tribe people citizenship.

In 2001, the Thai Cabinet granted temporary residency rights for one year to those who had previously taken part in government survey and others lacking identification. To secure citizenship they had to show that

they, and at least one of their parents, had been born in Thailand. This had been difficult for those born in remote mountain areas.

The government extended the deadline to 2003. Following expiry of the most recent filing deadline, many Hill Tribe people, considered illegal migrants and/or stateless, have lived under threat of expulsion, and been denied access to many economic and social benefits. In December 2004, the Thai Government admitted that up to 2 to 2.5 million people live in Thailand without citizenship. An inter-ministerial taskforce was created to propose solutions for acquisition of Thai nationality and systematic birth registration.

In addition, families fleeing arbitrary arrest, forced labor, rape, and killing by the Burmese military arrive at the border of Thailand with hopes of leading a life free of human rights abuses, but they are prohibited from gaining refugee status due to Thailand's narrow definition of refugee. Only an estimated 150,000 refugees have been allowed to register to live in refugee camps, leaving more than two million others to live illegally both inside, but primarily outside, the refugee camps.

There are no accurate estimates of stateless children in Thailand. Because Thai law does not recognize the children as citizens, they are subject to hazardous or exploitive labor conditions, sexual and other abuse, denial of education and healthcare, and other violations of their basic human rights. As grim as the current situation for children is, the future looks even worse.

The Thai Ministry of Education is expected to issue the Regulation on Evidence of a Child's Birth for School Admission in honor of Article 29 of the Convention of the Rights of the Child, but not all of the children receive this document. When children can attend Thai schools, they are unable to attain an official degree or certificate to pursue further education or to find a job.

Amerasians in Thailand may also face statelessness. A bill to grant automatic American citizenship to some Amerasians was presented to the U.S. House of Representatives in 2003. According to the bill, Amerasians, who were born in five Asian countries, including Thailand, will be eligible for automatic American citizenship under the Amerasian Immigration Act of 1982. The bill clearly stipulates that Amerasians are also American citizens, so they are entitled to have all the rights, privileges and responsibilities as such. It has been referred to the Subcommittee on Immigration. The bill is expected to be reintroduced.

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More than 12,000 of the approximately 14,000 Tajik individuals in Turkmenistan are of Turkmen ethnicity and arrived between 1992 and 1997 during the civil war. Most of them have been able to obtain land and to build or buy houses. Their children attend, and graduate from, Turkmen schools. The problem these individuals face today is their lack of nationality and problems with respect to freedom of movement, registration of marriages and new births, access to employment and higher education. The UNHCR office in Ashgabat has been advocating for the naturalization of Tajiks of Turkmen origin who qualify for nationality under the criteria established in Article 18 of the 1992 Turkmen Nationality law.

Approximately 1,200 Afghan refugees who fled their country during the Soviet occupation, but are of Turkmen ethnicity, also reside in the country. These people resettled from Iran to Turkmenistan in 1994. Most of them were issued residence permits as stateless persons in 1999, and live in rural areas.

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In 1991, Uzbekistan hosted an estimated 38,000 refugees. Relations between Tajikistan and Uzbekistan were strained following the deportation of Uzbeks by Tajikistan, and Uzbekistan's retaliatory deportation of 56 people. Of this number, 39 people were stranded at the border. UNHCR has insisted these people were not refugees but Uzbeks with Tajik passports who have left Tajikistan. It has been reported that Uzbek authorities have granted 10,000 Tajiks citizenship in Uzbekistan.

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One situation of statelessness in Vietnam relates to Amerasians. The Fourteenth Amendment to the U.S. Constitution makes the United States a *jus soli* jurisdiction. Thus while everyone born in the U.S. is an American citizen, not everyone born to citizen parents abroad can claim the same status. As a result, children who are born of an American parent abroad in the territories of *jus sanguinis* countries, where citizenship is conferred through descent, face a possible risk of having no country recognize them as citizens. A bill to grant automatic American citizenship to some Amerasians was presented to the U.S. House of Representatives 2003. According to the bill, Amerasians will be eligible for automatic American citizenship under the Amerasian Immigration Act of 1982. It was referred to the Subcommittee on Immigration, Border Security, and Claims and is expected to be reintroduced in the House in the upcoming session.

## TURKMENISTAN

## UZBEKISTAN

## VIETNAM

REGION: EUROPE

Among the numerous stateless populations of Europe is a portion of the region's eight million Roma. Since they first entered Europe from the east some 500 years ago, the Roma have been persecuted. In the last century, Nazis tried to exterminate the group because they were deemed unfit, and some 500,000 were killed. During the Cold War, communist governments tried to abolish the Roma identity by employing methods such as forced sterilization. More recently, it was the breakup of Yugoslavia that exacerbated the loss of Roma rights. Individuals were forcibly evicted from settlements and placed in concentration camps. Many Roma who fled to other countries became de facto stateless during this period and have since been forced back to the republics they left years ago. In short, Roma, especially those who are stateless, remain marginalized. They lack the health care, social services, an education system, and housing that nationals have. Many are unable to exercise a full range of economic and political rights, like voting, as a result of their statelessness or 'national minority' status in many states. The EU Parliament has its first Roma deputy.

The majority of Europe's 200,000 Palestinians are stateless holders of refugee travel documents. There is no clear legal analysis on the status of stateless Palestinians in Europe who are not refugees. They have difficulty applying for political asylum and residence based on family reunification. Many remain without recognized legal status, work permits, and other basic essentials to live in freedom and dignity. Stateless Palestinians denied rights under the 1961 Statelessness Convention are unable to obtain travel documents, asylum or residence processing, and employment authorization. The situation of Roma and Europe's other stateless populations are outlined below.

ALBANIA

The Greek minority and Roma lack citizenship in Albania.

Greek Minority. The Greek minority in Albania is estimated to be 280,000, and most of them live in a southern region called Northern Epiros by most Greeks, referring to the historical state of Epiros which was divided between Albania and Greece in 1913. Greeks were harshly affected by the communist regime's attempts to homogenize the population through restrictions on the religious, cultural, educational, and linguistic rights of minorities. These individuals continue to face human rights violations, and some face restrictions on travel to their homeland and on their attempts to restore the cultural traditions.

The personal safety of ethnic Greeks in Albania has been at risk due to direct intimidation by security forces and the burning of schools, churches and businesses by lawless bands that the police allow to operate with impunity. The Albanian government has removed ethnic Greeks from appointed positions of power. The Greek government has given Greeks living in Albania the chance to cross the border and have a better life but they have been reluctant to leave. It has been reported that some 300,000 ethnic Greeks from Albania will soon be granted the right to Greek citizenship.

Roma. Albania has a widely estimated population of between 1,300 and 120,000 Roma. An unknown number of them are stateless. These individuals face discrimination in the job market, education system, political system, and in accessing social services. They also face a great deal of discrimination by police. Roma settlements lack basic infrastructure and public services.

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ARMENIA

More than 60,000 of the 240,000 individuals who fled the Nagorno-Karabakh conflict have opted for Armenian citizenship.

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BELARUS

The U.S. Committee for Refugees estimates that about 16,000 stateless persons of former Soviet origin live in Belarus in refugee-like circumstances. In addition, between 10,000 and 15,000 Roma live in Belarus. It is unknown how many of these individuals are stateless.

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BELGIUM

There are an estimated 20,000 Roma in Belgium, and 3,000 of these have no permanent status. Many of the Roma residing in Belgium retain the nationality of their country of origin (although due to the shifting political territory in the Balkan region, many states of origin no longer exist, thus many Roma are de facto stateless). Many Roma in Belgium live in caravan sites or in houses and apartments leaving them vulnerable to poverty, poor nutrition, and poor health. Only a few of the Roma in Belgium have the legal documents required to stay in the country or work outside the informal labor market. Lack of documents has also led to mass expulsions and other difficulties. The lack of formal education also leaves the group vulnerable.

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BOSNIA and HERZEGOVINA

Citizens of the former Yugoslavia held two citizenships: one federal and one from their respective republic. The Law on Citizenship of the Republic of Bosnia and Herzegovina recognizes citizenship for individuals who acquired it under prior provisions. This provision also conferred citizenship on people who had no intention of becoming Bosnian citizens, or remaining in Bosnia, but who were forced to remain there due to the conflict.

The 40,000 to 50,000 Roma in Bosnia and Herzegovina are exposed to abuses of civil, political, economic and social rights. An unknown number of them are stateless. Individuals who lack personal documents cannot vote and are denied crucial services. Schooling, public housing, health care, and social support services are not accessible to many Roma. Furthermore, pre-war properties that once belonged to Roma have not been given back to them, and instead Roma are forced to live in precarious situations like informal settlements with substandard conditions. Roma also experience violence by both state and non-state actors. Police target Roma through ethnic profiling.

In 2003 the *Law on the Protection of the Rights of the Members of National Minorities* was passed by the Parliamentary Assembly. The law officially recognizes Roma as a minority group and has thus changed the legal situation. It bans discrimination and allows the public use of Romanes, the Roma language.

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Some 250,000 to 300,000 Roma reside in the Czech Republic, an unknown number of who are stateless. A 1992 Czech Republic citizenship law led to statelessness for some residents in the Czech Republic, especially Roma considered Slovaks. Many of those affected by this law previously held Czechoslovakian citizenship and thousands were impacted by this legislation. While Slovakia decided that all former Czechoslovakian citizens could receive Slovak citizenship if they desired, regardless of where they had been living on the day of the split, the Czech Republic deemed that all those with Czech state citizenship from the former Czechoslovakia automatically received Czech national citizenship, but those with Slovak state citizenship, even if they had been living in the Czech Republic, had to apply for Czech national citizenship through naturalization, including a series of stringent requirements.

This law greatly affected Roma because approximately 95 percent of the Czech Republic's Roma population had moved to the Czech Republic from Slovakia after World War II. Few had changed their citizenship in the intervening years and were thus considered Slovak citizens under the new law. This also affected children, as they too were considered Slovak citizens, even if they were born in Czech Republic territory.

Many Roma were unable to meet the citizenship requirements dictated by the law. These included five years with a clean criminal record and proof of permanent residency. In some instances, Roma who met all of the law's requirements were denied citizenship by local officials. Because many of the Roma who needed to apply for Czech citizenship had lived in the territory for large portions of their lives, if not all of their lives, they did not understand why applying for citizenship was necessary. Furthermore, there were financial barriers to obtaining citizenship. To obtain proof of Slovak citizenship, an applicant had to pay about US\$120 for its release and then apply for Czech citizenship, which cost approximately US\$180.

The law also stated that all children under fifteen years old were included on the applications of their parents and that both parents had to agree that the child apply for citizenship. Hundreds of children reside in the Czech Republic's orphanages, the majority of whom are Roma of Slovak origin. This law left such children stateless.

In 1999, the Czech Republic amended its citizenship law to allow Roma who were permanent residents in the Czech Republic at the time of the country's division to become citizens. The Republic agreed to permit dual citizenship for some of their nationals.

The Committee on the Rights of the Child (2003) expressed concern that the rights of Roma, stateless, and immigrant children to access education and health were vague, which could result in discrimination and violence toward these groups. The Committee also noted concern that the number of children in institutes was growing and that a high number of them were stateless and disabled.

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In Croatia, it is estimated that about 7,000 of the between 60,000 to 100,000 Roma are registered. Excessive delays in the processing of citizenship, in particular that of ethnic Serbs, have resulted in the loss of social and educational benefits.

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When Estonia gained independence, an estimated third of the people living in its territory were Russian-speaking minorities from other Soviet republics. The status and future of these people within the EU is uncertain, they have no citizenship whatsoever, and are considered "aliens with undetermined citizenship" by the authorities. Thus, it is difficult for these people to get jobs, travel abroad, and most significantly, obtain an Estonian passport.

Unfortunately, these people do not qualify for citizenship because of a lack of blood ties to Estonia. To date, tens of thousands have adopted foreign, mainly Russian, citizenships but thousands remain stateless.

## CZECH REPUBLIC

## CROATIA

## ESTONIA

Many of these people feel betrayed because they voted for a referendum to break away from the Soviet Union.

Life is more difficult for these people when they travel outside the country. They are unable to seek political asylum even when they are persecuted because no country can attest to their citizenship or accept them as citizens, thus the prospect for genuine adjudication is bleak.

On May 1, 2004, Estonia entered the European Union making its 1.1 million people European citizens overnight. Nonetheless, 162,000 people, or 12 percent of the Baltic country's population, remain stateless.

**GERMANY**

There are several groups facing statelessness in Germany, including Roma, Turks, and Palestinians.

Roma. There are an estimated 100,000 non-citizen Roma in Germany. Discrimination against the Roma in Germany is longstanding, beginning in the 16<sup>th</sup> to 18<sup>th</sup> centuries when laws made it acceptable to kill and drive out Roma. This continued into the 20<sup>th</sup> century. During WWII, the Nazis initiated porajmos, the Roma holocaust, which has remained unrecognized outside of Germany. In the porajmos between 200,000 and 500,000 Roma died. Post-war, the Roma who remained lived in isolated settlements for the homeless and in camps on the outskirts of cities.

In the 1970s and 1980s, tens of thousands of Roma from Poland, the former Yugoslavia, and Romania, entered Germany fleeing persecution. Local authorities in the German government exert pressure on the Roma asylum-seekers by refusing to meet basic needs, imposing strict police controls, and making arrests. Some Roma have been relegated to detention quarters lacking sanitation and many have been vulnerable to attacks.

In December 1990, the government of Nordrhein-Westfalen withdrew a regulation allowing stateless Roma to settle there and instead resettled them in another region. The same year, Germany was the only one of forty-three participants that voted against Resolution 62, *Protection of Roma*, of the United Nations Commission on Human Rights. In September 1992, Germany and Roma reached a formal agreement stating that all Romanians (many immigrant Romanians are Roma) ineligible for asylum could be forced back to Romania. Germany may have forced at least 40,000 to 50,000 Roma back. In 1994, a new law came into effect that made it almost impossible for any Roma to acquire a residence permit.

Roma in Germany are subject to many forms of discrimination. Children are placed in schools for the mentally handicapped, which harms their education and job prospects. Unemployment for the Roma is disproportionate. Roma report widespread discrimination in access to public goods and services. There is discrimination in access and quality of housing and the Roma population is often segregated.

Turks. Turkey revoked the passports of citizens abroad who refused to complete their mandatory military service. About 100 stateless Turks in Germany fell into this category. The German government issued a formal complaint, charging that such action could harm Turkey's chances for admission to the EU.

Palestinians. Of the 150,000 Palestinians believed to be residing in EU member states, the majority (about 80,000) are in Germany. Most of them are stateless and hold Palestinian refugee travel documents.

**GREECE**

In 1955, some Roma were allowed to acquire citizenship. This code was not retroactive, so many Roma were left stateless. In 1978, General Order 212 noted that many Roma should not be considered stateless but should be regarded as Greek citizens. However, many Roma did not have basic documents to submit, so it fell upon Greek police to verify their identities. Some 160,000 to 200,000 Roma in Greece had to wait until the mid 1970s to become Greek Citizens. Many Roma who still lack documents remain stateless.

**HUNGARY**

Approximately 400,000 to 600,000 Roma live in Hungary. The number of stateless among them is unknown.

**ITALY**

Roma are marginalized and discriminated against in Italy. They have difficulties legalizing their status. With the breakup of Yugoslavia, about 30,000 Roma arrived from the Balkans, adding to the pre-existing population of 90,000 to 110,000 Roma who have been there for centuries. Access to education is poor and the Roma communities do not have adequate housing, face difficulties at work, and have difficulty accessing health and social services. Roma are detained in inhumane and degrading camps with poor infrastructure. Only 30-35 percent of Roma children attend school. Many Roma cannot afford clothing for school, so their children do not attend. When children do attend school, they are stereotyped by teachers and classmates.

Referred to as "aliens" by the authorities, the country's 340,000 Russian non-citizens, along with over 100,000 Belarussians and Ukrainians, cannot vote in elections, become civil servants, lawyers, army officers, or hold a full Latvian passport. In addition, although all children born in Latvia after 1991 are automatically, upon a declaration from the parents, entitled to citizenship according to the 1998 amendment of the Citizenship Law, there are still a large number of children who are without Latvian nationality.

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Following Macedonia's independence, Roma were not automatically eligible for citizenship since they were not registered, and were rendered *de facto* stateless. The state allowed one year for these people to apply for citizenship as long as they met the requirements. However, many Roma could not meet the criteria because of criminal records. Many of these foreign citizens do not have citizenship in any country and are, thus, stateless. In a 2003 survey by the European Roma Rights Center, 153 out of the 2,224 Roma over the age of 18 did not have citizenship certificates; 749 did not possess passports; 148 did not possess ID cards; and 120 did not have birth certificates.

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There are about 12,000 stateless Roma in the Netherlands.

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It has been estimated that between 430,000 to 2.5 million Roma live in Romania. The lower figure is the government statistic; the high end is the estimate of non-governmental organizations. Roma often are not counted as such in the census because they fear the discrimination that public recognition often brings. Like in other states, Roma are marginalized. They have poor socio-economic conditions and low education levels. They face forced eviction and violence. Only 51.3 percent of children under age 10 regularly attend school, and between 40 and 80 percent of children in orphanages are Roma.

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Roma and Meskhetian Turks face statelessness.

Roma. Russia is home to some 220,000 to 400,000 Roma, some of whom are stateless. After the collapse of the Soviet Union, former President Yeltsin promised that all holders of Soviet passports in Russia could exchange them for Russian passports. However, Roma have been denied Russian passports by authorities who tell them that they are foreigners. With no legal record or registration as a resident, a person cannot obtain employment, child benefits, or educate their children in public schools. Illiteracy rates are high. Stateless persons are forced to find jobs in the informal economy and have little hope for the future.

Meshketian Turks. Meshketian Turks were forcibly relocated from southwest Georgia in 1944 by the former Soviet regime. As citizens of the former Soviet Union who were permanently residing in the Russian Federation when the country's Citizenship Law came into force (February 6, 1992), those who had not declined Russian citizenship, were considered by law to be Russian citizens. There are estimated to be between 50,000-70,000 Meskhetians living in the Russian Federation.

Meskhetian Turks who had been transported to Uzbekistan and later forced to flee in 1989 after violent attacks on them, number between 13,000 and 17,000. In Russia's Krasnodar Territory, where most of them reside, Meskhetian Turks are denied legal rights, including citizenship. Lack of citizenship and permanent registration in the Russian Federation also effectively denies them a whole range of basic rights including freedom of movement, access to pensions, child benefits, and higher education. They cannot officially register house or vehicle purchases, marriages, or deaths. They are frequently stopped and questioned by police on the pretext of checking identity documents, and obstructed in going about their daily business. Some Meskhetian Turks in the Krasnodar area of Russia are currently in the U.S. resettlement pipeline.

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Inhabitants of Serbia-Montenegro who were born in other parts of the former Yugoslavia, as well as large numbers of refugees, have not been able to establish their citizenship, leaving them stateless. This is a particular problem for asylum-seeking parents. For example, German authorities issue such children born in Germany a document certifying their birth. Federal Republic of Yugoslavia (FRY) officials in Germany refuse to issue passports to such children. When these asylum seekers who have been refused in Germany return to the FRY with their children, the children travel on the basis of this document. FRY authorities take the paper at the port of entry and issue a receipt for it. Then the children have no documentation in a country where documentation is a basic requirement.

In January 1997, a new citizenship law entered into force, which, when fully implemented, is expected to affect adversely the rights of many inhabitants, including those born in other parts of the former Yugoslavia, refugees, and citizens who migrated to other countries to work or seek asylum. The Government also plans

## LATVIA

## MACEDONIA

## NETHERLANDS

## ROMANIA

## RUSSIAN FEDERATION

## SERBIA- MONTENEGRO



to revise the eligibility status of a large number of persons; refugees who have been granted citizenship since 1992 may stand to lose their FRY citizenship if they have acquired the citizenship of a former Yugoslav republic. A new citizenship law was adopted by Serbia in December 2004.

Roma are not recognized as an ethnic group and do not receive Constitutional protection guaranteed to such groups.

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## SLOVENIA

Slovenia has granted permanent residence to about 12,000 of the 13,000 essentially stateless former Yugoslavs who have resided in Slovenia for years since the Balkan wars and denied it to 360. Slovene courts have ruled the government must rectify the status of people who had permanent residency at the outset of the wars, but who were erased from the government's list of people with permanent residency.

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## UKRAINE

Ukraine determined its initial citizens in its Declaration of State Sovereignty, in part stipulating that individuals who were citizens of the former USSR, and were permanently residing in Ukrainian territory at the moment of the Declaration of Independence (August 24, 1991), were *ex lege* citizens of the Ukraine. This legal framework led to a situation in which an individual who immigrated to Ukraine for permanent residence as recently as 1991 was automatically granted citizenship, while an individual who was born in and forcibly removed from Ukraine not only lacked citizenship, but was prevented from acquiring it. Such individuals are not eligible to vote, benefit from land distribution, or enter the civil service. A lack of citizenship also poses limitations on residence and travel, and makes the cost of higher education prohibitive.

Most of the previously deported Armenians, Bulgarians, Germans, and Greeks were naturalized with the 1991 law. Of the estimated 258,000 Crimean Tatars who returned, about 150,000 acquired Ukrainian citizenship in this manner as well. Those who left their place of exile (primarily Uzbekistan) after the citizenship law entered into force but before citizen legislation in their respective states took effect, became stateless (25,190). Those who returned (and are still returning) after the citizen law and related legislation took effect, are estimated to be about 100,000. However, thanks to the amendment of the citizenship law of Ukraine and bilateral agreements between Ukraine and Uzbekistan, most of the returning Tatars have been granted citizenship upon return in Ukraine. UNHCR has been particularly involved in assisting the Ukrainian authorities to amend their citizenship laws to prevent statelessness, assisting local NGOs in Crimea to provide legal advice, and facilitating (re) integration in liaison with the UN Development Program.

About 48,000 Roma live in the Ukraine, but the number of stateless individuals among them is unknown.

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## UNITED KINGDOM

The exact numbers of stateless Roma in the United Kingdom are unavailable.

### REGION: MIDDLE EAST

In addition to numerous smaller groups of stateless people, three major stateless populations are dispersed throughout the region, the Kurds, the Palestinians, and the Bidoon. Kurds number between 25 and 30 million, and more than half of the Kurdish population resides in Turkey. Others are in Iraq, Iran, Syria, Lebanon, and Armenia. Tens of thousands of them in Syria and Lebanon lack citizenship. Libya and Tunisia are the only countries party to the international regime on stateless persons. Legal status for Palestinians throughout the region is fragile. Arab host states adopted policies and procedures such as the Casablanca Protocol, aimed at preserving the Palestinian identity of individuals and their status as refugees. The living conditions for Palestinians differ dramatically depending on their place of residence.

## BAHRAIN

The Bidoon, a group of approximately 9,000-15,000 stateless persons, were granted citizenship during 2001, leaving some 1,300 still stateless.

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## IRAN

In Iran, large numbers of Kurds lack nationality.

The UNHCR estimated there were 450,000 to 510,000 Iraqi Kurds in the country at the end of 2001. Many of the Iraqi refugees were expelled by Iraq at the beginning of the Iran-Iraq war because of their suspected Iranian origin. In numerous instances, both the Iraqi and Iranian Governments disputed their citizenship, rendering many of them stateless. At the beginning of 2003, there were more than 200,000 Iraqi refugees in Iran, a small percentage of who are Faili Kurds that lost their nationality and were forced from Iraq.

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There are no accurate estimates for the number of Palestinian refugees in Iraq, though the number is believed to be 34,000. They came in several waves, in 1948 and again after the 1991 Gulf War. The Palestinians never became Iraqi citizens, however. They were provided with refugee travel documents. Legal restrictions prevented them from buying homes and cars. After the fall of Saddam Hussein, Palestinians were displaced by an inability to pay new, higher rents imposed by Iraqi landlords who, under the former regime, were forced to accept below-market-value rental fees from Palestinians; or forced from government-subsidized housing, and 1,100 Palestinian families found themselves homeless.

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The single largest population of Palestinians is found in the lands which constituted British Mandate of Palestine (3,299,000 in West Bank and Gaza Strip; 1,013,000 in Israel). While the Palestinian population technically has had a state since the approval of UN General Assembly Resolution 1981 (1947), millions of Palestinians have been unable to return to their homes, and their legal status has constantly been disputed by Israel, in over half of the cases leaving them stateless. The situation of refugees in Gaza, the West Bank, and Lebanon, where population density and unemployment is very high, are particularly harsh.

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According to the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), all Palestinians in Jordan have Jordanian citizenship with the exception of about 100,000 refugees originally from the Gaza Strip, which up to 1967 was administered by Egypt.

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Bidoon (Arabic meaning without nationality) and Palestinians are stateless in Kuwait.

There are between 110,000 and 120,000 stateless Bidoon in Kuwait. Many have lived in Kuwait their entire lives, but Kuwait reserves full citizenship rights for those who established residence in the country prior to 1920. In some cases, residence prior to 1920 was not sufficient for acquisition of nationality. Children born to mothers who are widows or divorcees of Bidoon men, are not accorded citizenship. After the Iraqi invasion in 1991, the government harassed and deported many Bidoon to Iraq. Many remain stateless.

In May 2000, parliament voted to ease the citizenship requirements for about 36,000 Bidoon who registered in a 1965 census. However, it limited the number of that group who could naturalize to no more than 2,000 per year. To regularize their status, Bidoon obtained passports from foreign diplomatic representations to regularize their status and stay in Kuwait. Often such passports are not renewed once expired. Kuwait then lowered the cap to only 600 persons in 2002, subsequently relaxing it to 5,500. Citizenship was approved for 400 Bidoon who fought against Iraq during the 1991 invasion of Kuwait. If approved, naturalization of Bidoon killed in action would allow surviving family to become Kuwaiti citizens.

The Bidoon in Kuwait are not allowed to work or to receive welfare services. Security ID had been taken from the majority of them leaving them no access to public health care. They are banned from travel. Bidoon children may be denied birth certificates needed to attend school.

Before the 1990 Iraqi invasion, there were several hundred thousand Palestinians in Kuwait. Though they had played a key role in building modern Kuwait, most were expelled or pressured to leave. Gazans who carried Egyptian travel documents had nowhere to go because Egypt denied them entry. Now there are approximately 30,000 to 40,000 Palestinian residents in Kuwait who do not have access to citizenship.

Palestinians. The number of Palestine refugees registered with UNRWA in Lebanon is nearly 400,000, or an estimated 10 percent of the population. Palestinians are forbidden to become Lebanese citizens. They do not have social and civil rights, and have limited access to governmental public health or education facilities, and no access to public social services. The majority rely entirely on UNRWA for education, health, relief, and social services. Palestinian refugees are prohibited from working in more than 70 trades and professions. This has led to a very high rate of unemployment.

A 1994 law allowed some Palestinians to apply for citizenship, but few people were aware of this chance. Also, women cannot give their citizenship to their children. If they are Lebanese and marry a Palestinian, their children are not Lebanese citizens. Men, on the other hand, are allowed to transfer their citizenship.

Kurds. Lebanon is home to a few thousand Kurds live without citizenship despite decades of family lineage in the country. The precise Kurdish population in Lebanon is very difficult to attain in light of the absence of a census. However, current population estimates are mostly below or around 60,000. Up until the mid-1990s, the large majority of this population was without citizenship. A naturalization decree was issued in June 1994, whereby 10,000 to 18,000 Lebanese Kurds acquired citizenship. Unfortunately, an estimated 3,000 to 5,000 Kurds were unable to join due to factors including cost and inability to return to Lebanon.

## IRAQ

## ISRAEL/ PALESTINE

## JORDAN

## KUWAIT

## LEBANON

## SAUDI ARABIA

Stateless Bidoon are not given passports. Also, citizenship is not granted to children of Saudi women married to non-nationals. Palestinians in Saudi Arabia, who number about 287,000, mostly have legal residence status only. They are not assisted or formally recognized as refugees by the UN.

## SYRIA

=====  
Kurds and Palestinians are stateless in Syria.

Kurds. The government discriminates against the stateless Kurdish minority. In 2000, UNHCR reported that there were more than 120,000 Kurds of the million and a half living in Syria, still without citizenship. They have received red identity documents preventing them from voting, owning land, practicing certain professions, receiving food subsidies, being admitted to public hospitals, or having legally recognized marriages to Syrian citizens. Usually the children or grandchildren of a foreign father or parents, have no documents at all. According to the Human Rights Watch, the *maktoum* children population is growing rapidly. These children do not have any rights and are generally not permitted in schools. When the Kurdish children do receive a diploma, they are considered inferior and further education is impossible.

According to the Kurdish Human Rights Project, the Syrian government monitors the Kurdish community closely and even Kurdish culture celebrations are forbidden. The U.S. Department of State acknowledges that the Kurdish activists are being tortured and imprisoned, and human rights violations against the Kurds are carried out. Due to international pressure, in 2003 the Syrian president announced that the needs of the stateless population would be studied and addressed. In March 2004, however, an attack on the Kurds in Qamishli was organized. Some 20 to 50 individuals were killed and more than 1,500 others were arrested.

Palestinians. In Syria, nearly 400,000 Palestinian refugees are not eligible for citizenship, though they can work and have access to government services. The vast majority of these individuals are registered and receive support from the UNRWA. In addition UNRWA-registered refugees, there are another 75,000 unregistered Palestinians living under difficult conditions throughout the country.

Some 260 stateless asylum seekers, including Palestinians who fled Iraq, reside in UNHCR camps.

## UNITED ARAB EMIRATES

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The UAE also has a population of a roughly estimated 100,000 stateless Bidoon. Despite the fact many of these individuals were born in the U.E., they are not considered to be citizens. In 1996, the U.S. Committee for Refugees reported that the UAE hosted a small group of stateless persons from Zanzibar.

Also, a child born to an Emirati, whether father or mother, is automatically considered a citizen, but new proposals would limit that right to those born to Emirati fathers. It would mean that an Emirati woman divorcing a foreign husband would find it almost impossible to win custody of her children, but if the court grants custody to the wife, her children could, technically, be stateless.

## REGION: OCEANIA

## AUSTRALIA

Children born in Australia are granted citizenship only if one of their parents is an Australian citizen or a permanent resident. This is particularly a problem for children born in detention facilities.

## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

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Children born to non-U.S. citizens in the CNMI between January 9, 1978 (the time when the Covenant between the CMNI and the U.S. was adopted) and November 3, 1986 (when the Covenant was ratified, failed to obtain citizenship.

## PAPUA NEW GUINEA

=====  
Over 12,000 Papuans from the Indonesia province of Papua (formerly known as Irian Jaya) crossed into Papua New Guinea between 1984 and 1986. Between 1987 and 1999 more people crossed and, at the end of the year, Papua New Guinea hosted up to 8,000 individuals (between 4,000 and 5,000 in camps). As the Irian Jayan separatist movement gained momentum in 2000, further violence and displacement occurred. Eventually some 7,000 Papuans repatriated. Those remaining in the camp at East Awin (2,700-3,000) were granted residency status.

During November/ December 2000, over 400 Papuans crossed into Papua New Guinea. The government declined to determine their status. The majority settled in a camp in Vanimo. By the end of 2001, the Papua New Guinea government had not acted on their asylum claims and though some returned to Indonesia voluntarily, about 300 remained. In addition to the Vanimo group, and the recognized refugees, as many as 5,000 more status-less Papuan asylum seekers live in informal settlements. Children born in the camp (East Awin) could become stateless if birth registration is not improved.

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**Appendix A: States Parties\* to the 1954 Convention Relating to the Status of Stateless Persons**

<http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=PROTECTION&page=PROTECT&id=3bbb0abc7>

Albania	Czech Republic	Latvia	Slovenia
Algeria	Denmark	Lesotho	Spain
Antigua and Barbuda	Ecuador	Liberia	Swaziland
Argentina	El Salvador	Libyan Arab Jamhiriya	Sweden
Armenia	Fiji	Liechtenstein	Switzerland
Australia	Finland	Lithuania	Trinidad and Tobago
Azerbaijan	France	Luxembourg	Tunisia
Barbados	Germany	Macedonia, The Former Yugoslav Republic of	Uganda
Belgium	Greece	Madagascar	United Kingdom
Bolivia	Guatemala	Mexico	Uruguay
Bosnia and Herzegovina	Guinea	Netherlands	Yugoslavia, Federal Republic of
Botswana	Holy See	Norway	Zambia
Brazil	Honduras	Philippines	Zimbabwe
Chad	Hungary	Saint Vincent and the Grenadines	
Colombia	Ireland	Slovakia	
Costa Rica	Israel		
Croatia	Italy		
	Kiribati		
	Korea, Republic of		

**Appendix B: States Parties\* to the 1961 Convention on the Reduction of Statelessness**

<http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=PROTECTION&page=PROTECT&id=3bbb24d54>

Albania	Chad	Ireland	Norway
Armenia	Costa Rica	Israel	Slovakia
Australia	Czech Republic	Kiribati	Swaziland
Austria	Denmark	Latvia	Sweden
Bolivia	Dominican Republic	Lesotho	Tunisia
Bosnia and Herzegovina	France	Liberia	United Kingdom
Canada	Germany	Netherlands	Uruguay
	Guatemala	Niger	

\* State has ratified, acceded to, or succeeded from, the convention. Further information available on UNHCR website.



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