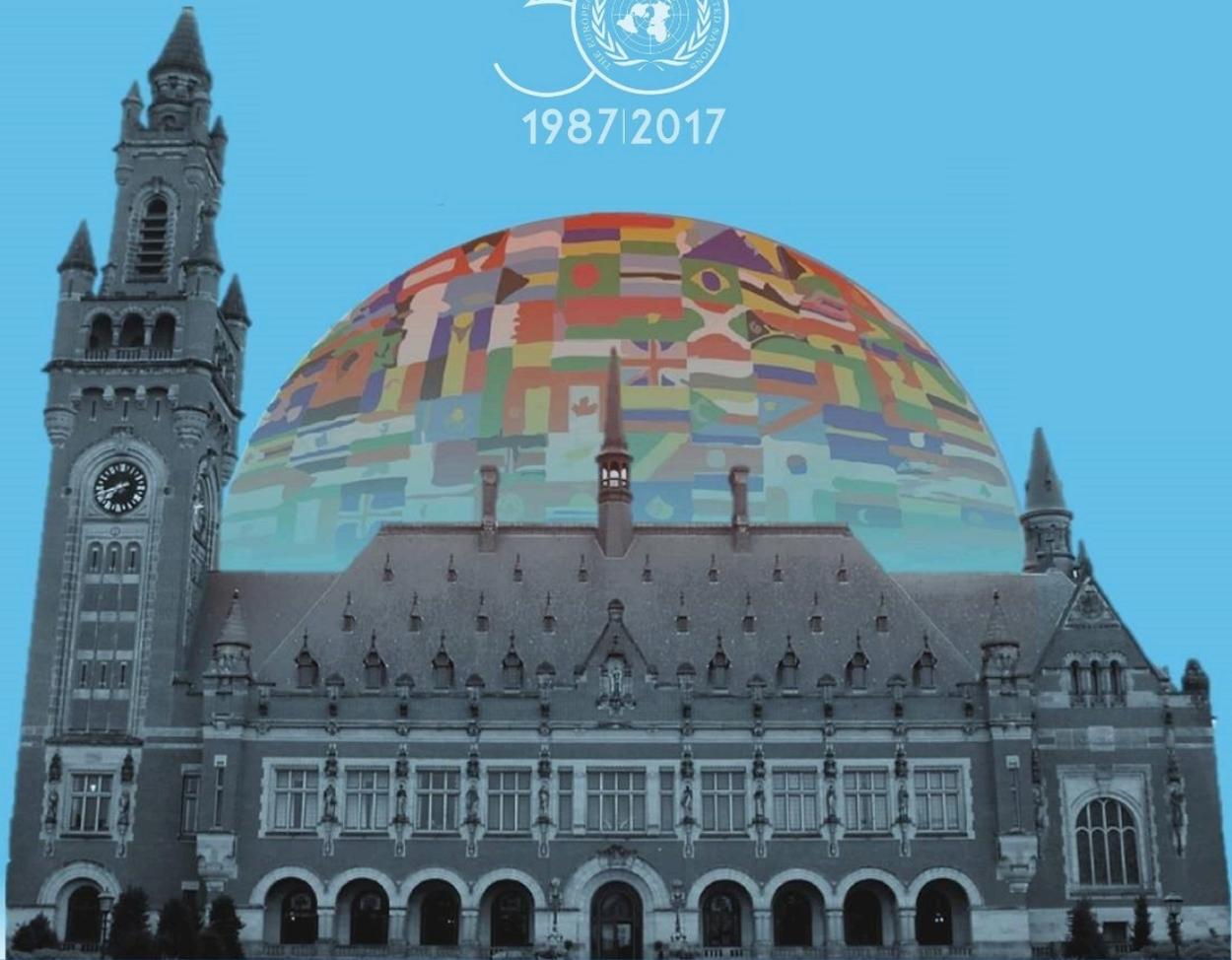


TEIMUN

THE EUROPEAN INTERNATIONAL MODEL UNITED NATIONS

HUMAN RIGHTS COUNCIL

ADDRESSING STATELESSNESS



Welcome Letter

Esteemed delegates,

The European International Model United Nations (TEIMUN) will soon be underway, and we would like to welcome all of you to The Hague, the international city of peace and justice. No matter what your level of Model UN experience is, we hope you leave TEIMUN as a more experienced delegate with a better understanding of the United Nations. Prepare yourself to make new friends from all over the world and leave with stories to share.

Within the Human Rights Council, we will be discussing two topics: Harmful Traditional Practices affecting Women and Statelessness. It is our sincere hope that you will depart from TEIMUN 2017 with a better understanding of, and excitement for, international affairs, as well as memories of thought-provoking debates. It is our promise to you, the delegates, that we will work tirelessly to meet your expectations of substantive excellence.

We hope The Hague's wind of tolerance will guide you to be the wind of change you wish to see in the world. Feel free to contact us at anytime throughout the week. We look forward to meeting you!

Your chairs,

Nariswari Khairanisa Nurjaman & Sandra Bucha
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Introduction

"To be stripped of citizenship is to be stripped of worldliness. It is like returning to a wilderness as cavemen or savages where people could live and die without leaving any trace".¹

- Hannah Arendt

Statelessness, or the lack of citizenship, is one of the forgotten human rights crises. Despite being among the most prominent causes and effects of basic human rights violations, the discourse of statelessness remains marginalised. In many states, stateless persons are often faced with gross human rights violations. This is because nationality is considered a prerequisite for accessing political and judicial processes needed to exercise civil and political rights, as well as economic, social and cultural rights.² Hence, stateless people often face difficulties in accessing basic rights such as, but not limited to; education, healthcare, and employment.³

The end of World War I and World War II affected every actor in global affairs, from international institutions and nation states to individuals. The annexation of certain nation states and other instances of civil unrest often result in mass migration of civilians. As a result, many of the people who were involved in the mass migration lost their citizenship and were deemed stateless. As an illustration, German philosopher and political theorist Hannah Arendt became stateless in 1933 when she lost her German citizenship after fleeing Nazi Germany. Arendt described the state of statelessness as being stripped of worldliness and other human rights.

The events of the World Wars and the subsequent shaping of new nation-states led to unprecedented levels of stateless persons. As the case of Hannah Arendt illustrated, the discriminative laws, along with the hatred towards minorities, eventually led to a circumstance where certain individuals and entire communities are unable to acquire citizenship. This sparked a global movement to end statelessness. However, efforts to combat statelessness are often laced with immense difficulties as it seemingly clashes heavily with sovereignty of states. That being said, the right to nationality and the issue of statelessness are particularly important, as possessing a nationality is a gateway to accessing other rights.

¹ Hannah Arendt, "The Origins of Totalitarianism", quoted in Philippe Leclerc and Rupert Colville, "In the Shadow", UNHCR Refugees Magazine, Geneva, issue 3, Num. 147, (2007): 5.

² David Weissbrodt and Clay Collins, "The Human Rights of Stateless Persons, " Human Rights Quarterly (2006): 40

³ Rodziana Mohamed Razali, Rohaida Nordin, and Tamara Joan Duraisinga, "Migration and Statelessness," *Pertanika J. Soc. Sci. & Hum.* 23 (2015): 19 - 36

The Legal Status of Statelessness

The discourse of statelessness has not developed as progressively as other socio-political issues. Statelessness serves as an example of a social problem that has not yet fully emerged onto the international human rights agenda.⁴ When it first emerged, the issues of 'refugee crisis' and 'statelessness' were interchangeable because refugees who fled their home countries were deemed stateless in their transit country. This matter of status put them in a situation where they lacked protection from any national government.

The legality of statelessness dates back to the period when nationality became a matter of international law. In the Hague Convention of 1930, it was universally agreed that everyone has a right to have a nationality. The Hague Convention of 1930 also recognised that "It is in the general interest of the international community to secure that all its members should recognise that every person should have a nationality [and that] the ideal towards which the efforts of humanity should be directed in this domain is the abolition of all cases of statelessness."⁵ Therefore, from the historical perspective, the issue of statelessness is intertwined with the concept of national sovereignty that transcends the territorial element of a nation-state.

The legal status of stateless people, however, is riddled with complexities. There are two types of statelessness: *de jure* statelessness and *de facto* statelessness. While *de jure* statelessness refers to the situation where a person belongs to no nationality, *de facto* statelessness refers to those who experience an inability to prove their nationality or possess nationality that is ineffective.⁶ The implications of the distinction between *de facto* and *de jure* statelessness are minimal because it is the fact of being stateless (the type of statelessness notwithstanding) which threatens the protection being given to an individual.⁷

The most productive measures taken to address issues of statelessness are the 1954 UN Convention Relating to the Status of Stateless Persons and the 1961 UN Convention on the Reduction of Statelessness.⁸ The 1954 Convention defined

⁴ Lindsey Kingston, "A Forgotten Human Rights Crisis": Statelessness and Issue (Non)Emergence." *Human Rights Review* June 2013, Volume 14, Issue 2: 80

⁵Convention on Certain Questions Relating to the Conflict of Nationality Laws, accessed on March 25th 2017, www.eudo-citizenship.eu/InternationalDB/docs/Convention%20on%20certain%20questions%20relating%20to%20the%20conflict%20of%20nationality%20laws%20FULL%20TEXT.pdf

⁶ Ibid.

⁷ Ibid.

⁸ "UN Conventions on Statelessness," *UNHCR*, accessed February 12, 2017, <http://www.unhcr.org/en-us/un-conventions-on-statelessness.html>.

stateless person as a person who is not considered as a national by any State under the operation of its law.⁹ The Convention further guaranteed human rights to stateless persons, which include the right to identify, receive education, employment, housing, and to travel. The focus of the 1961 Convention, on the other hand, was to prevent statelessness and reduce the number of stateless people. The most notable provision of this Convention stated that children were to receive citizenship to the state they were born in.¹⁰

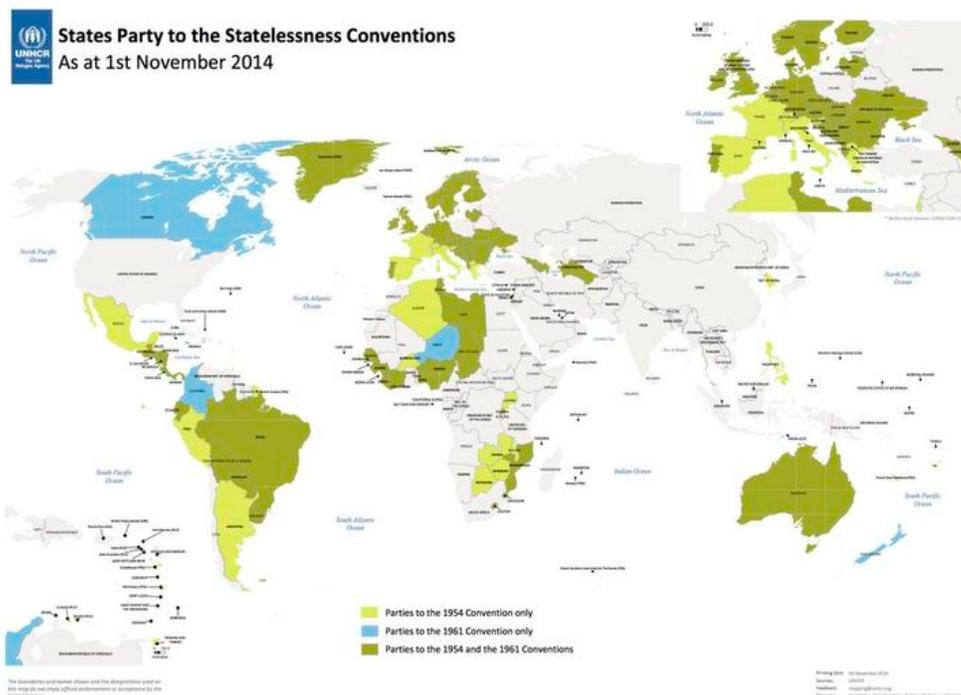


Figure 1: States Party to the Statelessness Conventions, UNHCR. Retrieved from <http://www.unhcr.org/4d651eeb6.html>

Stateless persons can gain further protection through the recognition of principles of international law found in various instruments, including the International Covenant on Civil and Political Rights (ICCPR), by virtue of non-discriminatory and universal application of the norms enshrined in the international instruments. One example of such protection is through the 1951 United Nations Refugee Convention, which guarantees basic human rights and protection from *refoulement* to stateless people who double up as refugees.

⁹ Article 1, United Nations Convention Relating to the Status of Stateless Persons (adopted 28 September 1954, entered into force 6 June 1960) 360 UNTS 117

¹⁰ Article 1, United Nations Convention on the Reduction of Statelessness (adopted 30 August 1961, entered into force 13 December 1975) 989 UNTS 175. This Convention, however, has fewer State Parties, and acknowledging the dualism nature of some legal regimes, domestic implementation of this Article remains rather poor.

Therefore, despite the existence of Conventions that recognise stateless persons and guarantee their human rights, while placing obligations on State Parties to take the necessary measures to eradicate statelessness, a lot more needs to be done. This will be elaborated in the succeeding sections.

Causes of Statelessness

The causes of statelessness may vary between political, social, and legal underpinnings. Nonetheless, the United Nations High Commissioner for Refugees (UNHCR), the United Nations agency tasked with addressing statelessness, notes that gaps in nationality laws remain the leading cause of statelessness.¹¹ Every state has laws which establish criteria for the acquisition and revocation of nationality. However, where such laws are not well written and applied, certain individuals or classes of persons can be excluded and consequently rendered stateless. The effect of these gaps is worsened where there exists a conflict of nationality laws. The classical example is where State A confers nationality by descent while State B confers nationality by place of birth; but the combination of a particular individual's birthplace and parentage is such that neither nationality is acquired.¹² Neither State A nor B have deemed the person to be undeserving of nationality but the individual simply failed to qualify for nationality under the regular operation of the laws of either state.¹³ Thus, unless there are safeguards within nationality laws that prevent statelessness from arising, ordinary nationality laws can leave people stateless.

Another particular context in which the risk of conflict of nationality laws is high, and where a large number of persons may simultaneously be affected, is that of state succession.¹⁴ When a part of a state secedes and becomes independent¹⁵ (for example, the secession of Eritrea from Ethiopia), or when a state dissolves into multiple states¹⁶ (for example, the former Yugoslavia), the question emerges as to what happens to the nationality of the affected persons. The new nationality laws of successor states may conflict and leave people without any nationality, while the re-definition of who is a national of the original state may also render people

¹¹ UNHCR, "Stateless People," accessed on April 10th 2017, <http://www.unhcr.org/stateless-people.html>

¹² Institute on Stateless and Inclusion, "Statelessness Under International Law," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 10

¹³ Institute on Stateless and Inclusion, "Causes of Statelessness," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 25

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

stateless.¹⁷ Most often in the context of succession, it is vulnerable minorities associated with the successor or parent state who are deprived of nationality, exposing the arbitrary nature and discriminatory motivations for such exclusion.¹⁸

Similar to the above are situations of contested or emerging statehood which result in complicated challenges concerning statelessness.¹⁹ The *locus classicus* of such a situation is that of Palestinians. While the question of statelessness of Palestinians is inextricably linked to the complex issue of Palestinian statehood and a Palestinian nationality policy, it is widely accepted that many Palestinians meet the definition of a stateless person under international law.²⁰ The issue of Palestinian statelessness is further complicated as the term 'Palestinian' is a broad descriptor for a group which shares a common heritage and attachment to Palestine but is actually diverse in its composition.²¹ Thus, not all Palestinians are similarly situated in terms of their nationality status or statelessness.²² The question of who is a Palestinian national has not yet been clarified and the nationality status of this population is therefore undetermined as it is currently impossible to ascertain who is and who is not considered a national under operation of the law of Palestine.²³

Large-scale statelessness can also be caused by the arbitrary deprivation of nationality.²⁴ Arbitrary acts involve the collective withdrawal or denial of nationality to a whole population group (often a minority) or individuals.²⁵ In other instances, a state may manipulate its nationality policy in order to assert or construct a particular national identity to the exclusion of those who do not fit the mould, as was the case in the 1960s with Kurds in Syria and the 1980s with the black population in Mauritania.²⁶

A further cause of statelessness can be found in administrative barriers and lack of documentation. Individuals and groups who have had difficulties accessing birth or other forms of civil registration may find themselves unable to ascertain their legal ties to a state and consequently fail to meet the citizenship criteria. The

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Institute on Stateless and Inclusion, "Causes of Statelessness," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 127

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

²³ This is as a result of the League of Arab States, *Protocol for the Treatment of Palestinians in Arab States* (Casablanca Protocol), 11 September 1965.

²⁴ Ibid n 7.

²⁵ Ibid.

²⁶ KurdWatch, "Stateless Kurds in Syria: Illegal Invaders or Victims of a Nationalistic Policy?" (March 2010); UNHCR, "Global Trends" 2011, 2012 and 2013.

risk of statelessness is greatest where those who have been unable to access civil registration also belong to minority or nomadic groups, migrant or refugee populations, or are affected by state succession.²⁷ The Roma in countries of the former Yugoslavia and elsewhere in Europe are an evident example of where lack of documentation and civil registration can evolve into a problem of statelessness when several factors converge.²⁸

Moreover, statelessness may also be inherited. Many contemporary situations of statelessness have their roots at a particular moment in history, such as state succession, yet these situations endure and even grow overtime because the states concerned have not put any measures in place, or do not implement already existing measures, to stop statelessness from being passed on from parent to child.²⁹ This means that most new cases of statelessness affect children from birth, such that they may never know the protection of nationality.³⁰ It also means that stateless groups suffer from intergenerational marginalization and exclusion, which affects the social fabric of communities.³¹

Implications of Statelessness

"The price to pay for the perpetuation of statelessness is high not only for the persons affected, but also for the countries in which stateless persons live. "

Nils Muižnieks,
Council of Europe Commissioner for Human Rights

The consequences of statelessness create a ripple effect, such that they are not felt just by the individuals directly impacted but also by their family members, wider members of society, and the international community of states.³² Modern bureaucracies are crafted in a way that takes the possession of a nationality as the norm - statelessness is the neglected and largely forgotten state of exception.³³ Without any nationality, a number of rights are immediately out of reach even

²⁷ UNHCR Executive Committee, Conclusion on Civil registration, 7 October 2013 No. 111 (LXIV)

²⁸ Ibid.

²⁹ Institute on Stateless and Inclusion, "Causes of Statelessness," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 27

³⁰ Ibid.

³¹ Ibid.

³² Institute on Stateless and Inclusion, "Causes of Statelessness," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 31

³³ Institute on Stateless and Inclusion, "Causes of Statelessness," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 28

according to the mechanics of contemporary human rights.³⁴ Political rights are the first to be denied to stateless persons, as well as other rights whose enjoyment is limited to citizens of that particular state.³⁵ Disenfranchisement is therefore an immediate and almost universal problem for stateless persons, limiting their ability to influence laws and policies that affect them or to call for reforms that would bring an end to their statelessness.³⁶

The harsh reality for many stateless persons is a story of lack of opportunity, lack of protection and lack of participation.³⁷ They face challenges in all areas of life, including entering or completing schooling, accessing healthcare services, finding gainful employment and obtaining social security.³⁸ In some situations, statelessness actually becomes a conduit or catalyst for human rights violations, be they perpetrated by the state or because of a vacuum of state protection.³⁹

Being slated as outsiders, not just by their state but by all states, may indeed make the stateless easy targets for victimisation within society, as they may be seen as less deserving of compassion, protection and support.⁴⁰ Amongst others, they may be a target for exploitative practices, such as forced labour. Indeed, the treatment of stateless persons can, in certain instances, amount to persecution.⁴¹ Moreover, the constraints that stateless persons experience, coupled with the fact of not being formally recognised as a member of a state, has an adverse effect on their well-being.⁴² A diminished sense of self worth, and in some instances, a confused sense of identity and belonging, can prompt sentiments of anxiety, depression and hopelessness.

Global Statistics on Statelessness

Even though there are variations in the causes of statelessness, different geographic areas worldwide show the gravitas of this phenomenon. Numerically, statelessness is documented as affecting far more people in Asia and the Pacific than in any other region of the world, with UNHCR reporting a total of 1,422,850

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Institute on Stateless and Inclusion, "Causes of Statelessness," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 29

³⁸ Ibid.

³⁹ Institute on Stateless and Inclusion, "Causes of Statelessness," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 30

⁴⁰ Ibid n 26.

⁴¹ Ibid.

⁴² Ibid.

persons under its statelessness mandate.⁴³ In Africa, the lack of transparency hampers the effort to estimate the number of stateless people. This is reflected in the fact that UNHCR's current figure for stateless persons in Africa is comprised almost exclusively of the data reported for just two countries (Côte d'Ivoire and Kenya).⁴⁴

In the Americas, the issue of statelessness is mostly concentrated in Central America and as such, rarely discussed in North America and South America. UNHCR reports that a total of 210,032 stateless persons are found in a single country, the Dominican Republic.⁴⁵ However, a 2012 mapping study of statelessness in the United States revealed that over the course of five years, several hundred persons whose data was logged by the United States Citizenship and Immigration Service as asylum applicants were recorded as stateless. Therefore, statelessness affects far more persons in the Americas than currently reported in UNHCR's statelessness statistics because there is no mechanism that could give a detailed estimation of stateless people.

Meanwhile in Europe, a relatively stronger system for identity documentation is likely to result in a lower stateless population. Around 85% of stateless persons reported in Europe can be found in just four states (Latvia, the Russian Federation, Estonia and Ukraine) – in all cases as an enduring product of the dissolution of the Soviet Union.⁴⁶ This illustration implies the significant role of an effective system for identity documentation as an early step to address statelessness on the national and global level.

By the end of 2014, statistics on persons falling under UNHCR's statelessness mandate were available for 77 countries, two more than in 2013. Compared to just 30 countries in 2004, this shows an ongoing progress in the efforts of UNHCR's offices to gather better data on statelessness. While statistics included in UNHCR cover only some 3.5 million persons reported officially, UNHCR estimates that at least 10 million persons were stateless globally in 2014.

⁴³ Institute on Stateless and Inclusion, "Global Statelessness Statistics: Asia and The Pacific," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 80

⁴⁴ Institute on Stateless and Inclusion, "Global Statelessness Statistics: Africa," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 80

⁴⁵ Institute on Stateless and Inclusion, "Global Statelessness Statistics: Americas," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 77

⁴⁶ Institute on Stateless and Inclusion, "Global Statelessness Statistics: Europe," on *The World's Stateless* (Oisterwijk: Wolf Legal Publishers, 2014): 77

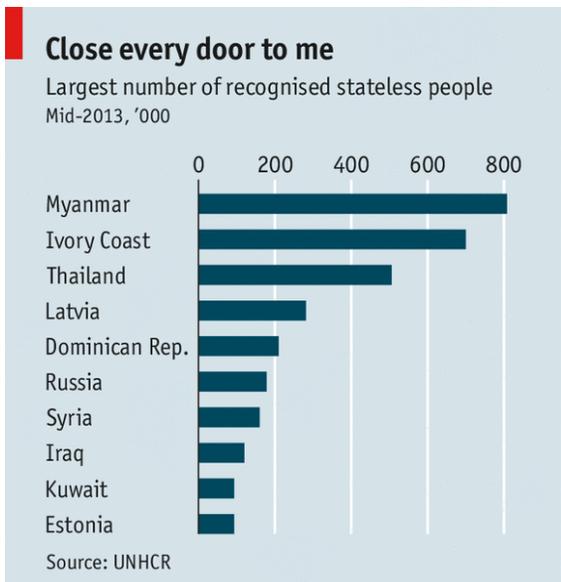


Figure 2: States with the Largest Number of Stateless People, *The Economist*. Retrieved from <http://www.economist.com/news/international/21602251-changing-face-worlds-non-citizens-nowhere-call-home>

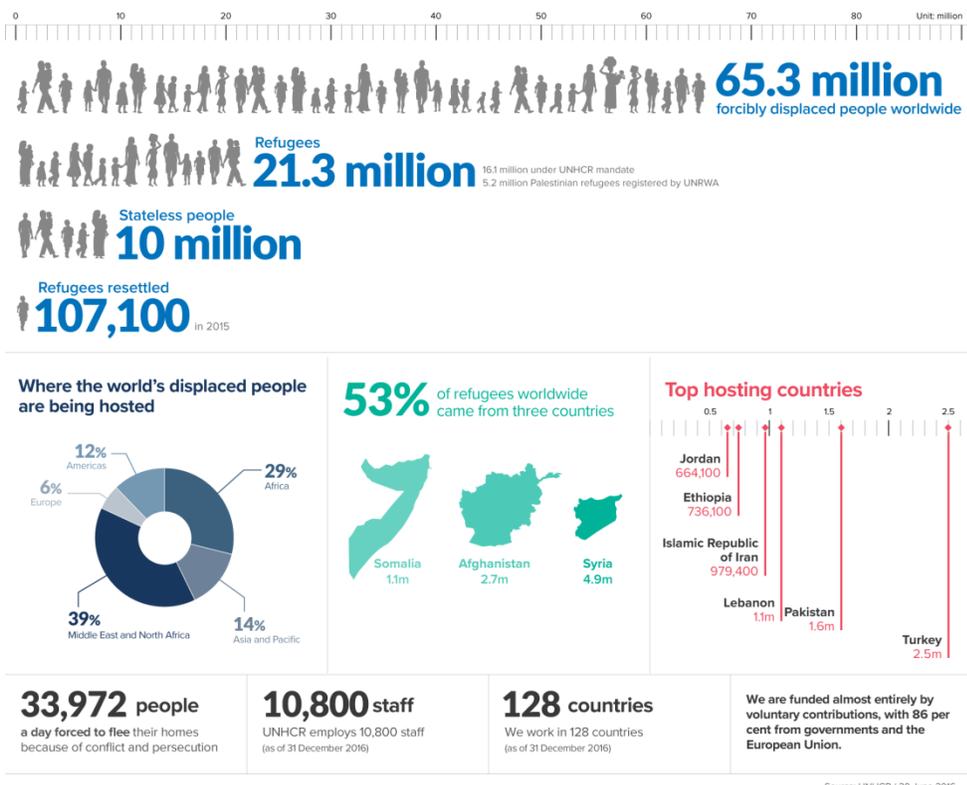


Figure 3: *Forcefully Displaced People, Refugees and Stateless People, U.S. State Department*. Retrieved from <https://publicintelligence.net/dos-worldwide-statelessness-march-2016/>

Addressing Statelessness

League of Nations

Back in the post-World War I era, the League of Nations and International Red Cross took the initiative to give stateless persons diplomatic assistance in the form of the Nansen Passport. The Nansen passport was created for migrants who became stateless while fleeing from their countries of origin and were in need of travel documents.⁴⁷ The Nansen Passport provided proof of legal identity but it was unable to give the holder certain citizenship and rights. Thus, Nansen passport holders had the right to travel to any of the countries which were part of the agreement to seek employment, or to reunite with family. In certain circumstances, the passport also made it possible for a holder to travel without losing the opportunity to return to the original receiving state.⁴⁸ The Nansen passport existed until 1942 and helped approximately over 450,000 people.⁴⁹ Although it ceased to exist after World War II, the discourse on the possibility of this option emerges as a possible solution in granting stateless people the right to travel.

United Nations

There are at least 17 United Nations General Assembly resolutions that addressed statelessness as a matter of global importance. For instance, Resolution 55/153 in 2001 aims to tackle the lack of general public awareness, recommending states to make all efforts necessary for the wide dissemination of the provisions regarding statelessness. Moreover, the General Assembly has recommended member states to strengthen their cooperation on the regional or subregional level, in addition to encouraging states to ensure the birth registration of all children and calling upon them to accede the relevant Conventions on statelessness.⁵⁰

In 2014, the General Assembly further adopted by consensus Resolution 70/135 in which it “welcomes the call by the High Commissioner for action to end statelessness within a decade.” This resolution calls upon a ten year strategy from 2014 to 2024 to end statelessness through the #IBelong campaign. This campaign

⁴⁷ Stefan Wallascheck, “The Nansen passport – an old solution for today's refugees,” accessed on May 1st, 2017, <https://euobserver.com/opinion/134618>

⁴⁸ Miriam Rürup, “Lives in Limbo: Statelessness After Two World War,” *Bulletin of German Historical Institute* (2011): 120

⁴⁹ Stefan Wallascheck, “The Nansen passport – an old solution for today's refugees,” accessed on May 1st, 2017, <https://euobserver.com/opinion/134618>

⁵⁰ UN General Assembly, “A/RES/55/153”, accessed on May 5th, 2017,

www.un.org/Docs/asp/ws.asp?m=A/RES/55/153

UN General Assembly, “A/RES/67/149”, accessed on May 5th, 2017,

www.un.org/Docs/asp/ws.asp?m=A/RES/67/149

UN General Assembly, “A/RES/68/141”, accessed on May 5th, 2017,

www.un.org/Docs/asp/ws.asp?m=A/RES/68/141

encourages UN member states to take one or more of the following 10 actions to achieve the goals of the campaign namely: 1) Resolve existing major situations of statelessness, 2) Ensure that no child is born stateless, 3) Remove gender discrimination from nationality laws, 4) Prevent denial, loss or deprivation of nationality on discriminatory grounds, 5) Prevent statelessness in cases of state succession, 6) Grant protection status to stateless migrants and facilitate their naturalization, 7) Ensure birth registration for the prevention of statelessness, 8) Issue nationality documentation to those with entitlement to it, 9) Accede to the UN statelessness conventions, and 10) Improve quantitative and qualitative data on stateless populations.⁵¹



Figure 4: #IBelong Campaign, UNHCR. Retrieved from <http://www.unhcr.org/ibelong-campaign-to-end-statelessness.html>

Ever since, there has been significant progress in the collaboration of international organisations and national governments to end statelessness. For instance, the Justice and Home Affairs Council of the European Union has adopted the first EU Council Conclusion on Statelessness which supports the exchange of good practices among Member States, encourages the active coordination of national statelessness contact points, and collaborates on the #IBelong Campaign implementation.

⁵¹ UNHCR, " #IBelong," accessed April 20th, 2017, <http://www.unhcr.org/ibelong-campaign-to-end-statelessness.html>

Case Study: The Rohingya People

Myanmar, formerly known as Burma, is a Southeast Asian state that consists of a multitude of ethnic groups, of which the government recognizes citizenship of roughly 135 groups.⁵² Not included in the recognition is the Rohingya people, a Muslim minority group residing primarily in the state of Rakhine, located in the west of Myanmar and bordering Bangladesh.⁵³ The Rohingya people have their own distinct language and ethnic identification, and are practicing Sufi Muslims in a state primarily consisting of Buddhists.⁵⁴ Despite centuries of evidence of the Rohingya people being in Myanmar, the government views the Rohingya people as immigrants from Bangladesh.⁵⁵ Furthermore, the government of Bangladesh does not recognise the Rohingya people as citizens of Bangladesh. Without legal citizenship papers from neither government, the Rohingya people have become stateless.

Myanmar gained its independence in 1948, and the challenges faced by the Rohingya people have only increased since then.⁵⁶ The Rohingya people have been denied voting rights, as well as freedom of religion and movement, and have faced restrictions on marriage rights, family planning resources, and employment and education opportunities.⁵⁷ While this marginalisation has religious components, it is also a result of poor economic conditions leading to poverty and weak government infrastructure.

The issue has spurred outbreaks of violence, in one instance leading to mass killings and burning of Rohingya homes, resulting in the displacement of thousands.⁵⁸ In 2012, Human Rights Watch cited the violence against the Rohingya people as a crime against humanity and a campaign of ethnic cleansing.⁵⁹ Persecution and violence have created a refugee crisis that is often overlooked and

⁵² "Nowhere to Call Home," *The Economist*, May 17, 2014, accessed on February 9, 2017, <http://www.economist.com/news/international/21602251-changing-face-worlds-non-citizens-nowhere-call-home>.

⁵³ Eleanor Albert, "The Rohingya Migrant Crisis," *Council on Foreign Relations*, June 2015, accessed February 9, 2017, <http://www.cfr.org/burmamyanmar/rohingya-migrant-crisis/p36651>.

⁵⁴ "Home," *The Economist*, May 2014, accessed on Feb 2017, <http://www.economist.com/news/international/21602251-changing-face-worlds-non-citizens-nowhere-call-home>.

⁵⁵ Albert, "Rohingya Migrant Crisis," *Foreign Relations*, <http://www.cfr.org/burmamyanmar/rohingya-migrant-crisis/p36651>.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ "Burma," *Human Rights Watch*, accessed February 12, 2017, <https://www.hrw.org/asia/burma>.

underreported. The UNHCR estimates that between 1974 and 2014 roughly 1.6 million Rohingya people have fled Myanmar, with a sharp rise in numbers after 2005.⁶⁰ A majority of these refugees are fleeing to refugee camps in neighboring Bangladesh, but many refugees are also risking the dangerous journey over the Andaman Sea to Malaysia, Thailand, and Indonesia.⁶¹



Figure 5: Rohingyas Migration Route, Middle East Institute. Retrieved from <http://www.mei.edu/content/map/rohingyas-refugee-crisis-regional-and-international-issue>

⁶⁰ Antonietta Pagano, "The Rohingyas Refugee Crisis: An International and Regional Issue?" *Middle East Institute*, March 10, 2016, accessed February 13, 2017, <http://www.mei.edu/content/map/rohingyas-refugee-crisis-regional-and-international-issue>.

⁶¹ "Joint Statement on Andaman Sea: IOM, UNHCR, OHCHR, UN SRSG Migration & Development." *International Organization for Migration*. N.p., 27 Aug. 2015. Web. 28 May 2017.

Conclusion

Addressing statelessness is a challenging yet compelling issue for the international community. Although statelessness is a problem produced by nation-states, it is nevertheless of utmost international importance and can only be resolved by means of international politics, and specifically, international negotiations and treaties.⁶² Statelessness has failed to fully emerge as an issue as a result of the lack of advocacy at national and international level. Furthermore, the political will for solving this problem is often missing because statelessness is often seen as national issue that is fundamentally tied to the delicate issue of state sovereignty. That being said, delegates are encouraged to dig deep on the situation within the national, regional, and global scope to understand the intersection of statelessness with the existing political, economic, and social issues.

Questions a Resolution Must Answer (QARMAs):

1. What are the defining characteristics of statelessness? Is the current definition sufficient or should the UN establish a more specific definition?
2. To what extent can the international community be involved in solving the issue statelessness of individual states?
3. What UN programs could be improved in addressing statelessness and its effects and how?
4. How can the international community collaborate with national governments and local authorities, as well as civil society and non-governmental organisations in addressing statelessness?
5. In which other forms can the UN assist non-governmental organisation to address and end statelessness?
6. What other steps can the UN take to address statelessness?

⁶² Miriam Rürup, "Lives in Limbo: Statelessness After Two World War," Bulletin of German Historical Institute (2011): 120

Additional Readings:

1. UN High Commissioner for Refugees (UNHCR), *States Party to the Statelessness Conventions - As at 1st October 2016*, 1 October 2016, available at: <http://www.refworld.org/docid/54576a754.html> [accessed 12 February 2017]
2. Walker, Dorothy Jean. "Statelessness: Violation or Conduit for Violation of Human Rights?" *Human Rights Quarterly* 3, no. 1 (1981): 106-23. doi:10.2307/762070.
3. Kingston, Lindsey. "Statelessness and issue (non-)emergence," FMR issue 32 (April 2009): 1-20, <http://www.fmreview.org/sites/fmr/files/FMRdownloads/en/young-and-out-of-place/kingston.pdf>
4. Kingston, Lindsey. "Statelessness as a Lack of Functioning Citizenship" *Tilburg Law Review* 19 (2014) 127 - 135

Bibliography

"Joint Statement on Andaman Sea: IOM, UNHCR, OHCHR, UN SRSG Migration & Development." International Organization for Migration. N.p., 27 Aug. 2015. Web. 28 May 2017.

"Burma," Human Rights Watch, accessed February 12, 2017.

"Home," The Economist, May 2014, accessed on Feb 2017.

"Nowhere to Call Home," The Economist, May 17, 2014, accessed on February 9, 2017.

"UN Conventions on Statelessness," UNHCR, accessed February 12, 2017.

Albert, "Rohingya Migrant Crisis," Foreign Relations.

Albert, Eleanor. "The Rohingya Migrant Crisis." Council on Foreign Relations. June 2015. Accessed February 9, 2017.

Antonietta Pagano, "The Rohingyas Refugee Crisis: An International and Regional Issue?" Middle East Institute, March 10, 2016, accessed February 13, 2017.

Article 1, United Nations Convention on the Reduction of Statelessness (adopted 30 August 1961, entered into force 13 December 1975) 989 UNTS 175.

Article 1, United Nations Convention Relating to the Status of Stateless Persons (adopted 28 September 1954, entered into force 6 June 1960) 360 UNTS 117.

Convention on Certain Questions Relating to the Conflict of Nationality Laws, accessed on March 25th 2017.

David Weissbrodt and Clay Collins, "The Human Rights of Stateless Persons," Human Rights Quarterly (2006): 40.

Eleanor Albert, "The Rohingya Migrant Crisis," Council on Foreign Relations, June 2015, accessed February 9, 2017.

Hannah Arendt, "The Origins of Totalitarianism", quoted in Philippe Leclerc and Rupert Colville, "In the Shadow", UNHCR Refugees Magazine, Geneva, issue 3, Num. 147, (2007): 5.

Human Rights Watch. "Burma." Accessed February 12, 2017.

Institute on Stateless and Inclusion, "Causes of Statelessness," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 25.

Institute on Stateless and Inclusion, "Causes of Statelessness," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 27.

Institute on Stateless and Inclusion, "Causes of Statelessness," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 28.

Institute on Stateless and Inclusion, "Causes of Statelessness," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 29.

Institute on Stateless and Inclusion, "Causes of Statelessness," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 30.

Institute on Stateless and Inclusion, "Causes of Statelessness," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 31.

Institute on Stateless and Inclusion, "Causes of Statelessness," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 127.

Institute on Stateless and Inclusion, "Global Statelessness Statistics: Asia and The Pacific," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, (2014):80.

Institute on Stateless and Inclusion, "Global Statelessness Statistics: Africa," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 80.

Institute on Stateless and Inclusion, "Global Statelessness Statistics: Americas," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 77.

Institute on Stateless and Inclusion, "Global Statelessness Statistics: Europe," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 77.

Institute on Stateless and Inclusion, "Statelessness Under International Law," on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014): 10.

Institute on Stateless and Inclusion. "Global Statelessness Statistics: Asia and The Pacific." on The World's Stateless (Oisterwijk: Wolf Legal Publishers, 2014).

KurdWatch, "Stateless Kurds in Syria: Illegal Invaders or Victims of a Nationalistic Policy?" (March 2010); UNHCR, "Global Trends" 2011, 2012 and 2013.

Lindsey Kingston, "A Forgotten Human Rights Crisis": Statelessness and Issue (Non)Emergence." Human Rights Review June 2013, Volume 14, Issue 2: 80.

Miriam Rürup, "Lives in Limbo: Statelessness After Two World War," Bulletin of German Historical Institute (2011): 120.

Pagano, Antonietta. "The Rohingyas Refugee Crisis: An International and Regional Issue?" Middle East Institute. March 10, 2016. Accessed February 13, 2017.

Rodziana Mohamed Razali, Rohaida Nordin, and Tamara Joan Duraisinga, "Migration and Statelessness," *Pertanika J. Soc. Sci. & Hum.* 23 (2015): 19 – 36.

Stefan Wallascheck, "The Nansen passport – an old solution for today's refugees," accessed on May 1st, 2017.

The League of Arab States, Protocol for the Treatment of Palestinians in Arab States (Casablanca Protocol), 11 September 1965.

UN General Assembly, "A/RES/55/153", accessed on May 5th, 2017.

UN General Assembly, "A/RES/59/34", accessed on May 5th, 2017.

UN General Assembly, "A/RES/67/149", accessed on May 5th, 2017.

UN General Assembly, "A/RES/68/141", accessed on May 5th, 2017.

UNHCR Executive Committee, Conclusion on Civil registration, 7 October 2013 No. 111 (LXIV).

UNHCR, " #IBelong," accessed April 20th, 2017.

UNHCR, "Stateless People," accessed on April 10th 2017.

UNHCR. "Ending Statelessness." Accessed February 12, 2017.

UNHCR. "UN Conventions on Statelessness." Accessed February 12, 2017.