

1.6. Global developments surrounding statelessness

1.6. Global developments surrounding statelessness



In a year that marked the 60th anniversary of the 1961 Convention on the Reduction of Statelessness,⁷⁰ issues surrounding these occurrences, including in the context of asylum, persisted. A stateless person is someone “who is not considered as a national by any state under operation of its law”.⁷¹ Whether born stateless or having become stateless later in life, a stateless person does not have the nationality of any country.

Data by UNHCR reported for 94 countries indicate a total of more than 4 million stateless people around the world.⁷² The figure is likely much higher, as most countries in the world report partial or no statistics on statelessness.⁷³

In 2021, a number of issues related to statelessness continued to gain attention of the international community. In its background note on gender equality, nationality laws and statelessness, UNHCR noted that many countries still have not attained equality between men and women relating to the conferral of nationality on their children, which can create stateless children who cannot acquire nationality from their fathers.⁷⁴

In the context of the COVID-19 pandemic, stateless people often found themselves with no access to testing, treatment and vaccinations due to the lack of a legal status⁷⁵, ⁷⁶ Despite the fact that the pandemic had a severe socio-economic impact on them, they were still unable to access social services that would mitigate the adverse effects of the pandemic.⁷⁷, ⁷⁸, ⁷⁹ Some may also fear to register for the vaccination or come forward for testing and treatment due to the risk of detention or deportation that their absence of a legal status entails.⁸⁰

Acknowledging the disproportionate impact of the pandemic on stateless people, a number of stakeholders highlighted the importance of including them in national plans to contain and address the effects of COVID-19.⁸¹, ⁸²

Coordinated by UNHCR and with the participation of other UN and international agencies, regional organisations, civil society organisations and stateless people themselves, the [Global Action Plan to End Statelessness](#) was set up in 2014 with a framework to resolve existing situations of statelessness, prevent the emergence of new cases and enhance the identification and protection of stateless people.⁸³ As of August 2021, 77 states had joined the 1961 Convention on the Reduction of Statelessness. Accessions have increased

since 2010, with 40 States having formalised their commitment to reduce statelessness by becoming parties. According to UNHCR, during the same period, more than 800,000 stateless persons are known to have had their nationality confirmed.⁸⁴

Acknowledging that different aspects of a stateless person's identity may impact on their experience in the context of displacement, in June 2021 UNHCR released a discussion paper on LGBTIQ persons in forced displacement and statelessness, shedding light on the fundamental issues they face and offering a set of possible protection solutions.⁸⁵

In December 2020, the European Union Agency for Fundamental Rights (FRA) and the European Court of Human Rights (ECtHR) released an updated edition of the [Handbook on European Law relating to Asylum, Borders and Immigration](#). With an expanded section on issues of statelessness, the handbook is intended for lawyers, judges, prosecutors, border guards, immigration officials and others working with national authorities, as well as national human rights institutions, NGOs and other bodies that may deal with legal questions related to asylum and migration.⁸⁶

In addition, the European Network on Statelessness (ENS) launched in 2021 its [Statelessness Case Law Database](#), which provides a collection of cases to illustrate how European courts have addressed the issue in a variety of contexts. Over the past years, the ENS has conducted systematic research on issues of statelessness in Europe and supported legal and policy development, awareness-raising and capacity-building in addressing statelessness.

⁷⁰ Convention on the Reduction of Statelessness, 1961. https://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness_ENG.pdf

⁷¹ United Nations High Commissioner for Refugees. (November 2021). Mid-Year Trends 2021. <https://www.unhcr.org/statistics/unhcrstats/618ae4694/mid-year-trends-2021.html>

⁷² United Nations High Commissioner for Refugees. (November 2021). Mid-Year Trends 2021. <https://www.unhcr.org/statistics/unhcrstats/618ae4694/mid-year-trends-2021.html>

⁷³ United Nations High Commissioner for Refugees. (November 2021). Mid-Year Trends 2021. <https://www.unhcr.org/statistics/unhcrstats/618ae4694/mid-year-trends-2021.html>

⁷⁴ United Nations High Commissioner for Refugees. (2021, March 5). Background Note on Gender Equality, Nationality Laws and Statelessness 2021. <https://www.refworld.org/docid/604257d34.html>

⁷⁵ United Nations High Commissioner for Refugees. (October 2021). Conclusion of the executive committee on international protection and durable solutions in the context of a public health emergency. <https://www.refworld.org/docid/617a510e6.html>

⁷⁶ United Nations High Commissioner for Refugees. (2021, June 22). UNHCR warns of vaccine gap risk for world's stateless. <https://www.unhcr.org/news/press/2021/6/60d06e444/unhcr-warns-vaccine-gap-risk-worlds-stateless.html>

⁷⁷ United Nations High Commissioner for Refugees. (October 2021). Conclusion of the executive committee on international protection and durable solutions in the context of a public health emergency. <https://www.refworld.org/docid/617a510e6.html>

⁷⁸ United Nations High Commissioner for Refugees. (2021, June 3). The Impact of COVID-19 on Stateless Populations: Policy recommendations and good practices on vaccine access and civil registration. <https://www.refworld.org/docid/60b8d6d84.html>

⁷⁹ Joint Statement. (May 2020). In solidarity with the stateless: An urgent call to states, donors and other stakeholders to promote and protect the rights of stateless persons in their COVID-19 responses. https://files.institutesi.org/Joint_Statement_in_Solidarity_with_the_Stateless.pdf

80 United Nations High Commissioner for Refugees. (2021, June 22). UNHCR warns of vaccine gap risk for world's stateless. <https://www.unhcr.org/news/press/2021/6/60d06e444/unhcr-warns-vaccine-gap-risk-worlds-stateless.html>

81 United Nations High Commissioner for Refugees. (2021, June 3). The Impact of COVID-19 on Stateless Populations: Policy recommendations and good practices on vaccine access and civil registration. <https://www.refworld.org/docid/60b8d6d84.html>

82 Joint Statement. (May 2020). In solidarity with the stateless: An urgent call to states, donors and other stakeholders to promote and protect the rights of stateless persons in their COVID-19 responses. https://files.institutesi.org/Joint_Statement_in_Solidarity_with_the_Stateless.pdf

83 United Nations High Commissioner for Refugees. Global Action Plan to End Statelessness 2014–2024. <https://www.refworld.org/pdfid/545b47d64.pdf>

84 United Nations High Commissioner for Refugees. (2021, August 30). The 1961 Statelessness Convention: 60 years of promoting and protecting the right to a nationality. <https://www.unhcr.org/news/press/2021/8/612bc6f44/1961-statelessness-convention-60-years-promoting-protecting-right-nationality.html>

85 United Nations High Commissioner for Refugees. (June 2021). LGBTIQ+ Persons in Forced Displacement and Statelessness: Protection and Solutions – Discussion Paper. <https://www.refworld.org/docid/611e16944.html>

86 European Union Agency for Fundamental Rights, & European Court of Human Rights. (December 2020). Handbook on European law relating to asylum, borders and immigration. https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-handbook-law-asylum-migration-borders-2020-ed_en.pdf