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icon on global developments for stateless persons

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 case 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.

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