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icon on global developments for stateless persons

Issues surrounding statelessness remained a key theme in the asylum discourse in 2022. A stateless person is someone “who is not considered as a national by any state under operation of its law”.67 Whether born stateless or having become stateless later in life, a stateless person does not have the nationality of any country, which impedes their access to basic rights, such as education, health care, housing, employment, social welfare and documentation.68

Data by UNHCR reported for 95 countries indicate a total of 4.3 million stateless people around the world.69 The figure is likely much higher, as approximately one-half of countries in the world, including countries with known stateless populations, do not report statistics on statelessness.70

A 10-year Global Action Plan to End Statelessness was set up in 2014 under the coordination of UNHCR and with the participation of other UN and international agencies, regional organisations, civil society and stateless people.71 The plan aims to address existing situations of statelessness, prevent the emergence of new cases and enhance the identification and protection of stateless people. In its eighth year of implementation, in 2022 a number of countries across the world introduced initiatives for the prevention and elimination of statelessness, such as:

- acceding to relevant international legal instruments,72 establishing statelessness determination procedures or laying the groundwork to prepare national legislation to this end;73,74
- facilitating access to protection services;75,76
- organising information provision and campaigns to increase awareness on how stateless people can access protection solutions;77 and
- facilitating birth registration for new-born children at heightened risk of statelessness, as well as access to naturalisation procedures.78

Overall, since the beginning of the campaign and up to November 2022, almost 450,000 stateless people had acquired or had their nationality confirmed and tens of thousands worldwide have a pathway to citizenship.79 Despite this progress, taking into consideration the total population of stateless people worldwide, stronger efforts are needed to step up action and eliminate legal and policy gaps that perpetuate or increase the risk of statelessness.80

Climatic statelessness has been attracting increasing attention over the past years, that is, combining elements of statelessness and climate-induced displacement.[81] It refers to statelessness not due to the degradation of a specific ecosystem, but due to the overall disappearance of habitats, as is the case of certain small island states that are likely to disappear in the coming decades as sea levels rise. The novelty of this occurrence is that it cannot be effectively addressed by existing legislation, since current legislation centres on rights of individuals and duties of states vis-à-vis those individuals. A question, for example, that is not addressed by current legislation relates to the binary between statelessness as the undesirable state and citizenship (of the host country) as the desirable state, not covering the imminent possibility of affected populations wanting to keep their nationality even after their country disappears.[82]

Another open question that sheds light to the legal complexity – apart from the social, cultural and spiritual aspects – is what will happen to people who leave the country before the complete loss of the country's territory occurs.[83] In the absence of relevant provisions, existing legal instruments need to be strengthened to protect populations at risk of permanently losing their homes and becoming stateless.[84]

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