

COMMITTEE: Legal

TOPIC: Addressing the Legal Implications of Statelessness and ensuring Rights and Protections for Stateless Individuals

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Personal Introduction

Dear Delegates,

We are Irida Eleni Kapatai and Matthaios Giannaros, and we are thrilled to welcome you to this year's MUN. Together, we have the honor of serving as your President and Vice-President of the Legal Committee for this LFH MUN. Over the next three days, we look forward to collaborating with all of you and guiding you through engaging and meaningful debates. Our goal is to assist you in understanding the topic and to ensure that your discussions are both insightful and productive. We hope that you find this topic as captivating as we do and that you fully benefit from this enriching MUN experience. If you need any help with your preparation or have questions during the conference, please do not hesitate to reach out to either of us. We are here to support you and make this a memorable and rewarding experience for everyone.

Dear Delegates, you are very lucky to have been given the opportunity to participate in such a unique experience. We hope that this study guide will help you get a clear understanding of the topic: "Addressing the Legal Implications of Statelessness and ensuring Rights and Protections for Stateless Individuals".

Addressing the Legal Implications of Statelessness and ensuring Rights and Protections for Stateless Individuals is an essential issue in human rights and international law, as stateless individuals struggle with the right to education, to medical treatment, to vote, to own a house and many more.

This issue is more than just a legal problem; it is a humanitarian crisis. The United Nations High Commissioner for Refugees (UNHCR) estimates that millions of people around the world are stateless, and their struggles are often overlooked.

General Introduction

Stateless individuals do not possess nationality or citizenship in any country. As a result, they are denied basic rights, including access to education, healthcare, employment, and legal protections. These individuals become stateless due to discrimination, war, or the dissolution of a state. In some cases, statelessness can be passed on to the children. Currently, there are over 4.4 million stateless individuals worldwide who, despite often having lived in the same place for generations, legally do not exist because they have no nationality. As a result, they are unable to register their births and do not possess birth certificates.

During China's One-Child Policy (1979–2015), families who exceeded the legal child limit faced severe fines and social penalties. Many parents chose not to register their "over-quota" children to avoid repercussions. Without a

hukou (household registration certificate), these children had no legal identity, meaning they were denied education, healthcare, and employment. Some families sent their unregistered children to other countries for schooling, while others remained stateless within China. Even after the One-Child Policy was revoked, thousands of undocumented children continued to struggle for legal recognition.

Notably, the Rohingya people, an ethnic minority in Myanmar, have faced decades of discrimination and persecution. Under Myanmar's 1982 Citizenship Law, the Rohingya were stripped of their nationality, leaving them stateless. They are denied freedom of movement, education, healthcare, and legal protections. Since 2017, mass violence against the Rohingya has led to hundreds of thousands fleeing to Bangladesh, where they live in refugee camps with no clear path to citizenship or permanent resettlement.

Statelessness denies fundamental human rights such as the right to education, to medical treatment, to vote, to own a house and many more. Moreover, these people are usually subject to exploitation and abuse, with a large number of stateless individuals working illegally to support their families. Given that stateless individuals are often denied access to formal employment, education, and healthcare, they are at a heightened risk of falling into poverty and, consequently, criminality.

Unfortunately, their human rights are being overlooked, but international law recognizes the need to act against statelessness. Notably, there have been key agreements like the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The 1954 Convention relating to the Status of Stateless Persons was created to establish a legal framework for protecting the rights of stateless individuals. It defines who qualifies as a stateless person and outlines the rights they should be granted by the countries that have signed the agreement. The 1961 Convention on the Reduction of Statelessness aims to prevent statelessness from occurring in the first place. It sets guidelines on how nationality should be granted to reduce and eliminate cases of statelessness.

The United Nations plays a key role in raising awareness with these legal frameworks. Efforts are made to address the challenges faced by stateless individuals and provide them with necessary support through various agencies like the UN High Commissioner for Refugees (UNHCR).

Definition of Keywords:

Human rights law: Customs, rules or practices that address the fundamental rights and freedoms of individuals. Human rights law can take many different forms, including international law.

International law: The collection of rules, norms, and standards that apply between sovereign states and other entities that are legally recognized as

international actors, these nations accept these norms considering their interactions with one another

Statelessness: the condition of not being recognized as a citizen or national by any country.

UNHCR: United Nations High Commissioner for Refugees

State secession: the act of a region, group, or territory within an existing state formally declaring its independence and seeking to establish itself as a new sovereign state.

UNRWA: United Nations Relief and Works Agency for Palestine Refugees

Displacement: The forcible movement from one place or position to another.

Forced migration: The movement of people out of the region in which they live because of conflict, natural disasters, human-made disasters, or development projects.

Refugee: A person who is displaced from his or her country or region of birth as a result of persecution or violence, often stemming from religious or political conflict or natural disaster

Denationalisation: The process by which a State strips an individual or group of their citizenship, often arbitrarily or discriminatorily.

Citizenship: The legal bond between a person and a State, conferring rights (like voting, protection) and duties (like obeying laws).

Discrimination: “Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms.”

IBelong Campaign: The IBelong Campaign is a global initiative launched by the United Nations High Commissioner for Refugees (UNHCR) aimed at ending statelessness by 2024. It focuses on ensuring that everyone has the right to a nationality and legal identity, which are essential to access basic rights and services.

Rohingya Minority: The Rohingya are a Muslim ethnic minority primarily residing in Myanmar's Rakhine State, who have faced decades of

persecution, denial of citizenship, and human rights abuses, leading to mass displacement and statelessness.

Exploitation: the act of treating a person or group unfairly to benefit from their work, resources, or situation, often through coercion, manipulation, or abuse of power, leading to harm or deprivation of rights.

Political marginalization: refers to the process by which certain groups or communities are systematically excluded from political participation, decision-making, or representation, reducing their influence and access to power within society.

General Overview:

Causes:

- **Discrimination:**

Statelessness is mainly caused by one or multiple forms of discrimination. More than 75% of the world's stateless population belong to minority groups. Gender discrimination in nationality laws is another major cause of statelessness. The Bidoon (meaning "without" in Arabic) are a stateless ethnic group in Kuwait, who were not granted citizenship when the country became independent in 1961. Despite living in Kuwait for decades, they lack legal status, passports, and access to basic rights. The Kuwaiti government classifies them as "illegal residents," denying them employment, education, and healthcare. A large number of Bidoons are trapped in a cycle of poverty with no clear pathway to citizenship. Additionally, Kurds in Syria in the 1960s, the black population in Mauritania in the 1980s and people of Haitian descent in the Dominican Republic in the 2000s are also minority groups who have experienced statelessness as a result of the manipulation of nationality policy to exclude those who do not fit a certain 'national identity'. In some countries, religious discrimination also contributes to statelessness. For example, the Rohingya Muslim minority in Myanmar have been systematically excluded from citizenship because they are not recognized as an official ethnic group under the 1982 Citizenship Law.

- **The dissolution of a state**

When part of a state becomes independent, or state dissolves into multiple new states, the question emerges as to what happens to the nationality of the people that are affected. The new nationality laws may conflict and leave people without any nationality, while the re-definition of who is a national of the original state may also cause statelessness. Statelessness has followed the dissolution of federal states into independent republics, such as in the case of the Soviet Union and Yugoslavia; and state secession, such as the splitting off of Eritrea from Ethiopia and South Sudan from Sudan. Another example is the succession of Czechoslovakia into the Czech Republic and Slovakia, where some Roma people found themselves without clear citizenship.

- **War**

Armed conflict often forces people to flee their home countries, leaving them without the documentation or nationality they once had. When refugees are displaced across borders, they may lose their original nationality due to loss of documentation or state succession (where a new government or state doesn't recognize their citizenship). An example could be the Syrian Civil War that has significantly impacted the nationality status of various groups, notably Palestinians and Kurds. The 1962 census in Syria resulted in the denationalization of approximately 300,000 Kurds, leaving them stateless. Additionally, Palestinian refugees from Syria, who fled the conflict, often face challenges in registering for assistance with agencies like UNRWA or UNHCR, further complicating their access to rights and protections. Children born during conflict without proper registration documents are at particular risk of inheriting statelessness.

- **Inherited statelessness**

Most countries require at least one parent to have nationality for the child to become a national at birth. Most new cases of statelessness affect children from birth, who may never know the protection of nationality. In some regions, paternal recognition is required, so children born out of wedlock or to single mothers may also become stateless.

Consequences:

- No access to education

Stateless individuals do not have access to education. In China, for instance, families sent their unregistered children to other countries for schooling during China's One-Child Policy (1979–2015). In Bangladesh, Rohingya children face severe restrictions on access to formal schools.

- No access to healthcare

Stateless people may be excluded from national healthcare systems. In Lebanon, stateless children cannot access public hospital services without paying high fees.

- Lack of Legal Identity

Stateless individuals often have no birth certificates, national IDs, or passports, leaving them without formal recognition by any state.

- Involvement in the informal economy

In order to support their families financially, they work illegally; where they may be exploited, underpaid, and have no labor protections

- Poverty and economic marginalization

Stateless individuals cannot legally work or access credit, making it difficult to escape poverty.

- Higher risk of criminality

Without access to legal means of earning a living, some may resort to illegal activities to survive.

- Denied freedom of movement

Stateless individuals often face severe restrictions on their ability to travel, both within their country and across borders because they do not possess a passport or ID. Some countries require internal travel permits, which stateless people cannot obtain.

- No legal protections

Stateless individuals often lack the legal standing to seek justice. Without nationality, they may not be able to file lawsuits, represent themselves in court, or access legal aid services.

- No right to vote

No representation in government, leaving stateless individuals without a voice in decisions that affect their lives.

- No right to own a house

Lacking legal status, nationality, and recognized documentation, stateless people are excluded from the basic rights that most citizens take for granted, such as access to land ownership and housing.

- Discrimination and Marginalization

Stateless individuals are often discriminated against because they are viewed as outsiders or as individuals who do not “belong” to any particular country or community. This discrimination can affect every aspect of daily life, including access to public services, employment, education, and healthcare. Stateless people may be targeted by racial profiling or police harassment, and they often face social stigma that reinforces their exclusion. For example, in Latvia and Estonia, “non-citizens” of Russian origin have experienced restrictions on political participation and social benefits.

- Risk of Exploitation and Abuse

The lack of legal protection makes stateless individuals vulnerable to exploitation. They are more likely to face abuses such as physical violence or sexual exploitation, as they lack legal status and cannot turn to authorities for protection. Stateless individuals in refugee camps are often subject to forced labor or sexual exploitation, as they cannot report abuse or seek justice. Women and children are particularly at risk of trafficking or forced marriage, since perpetrators know they have no legal recourse. In many regions, stateless individuals are detained arbitrarily without due process or access to lawyers.

Concerned Countries and Organizations

Countries Directly Concerned:

- Myanmar: The 1982 Citizenship Law excludes the Rohingya minority, leaving them stateless. Violence since 2017 has forced over 700,000 Rohingya into refugee camps in Bangladesh.
- Dominican Republic: A 2013 court ruling retroactively stripped citizenship from thousands of people of Haitian descent, many of whom are now stateless.
- Kuwait: The Bidoon community, long-term residents considered “illegal,” are denied nationality, employment, education, and basic services.
- Syria: Kurds were rendered stateless after the 1962 census; civil war has worsened the situation for many, especially Palestinian refugees.
- China: Children born outside the One-Child Policy were not registered in the hukou system, leaving them without access to legal identity or rights.
- Lebanon: Lacks legal frameworks for women to pass on nationality to children, causing many to be stateless.
- India: The implementation of the NRC in Assam in 2019 left nearly 1.9 million people at risk of statelessness, many of whom are Muslims or poor Hindus.

Countries Indirectly Concerned:

- Bangladesh: Hosts nearly a million Rohingya refugees without granting them citizenship or permanent rights.

- Thailand, Malaysia, Indonesia: Host stateless migrants from Myanmar and other regions, often denying them legal status.
- European Union Members: Countries such as Latvia and Estonia have large populations of stateless ethnic Russians after the fall of the Soviet Union.
- Gulf states such as Saudi Arabia: Host stateless Bedoon communities without clear pathways to citizenship.

International Organizations Involved:

- UNHCR: Leads global efforts to protect stateless people and resolve statelessness through legal advocacy, refugee assistance, and national campaigns.
- UNICEF: Works to ensure stateless children have access to birth registration, education, and healthcare.
- UNRWA: Supports stateless Palestinian refugees, particularly in the Middle East.
- International Organization for Migration (IOM): Assists stateless migrants and supports governments in resolving statelessness issues.
- Open Society Foundations, Institute on Statelessness and Inclusion: NGOs conducting research, advocacy, and legal support.
- Equality Now: Advocates against gender discrimination in nationality laws.

Latest Developments

2014 – UNHCR launches the #IBelong Campaign to end statelessness within 10 years.

2017 – Military crackdown in Myanmar displaces 700,000+ Rohingya to Bangladesh; statelessness crisis worsens.

2019 – India's NRC update in Assam leaves 1.9 million people at risk of statelessness.

2020 – UNHCR Global Action Plan midterm review highlights slow progress toward ending statelessness.

2021 – Dominican Republic criticized by international bodies for failure to reinstate citizenship to persons of Haitian descent.

2023 – UNHCR reports over 4.4 million stateless people worldwide, urging reforms in over 20 countries.

2024 – UNHCR partners with West African governments on regional birth registration campaigns to prevent inherited statelessness.

UN Involvement:

The United Nations has taken significant steps to address the issue of statelessness. Two key international treaties have laid the foundation for international action: the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The 1954 Convention establishes the legal definition of a stateless person and sets minimum standards for their treatment, including access to education, employment, and identity documents. The 1961 Convention focuses on preventing statelessness by requiring states to grant nationality to individuals born on their territory who would otherwise be stateless. In 2014, the UN High Commissioner for Refugees (UNHCR) launched the #IBelong Campaign, a 10-year global initiative aiming to end statelessness by 2024. As part of this campaign, the UNHCR introduced the Global Action Plan to End Statelessness, which includes 10 key actions such as ensuring birth registration, eliminating gender discrimination in nationality laws, and resolving existing statelessness situations. The Human Rights Council also

adopted Resolution 20/4 in 2012, reaffirming the right to nationality and urging states to prevent arbitrary deprivation of nationality. Additionally, the UN General Assembly adopted Resolution 74/169 in 2019, calling on states to respect the human rights of stateless individuals and to implement national strategies to prevent and reduce statelessness. UN agencies such as UNICEF and UNRWA have also played a crucial role by providing support to stateless children and Palestinian refugees, respectively. Through legal frameworks, field operations, and awareness campaigns, the UN continues to advocate for the protection and inclusion of stateless persons around the world. The UN Special Rapporteur on minority issues has also issued reports highlighting discriminatory practices leading to statelessness, especially against minorities and women.

Previous attempts to solve the issue

1954 Convention Relating to the Status of Stateless Persons

- Created the first international definition of a “stateless person.”
- Guarantees minimum rights (legal identity, education, work, travel documents, and access to courts).
- Provides a framework for protection similar to refugee status.
- Partially successful.
- Many countries have not ratified (fewer than 100), limiting global impact.
- Even in states that ratified, domestic implementation often remains weak.
- Stateless people still face barriers accessing basic services and rights.

1961 Convention on the Reduction of Statelessness

- Aims to prevent statelessness before it arises.
- Requires states to grant nationality to children born on their territory who would otherwise be stateless.
- Sets rules limiting the loss or deprivation of nationality.
- Moderately successful.
- Important legal safeguards exist, but ratification rates are low.
- Some countries apply reservations or fail to pass national laws to operationalize commitments.

- National security and discrimination concerns have blocked implementation in practice.

UNHCR #IBelong Campaign (Launched 2014)

- A 10-year global campaign to end statelessness by 2024.
- Focused on raising awareness, encouraging legislative reform, and collecting better data.
- Includes annual International Day of Commemoration: November 4.
- Raised visibility and led to some successes (e.g., Kyrgyzstan ended all known statelessness).
- However, by 2024, millions remain stateless due to political reluctance, conflicts, and lack of legal reforms.
- Many states still do not prioritize the issue.

Regional Initiatives

- Brazil Declaration and Plan of Action (2014): Latin America committed to eradicating statelessness.
- Abidjan Declaration (2015): ECOWAS members pledged to prevent and reduce statelessness in West Africa.
- Implementation remains uneven, especially in conflict-affected or resource-constrained states.
- Some countries lack capacity or political will to follow through.

National Legislative Reforms

- Kyrgyzstan: Became the first country to end all known statelessness in 2019.
- Thailand: Gave nationality to thousands of formerly stateless children.
- Successful in some national contexts.
- Still isolated examples; most countries have not reformed discriminatory laws.

- National security and ethnic discrimination continue to create new cases.

International Days and Awareness Efforts

- November 4: International Day to End Statelessness.
- Global campaigns, educational events, and UNHCR publications raise visibility.
- Helped place statelessness on the global agenda.
- Awareness alone has not consistently led to legislative change.

Strategic Litigation

- NGOs and individuals have brought cases before courts (national and international) challenging discriminatory nationality laws.
- Notable successes include decisions obliging states to amend laws violating children's rights to nationality.
- Important legal precedents set.
- Enforcement of judgments remains inconsistent, and litigation can be slow and costly.

Possible Solutions

1.

Universal and Automatic Birth Registration

Encourage member states to implement digital, free, and universal birth registration systems, especially in rural and conflict-affected areas, in cooperation with international organizations like UNICEF and UNHCR.

Goal: Prevent inherited statelessness and ensure children are registered at birth regardless of their parents' legal status.

2.

Reform of Discriminatory Nationality Laws

Urge governments to:

- Eliminate gender discrimination in nationality laws so mothers can pass citizenship to children on an equal basis with fathers.
- Remove ethnic, racial, or religious exclusions from citizenship laws (e.g. Myanmar's 1982 Citizenship Law).

Goal: Address root causes of statelessness related to identity-based discrimination.

3.

Pathways to Naturalization for Long-Term Residents

Recommend the establishment of clear and accessible procedures for stateless individuals to apply for nationality after long-term residency, especially for populations like the Bidoon in Kuwait or ethnic Russians in the Baltics.

This can be modeled on successful reforms in Thailand or Kyrgyzstan.

4.

Strengthening Implementation of the 1954 and 1961 Conventions

Encourage non-signatory states to ratify the Conventions, and assist current parties in fully implementing their provisions, including through:

- Legal aid programs.
- Training for civil servants and immigration officers.

Goal: Ensure minimum rights and legal recognition for stateless people, and prevent new cases.

5.

Create Statelessness Determination Procedures (SDPs)

Call on countries to establish formal legal frameworks to identify stateless persons, similar to refugee status determination processes.

This ensures that individuals receive protection while awaiting nationality.

6.

Legal Aid and Documentation Drives

Promote regional and national campaigns to:

- Issue missing documents (birth certificates, ID cards).
- Offer mobile legal clinics in stateless communities.
- Involve civil society organizations to support community outreach and education.

Example: West Africa's 2024 birth registration initiative could be expanded globally.

7.

Regional Agreements for Cross-Border Protection

Encourage neighboring countries to sign regional treaties or memoranda of understanding allowing:

- Mutual recognition of documentation.
- Basic rights (healthcare, education, and work permits) for stateless migrants.

Especially relevant in Southeast Asia (Rohingya), the Gulf (Bidoon), and the Caribbean (Dominicans of Haitian descent).

8.

Incentivize National Action Plans to End Statelessness

Encourage the adoption of National Action Plans (NAPs), in line with UNHCR's Global Action Plan, that outline clear targets for:

- Law reform.
- Registration improvements.
- Reduction of stateless populations.

Example: Use Kyrgyzstan's successful NAP as a model.

9.

Statelessness Education and Awareness Programs

Launch campaigns at schools, universities, and civil service training institutes to:

- Educate the public about the rights of stateless persons.
- Reduce stigma and discrimination.
- Train officials on international norms and procedures.

Could be supported by UNHCR, NGOs, and national human rights commissions.

10.

Humanitarian Corridors and Safe Residency Schemes

Propose international support for temporary residency permits for stateless individuals in crisis zones, offering:

- Legal protection.
- Safe access to services.

- The possibility of naturalization over time.

Especially needed in refugee-hosting countries like Lebanon, Bangladesh, and Malaysia.

Bibliography

UNHCR Statelessness Policy Brief (2024). (2024). UN High Commissioner for Refugees. [online] Available at: <https://www.unhcr.org/ibelong/wp-content/uploads/Statelessness-Policy-Brief-2024-final.pdf>

Amnesty International. (2023). "I Don't Have a Future": Stateless Kuwaitis and the Right to Education. [online] Available at: <https://www.amnesty.org/en/wp-content/uploads/2023/08/MDE1769902023ENGLISH.pdf>

OHCHR / ISI / SALAM DHR. (2022). Nothing But a Pen and a Word: Voices from the Stateless Bidoon Community in Kuwait During the COVID-19 Pandemic. [online] Available at: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=q9qCiZ4IRfQjnB9WTtB7tCf2Wghhk3S0x+yAX2xSQYj8BV5yFJu%2FTCLCym9CPuy%2F

UNHCR. (2023). Statelessness (Including an Update on the #IBelong Campaign). [online] Available at: <https://www.unhcr.org/sites/default/files/2023-05/CRP-12-Statelessness-87-SC-English.pdf>

UNHCR. (2010). Ensuring Birth Registration for the Prevention of Statelessness. [online] Available at: https://webarchive.unhcr.org/20230527204300if_/https://www.refworld.org/pdfid/5a0ac8f94.pdf

UNHCR. (2011). Handbook on Protection of Stateless Persons. [online] Available at: https://www.unhcr.org/ch/sites/default/files/legacy-pdf/CH-UNHCR_Handbook-on-Protection-of-Stateless-Persons.pdf

UNHCR. (2021). Desk Review on Populations at Risk of Statelessness. [online] Available at: https://www.unhcr.org/wp-content/uploads/sites/28/2021/10/Surge-Capacity-Project_Desk-Review.pdf

UNICEF / UNHCR. (2018). Coalition on Every Child's Right to a Nationality (Western Balkans Case Study). [online] Available at: <https://www.unhcr.org/sites/default/files/legacy-pdf/5c63e7864.pdf>

Amnesty International. (2024). Kuwait: Drop Charges Against Bidun Activist Mohammad al-Bargash. [online] Available at: <https://www.amnesty.org/en/latest/news/2024/01/kuwait-drop-charges-against-bidun-activist-for-speaking-out-over-human-rights-of-stateless/>

UN Wikipedia – Convention on the Reduction of Statelessness. (2025). Convention on the Reduction of Statelessness. [online] Available at: https://en.wikipedia.org/wiki/Convention_on_the_Reduction_of_Statelessness

Institutesi.org. (2020). *Institute Statelessness and Inclusion*. [online] Available at: <https://www.institutesi.org/>.

Cambridge Dictionary (2019). *EXPLOITATION* | meaning in the Cambridge English Dictionary. [online] Cambridge.org. Available at: <https://dictionary.cambridge.org/dictionary/english/exploitation>.