

Ending Statelessness Through Belonging: A Transformative Agenda?

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Belonging. The subject conjures up a realm of emotions. In today's world, where increasing numbers of people are on the move, whether voluntarily or forced, it captures the nostalgia one feels for a home left behind or the yearning one has for acceptance in a new community. It can produce feelings of joy or loss even from a distance, as when one follows political, sporting, or family events from afar. It encompasses sentiments of anguish, fear, and resentment when those who wish to belong are rejected or when those within a group feel threatened by those from without. For all the talk today of an interconnected, globalizing world where borders are “not just permeable, but . . . shot through with large holes,”¹ most of us still expect our national borders—the borders of the state where we belong—to be impenetrable, except through the preapproved legal channels.

With roots in Middle English, the term “belonging” means to be appropriately assigned to something or, in current parlance, to be rightly placed. If we think about how the world is currently carved up into states, and how states automatically assign formal belonging to individuals through the authorized channels of birth on the soil (*jus soli*) or descent (*jus sanguinis*), the vast majority of people on the planet are “rightly placed” from a legal and a statist perspective. We belong somewhere and are officially recognized as having a particular “national” home through citizenship. There are, however, an estimated 10 million people worldwide who either have never been “assigned” a particular citizenship at birth or

*This is the first in a two-part series on UNHCR's global #IBelong Campaign. A forthcoming essay will evaluate how the Global Action Plan to End Statelessness has manifested itself in the Americas, assessing its potential to transform our world in practice.

have had their formal belonging stripped from them at some point in their life. They are the world's stateless: those who officially belong nowhere.

This essay explores statelessness through the prism of belonging, asking whether the United Nations High Commissioner for Refugees' (UNHCR) reframing of statelessness as an issue of belonging can be successful in eradicating statelessness globally. To answer this question, this essay introduces UNHCR's #IBelong Campaign, highlighting the novelty and transformative potential of the campaign's use of "belonging" to address statelessness. The essay then provides an overview of the campaign's core policy and strategic document, the Global Action Plan to End Statelessness: 2014–2024 (GAP), situating it within its institutional context.

THE #IBELONG CAMPAIGN

Statelessness—or the condition of not being recognized as a citizen of any state according to its laws²—has long been a global problem, but has only recently resurfaced as an international concern. The post–World War II era saw some limited interest in addressing the problem of statelessness, especially in the context of forced displacement. The subject again gained attention during the early 1990s when Soviet-era successor states claimed independence, but were often unwilling to include specific populations within their newly defined citizenry. Aside from these two brief periods, however, statelessness has barely appeared on the international community's radar. For much of the twentieth century the uncertainty, vulnerability, and blatant disregard for human rights faced by millions of people because they did not formally belong to a state simply did not rise to the top of security, human rights, or development agendas.

Fast forward to the twenty-first century and a veritable sea change is occurring. The First Global Forum on Statelessness was held at The Hague in 2014, addressing various dimensions of, and possible solutions to, statelessness. Regional networks comprised of a variety of civil society actors have been established to address statelessness in its multiple manifestations;³ academic research on the subject has surged; and, significantly, the United Nations' institutional context appears increasingly supportive of statelessness-related activity.⁴ Specifically, over the last few years UNHCR—the body mandated with the protection of stateless people globally—has dedicated more of its resources, including a substantial budget increase, to its statelessness mandate.⁵ It has established several regional posts

dedicated to addressing statelessness,⁶ deployed SURGE Protection officers⁷ to several countries, and directed some “Seeds for Solutions” monies toward statelessness-focused projects in Central Asia and elsewhere. The agency has also actively encouraged states to accede to the two UN statelessness conventions,⁸ has provided technical and legal expertise in a variety of countries, and has held a series of expert meetings on statelessness.⁹ These achievements have culminated in what is arguably the organization’s most ambitious statelessness project to date: the global #IBelong Campaign to End Statelessness by 2024.

In 2014, UNHCR partnered with United Colors of Benetton (UCB) to launch the #IBelong Campaign with the central message that every person on the planet has the right to belong to a state through citizenship. As UNHCR explains in its “User Guide” on the campaign brand:

The campaign’s creative concept is centered on the right to belong. Developed in partnership with Benetton, [it] includes the hashtag #IBelong and uses a globe as the main icon/logo. Since statelessness is an abstract idea for most people, the icon shows a person in fetal position inside a globe, symbolizing how everyone belongs in the world, how the world can care for and protect every person. The key message that ties the hashtag and the globe together is: #IBelong to a world where everyone has the right to a nationality.¹⁰

In addition, UNHCR and UCB have created a series of seven images that depict stateless people from a variety of backgrounds based on that logo. The images consist of five adults and two children—representing Africa, the Middle East, Europe, and Asia.¹¹ Three of the seven images depict stateless females, while the other four depict stateless males. All rest in a fetal position within a globe. In creating these images and logo, UNHCR and UCB have performed several important functions. First, the images demand that we put a face to the subject of statelessness—something that is often overlooked in discussions of state sovereignty, of alleged threats posed by the “Other,” and of security/resource-related issues. These images ask us to understand the individual *human* nature of this predicament.

Second, and relatedly, these images include people from a variety of geographic, ethnic, and age groups, illustrating that statelessness affects people from all walks of life. It does not discriminate based upon age, gender, class, race, ethnicity, or geographical location. This, in addition to the use of the globe, emphasizes the scope of the issue. We are not dealing with an isolated event that only affects a circumscribed group of people.

Third, and perhaps most radically, the campaign slogan asks that we understand statelessness from the perspective of *belonging*. UNHCR and UCB could have chosen some other campaign concept, such as #citizenshipforall or #nationalityismyright. Instead, they have taken what appears to be a mere legal matter (is a person covered under a state's law as a citizen or not?) and highlighted its personal and affective nature. The subject of belonging portrayed through these images and the campaign brand is "I"—and this subject asserts that she/he belongs to the family of humanity and should thus have her/his right to citizenship fulfilled. From the vantage point of those affected by statelessness, this is a powerful declaration of presence and agency. It demands that we understand formal belonging not only from the state's perspective but also from that of the excluded themselves. We are thus led to question the current state system in which the state is the actor—granting or denying formal belonging—and the people are the acted upon. Framing statelessness in this way is bold, especially when we consider that UNHCR is an intergovernmental agency and that the realm of citizenship determination has traditionally been considered a state prerogative.

Beyond branding and concept, the #IBelong Campaign is multifaceted, comprised of advocacy, fundraising, education, and strategic components, among others. Everyone who visits the campaign's website is encouraged to sign a petition, the Open Letter to End Statelessness, to show their support for "a world where everyone has the right to a nationality."¹² They are also encouraged to take further action, whether via promoting the campaign on social media (Twitter Cards are provided) or organizing a public event in their community, for which the website provides materials. Although still in an early stage of development, a publicly available online advocacy calendar lists statelessness-related events hosted by NGOs and intergovernmental bodies alike.

In terms of multimedia, the #IBelong Campaign's website provides several videos where stateless people from a variety of backgrounds and ages relay their stories, again giving a voice and face to statelessness. The common theme from these personal stories, and from UNHCR's official YouTube video for the campaign, is "everyone has the right to belong." One can also access UNHCR Goodwill Ambassador and actress Cate Blanchett's recorded radio show through Radio Everyone, in which she and her spouse, director Andrew Upton, tie Sustainable Development Goal 16 (access to justice and equality under the law) to the issue of statelessness. In addition to these advocacy and media-oriented aspects of the campaign, numerous reports,¹³ country progress updates, and "Good

Practices” papers¹⁴ are also available through the website. It is also here, under “Campaign Resources,” that we can find the agenda-setting Global Action Plan to End Statelessness.

OVERVIEW OF THE GLOBAL ACTION PLAN (GAP)

In 2014, UNHCR published its Global Action Plan to End Statelessness as part of the #IBelong Campaign. Even though UNHCR as well as some national governments and others have been working on these issue areas for several years now, the GAP is both unprecedented and ambitious. It is unprecedented because the agency has never dedicated the amount of resources, time, and money to this portion of its mandate as it is currently. There was a previous push to encourage states to accede to the statelessness conventions in 2011, but there has never been a global agenda construed to eradicate statelessness in its various dimensions once and for all and within a defined time frame.

The ambition of the GAP can be seen in its ten Actions and fifteen associated goals, all of which fall within UNHCR’s mandate to resolve and prevent statelessness (Actions 1 through 5, 7, and 9) and to identify and protect stateless persons (Actions 6, 8, 9, and 10). The ten Action items include the following measures: resolving current major situations of statelessness (Action 1); preventing children from being born into statelessness and ensuring birth registration (Actions 2 and 7); preventing the denial, loss, or deprivation of nationality on discriminatory grounds (Actions 3 and 4) and in cases of state succession (Action 5); granting protection status to stateless migrants and facilitating their naturalization (Action 6); issuing nationality documentation to those who are entitled to it (Action 8); increasing accession to the two UN statelessness conventions (Action 9); and, finally, improving data—both quantitative and qualitative—on statelessness (Action 10).

While each of the ten Actions is distinct, the achievement of one may lead to the fulfillment of another. For example, and as UNHCR notes, the institution of a functioning and comprehensive birth registration system (Action 7) will assist in the goal of ensuring that no child is born stateless (Action 2). Likewise, improving data on statelessness (Action 10) will improve the ability to fulfill many of the GAP’s other Actions. It is also important to point out that since the reasons for statelessness differ depending on country context, it is not necessary for each Action to be performed in every state to eradicate statelessness within that

country's borders. In some cases, for instance, it will be enough to remove gender discriminatory provisions from nationality laws, while in others it will be necessary to implement a few of the Actions in tandem.

To assist the various stakeholders in achieving the objective of ending global statelessness, the GAP has several components. It describes the present situation of statelessness related to each particular Action (the "Starting Points"); provides advice on how the Action can be implemented, highlighting UNHCR's specific role in this endeavor; identifies potential issues that may arise in trying to complete the Action; and provides "Milestones" or target dates (specifically, 2017 and 2020) for fulfilling particular goals.

Although this is not the place to evaluate each of the ten Actions in relation to ending statelessness globally, it bears noting that the #IBelong Campaign's transformative message of belonging does not fully translate into the GAP, which could prove problematic in accomplishing the eradication of statelessness (whether by 2024 or in our lifetime). Whereas the campaign addresses statelessness through the prism of belonging, inclusiveness, and the agency of the excluded, the GAP is almost squarely centered on the state as actor. The "other UN and international agencies, regional organizations, civil society and stateless people" that UNHCR posits "all have a role to play in supporting governments to accomplish the relevant Actions" are not adequately incorporated into the agenda as agents of change.¹⁵ Action 5, for instance, which focuses on statelessness as a result of state succession, diverges from the campaign's message of individual agency. UNHCR suggests that states include "simple safeguards in nationality laws" to address this kind of potential statelessness. It would have been in keeping with the campaign's message of "I belong," however, to suggest that persons caught in a situation of state succession, where they could technically belong to more than one state, should be able to exercise choice (known as the right of option).

Moreover, it is surprising that in an agenda for which the goal is the eradication of all forms of statelessness everywhere, limits would be placed upon the reach of a given Action. For example, the GAP begins its Actions with the language of resolving "major situations of statelessness," as opposed to *all* situations of statelessness. Additionally, Action 9 cautiously sets the accession goals for the 1954 and 1961 statelessness conventions at only 140 and 130 states, respectively (because some states' "position . . . with regard to international treaties relating to human rights" makes it difficult to achieve universal accession¹⁶).

Similarly, the breadth of protection under Action 6 is limited. It asks that legal protection be given to those migrants who have been evaluated as stateless via a Statelessness Status Determination (SSD) procedure. UNHCR notes that very few states have such a procedure, yet it only sets seventy states as its 2024 target for establishing such a mechanism. It is unclear why we would not want all states to have a SSD procedure. Relatedly, the goal should be for states to establish a SSD process that provides a protective status to *all* stateless persons on their territory, not only to those who are migrants. This is especially important given that the majority of stateless persons are not migrants. Other limitations exist, but for now suffice it to say that disconnects are apparent between the #IBelong Campaign's message of belonging and individual agency, and the strategy document upon which the campaign is based.

CONCLUSION

Despite the above-mentioned disconnects, the #IBelong Campaign to End Statelessness arrives at a time when we sorely need to tackle questions of belonging, noncitizenship, and the “Other” in all of their manifestations. It is obvious that the challenges to fulfilling the campaign's goal of everyone enjoying her/his human right to a nationality are enormous. No “one size fits all” solution to resolving statelessness is possible. People become stateless for a variety of reasons, and the state contexts within which statelessness is generated and maintained are each unique. A given state's potential to prevent and resolve statelessness and to identify and protect the stateless is affected by varying degrees of state resources, civil society involvement, bureaucratic functioning, legal infrastructure, and the like. Some causes of statelessness may thus be more easily addressed than others.

When one considers that states still jealously guard their sovereign right to determine who belongs, it is difficult to imagine how statelessness—itsself a by-product of the state system's malfunctioning—can be resolved by the very actors that generated stateless people in the first place. The GAP's focus on the state as the primary actor for preventing and resolving statelessness, and doing so through chiefly legal or bureaucratic means, thus seems out of step with its #IBelong Campaign brand of individual agency, belonging, and inclusiveness. The campaign asks us to think of the eradication of statelessness from the vantage point of the stateless, the individual agent who declares, “I belong.” Yet the GAP

provides little to no guidance as to how the stateless—and other nonstate actors—can work to achieve the agenda’s targets.

The GAP does not, therefore, appear as bold or as comprehensive as one would want in an agenda that aims to prevent and end statelessness in all of its forms everywhere by 2024. If, however, we take the GAP as a guide for action for those interested in working with UNHCR and state governments on the issue of statelessness, then its potential to change our world is as revolutionary as we work for it to be. If we keep in mind that this campaign is not solely about ending statelessness, but is also a directive that we recognize each person’s *right to belong*, then the truly progressive potential of the GAP, and the global #IBelong Campaign that encompasses it, can be unleashed.

NOTES

- ¹ Barry Buzan and Richard Little, “One World or Two?” *International Studies Review* 2, no. 1 (2000), p. 19.
- ² United Nations Convention relating to the Status of Stateless Persons, Article 1 (1954).
- ³ The International Observatory on Statelessness is the oldest, established in 2007, followed by the European Network on Statelessness in 2012. The Institute on Statelessness and Inclusion was formed two years later, in 2014, along with the Americas Network on Nationality and Statelessness in 2015.
- ⁴ For instance, the UN Secretary-General has issued several reports on the arbitrary deprivation of nationality, one on discrimination against women under nationality law, as well as a Guidance Note. The Human Rights Council has published multiple resolutions on the right to a nationality, encouraging ratification of the statelessness conventions, the amendment of national legislation with an eye to addressing statelessness, and cooperation among UN bodies on statelessness data collection, among other activities. It passed another resolution on birth registration and also issued a report in 2013 on the arbitrary deprivation of nationality via legislative and administrative means, with a special focus on childhood statelessness. A high-level Ministerial Meeting was also held in Geneva in 2011, where more than 150 state representatives attended and more than 60 made pledges regarding statelessness—from committing to improve birth registries and acceding to one or both of the statelessness conventions to reducing statelessness on their territory.
- ⁵ The UNHCR formally received its second mandate—the protection of stateless persons—via UN General Assembly resolution 3274 (XXIX) in 1974.
- ⁶ The purpose of these posts is to provide technical support and advice regarding statelessness, as well as operational responses to prevent and reduce its occurrence within a specific region. Current regional posts are located in the Middle East and North Africa, Europe, the Americas, West Africa, and Asia and the Pacific.
- ⁷ UNHCR, with the assistance of the International Rescue Committee, selects qualified individuals to deploy temporarily in the field to assist with a particular humanitarian situation when the agency’s staffing is insufficient. SURGE stands for “Supporting UNHCR Resources on the Ground with Experts on mission.” For further information, see www.unhcr.org/en-us/surge.html?query=surge%20protection.
- ⁸ The Convention relating to the Status of Stateless Persons (1954) presents the rights and duties that stateless people have within their states of residence and provides the international, legal definition of statelessness. The United Nations Convention on the Reduction of Statelessness (1961) stipulates various means by which statelessness can be prevented and reduced by state parties.
- ⁹ The first expert meeting was held in Prato, Italy (May 27–28, 2010) and addressed the definition of a stateless person. The second was held in Geneva, Switzerland (December 6–7, 2010), focusing on the identification of stateless persons via SSD procedures. The third expert meeting took place in Dakar, Senegal (May 23–24, 2011) examining childhood statelessness, while the fourth focused on interpreting Articles 5 through 9 of the 1961 statelessness convention and was held in Tunis, Tunisia (October 31–November 1, 2013). From this series of meetings and other work, UNHCR was able to issue a series of

guidelines on statelessness, which culminated in their *Handbook on Protection of Stateless Persons* (2014) and their Guideline No. 4 on Ensuring Every Child's Right to Acquire a Nationality (2012).

- ¹⁰ UNHCR, "User Guide: #IBelong Campaign to End Statelessness, Campaign Identity and Creative Concept" (2016), p. 1.
- ¹¹ Three of the images do not have identifying geographical titles. For example, one is named "iBelong-ElderlyMan," a second is called "iBelong-ElderlyWoman," and a third is "iBelong-Boy."
- ¹² UNHCR, "Open Letter to End Statelessness" (2016), www.unhcr.org/ibelong/.
- ¹³ See, for example, the UNHCR reports entitled "I am Here, I Belong: The Urgent Need to End Childhood Statelessness" (2015) and "Ending Statelessness Within 10 Years" (2014).
- ¹⁴ Each "Good Practices" paper will address one of the GAP's 10 Actions, providing examples of how a variety of actors, states, UNHCR, and others have addressed statelessness in the context of that particular Action. The purpose of these Good Practices papers is to provide successful case studies for other interested parties to consider on their path to fulfilling a particular GAP action. To date, four Good Practices papers have been published.
- ¹⁵ UNHCR, "Ending Statelessness Within 10 Years," p. 4.
- ¹⁶ *Ibid.*, p. 24.