**5.4 Belonging to Nowhere**

<http://www.unhcr.org/uk/stateless-people.html>

***Understanding statelessness***

**How does nationality (belong to a state, or country, or nation) happen?**

People usually gain a nationality automatically at birth, either through their parents or the country in which they were born.

Sometimes a person must apply to become a national of a country.

**What is statelessness?**

The international legal definition of a stateless person is “a person who is not considered as a national by any State under the operation of its law”. This means that a stateless person does not have a nationality of any country. Some people are **born** stateless, but others **become** stateless.

*Statelessness can occur for several reasons, including*

* Discrimination against particular ethnic or religious groups
* Discrimination on the basis of gender – only the father counts
* The emergence of new States
* Transfers of territory between existing States
* Gaps in nationality laws

Whatever the cause, statelessness has serious consequences for people in almost every country and in all regions of the world.

**What are the causes of statelessness?**

1. Gaps in nationality laws are a major cause of statelessness. Every country has laws which establish when someone is accepted as a ‘national’ or citizen; and also when they can have it withdrawn. If these laws are not carefully written and correctly applied, some people can be left stateless. An example is that some refugee or orphaned children don’t know, or can’t prove who their parents are; this is an issue in a country where nationality is based on **proven descent** from a national. Fortunately, most nationality laws recognize children in this category as nationals of the state in which they are found.
2. Another factor that can make matters complicated is when people move from the countries where they were born. A child born in a foreign country can risk becoming stateless if that country does not permit nationality based on birth alone. So they are not seen as a national of the country they were born in, and are also not a national of their parents’ country, as they were not born there (if that country does not allow a parent to pass on nationality to their children).
3. The rules about who can and who cannot pass on their nationality are sometimes discriminatory. The laws in 27 countries around the world do not let women pass on their nationality. Some countries limit citizenship to people only of certain races and ethnicities.
4. Another important reason is the emergence of new states and changes in borders. In many cases, after conflict, specific groups can be left without a nationality. Even where new countries allow nationality for all, ethnic, racial and religious minorities frequently have trouble proving their link to the country. In countries where nationality is given by descent, if a person is declared stateless, their statelessness will also be passed on to their children.
5. Finally, statelessness can also be caused by having your nationality taken away; for example, in some countries, citizens can lose their nationality simply from having lived outside their country for a long period of time.

States can also deprive citizens of their nationality through changes in law that leave whole populations stateless, using discriminatory criteria like ethnicity or race.

*‘I am here, so I belong’*