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### A day in the life of... Liesl Muller, Lawyers for Human Rights, South Africa

"We focus on advocacy for the protection of South Africa [...] LHR is currently working on a court case in which we obtained a court order declaring a stateless child to be a citizen of South Africa, despite being born stateless in South Africa. LHR will soon argue the matter in a court of appeal. [...] The biggest challenge we face is the low level of awareness of the issue as well as the fact that South Africa has no legal mechanism for identification or protection of stateless persons. We also face a lot of resistance because of xenophobia".

**Read the full interview in this month's "A day in the life of..." at the bottom of this bulletin.**

### What's new: Publications, Tools & Resources

#### ["Guidelines Involuntary Loss of European Citizenship" \(ILEC Guidelines 2015\)](#)

Result of the project *Involuntary Loss of European Citizenship: Exchanging Knowledge and Identifying Guidelines for Europe*. Intended to provide guidance on implementation of international and European standards on involuntary loss of nationality for government officials, legal practitioners, decision-makers and the judiciary in the Member States of the European Union.

#### ["Arbitrary deprivation of nationality and refugee status", by Helene Lambert](#)

This article examines existing landmark judicial decisions worldwide, relevant UN documents, and academic writing on whether arbitrary deprivation of nationality, either on its own or when taken with other forms of harm, amounts to persecution within the meaning of article 1 of the 1951 Refugee Convention.

#### ["Why non-marital children in the MENA region face a risk of statelessness", by Betsy Fisher](#)

A short article in the *Harvard Human Rights Journal online* about statelessness in the Middle East and North Africa arguing that a combination of gender discriminatory nationality laws, civil registration requirements, criminal penalties for adultery, and societal attitudes prevent or deter unwed parents from registering their children's births or transmitting nationality to their children.

#### [EUDO Citizenship database on Protection Against Statelessness now covers Europe and the Americas](#)

Online database offering information on the extent to which citizenship laws provide sufficient protection against statelessness, in light of the most important international standards. Information can be accessed by country or by theme. The database now covers 76 European and American states.

#### ["Citizenship, statelessness and the numbers game in Lebanon", by Laura van Waas](#)

Working paper posted on the *Social Science Research Network (SSRN)*, exploring the history and socio-political context of Lebanese citizenship policy from the perspective of the prevention and reduction of statelessness.

#### ["Defining statelessness: a Chinese case study", by Stefanie Gordon](#)

Comment piece on *Rights in Exile* discussing the definition of a stateless person and looking at the situation of statelessness in China, in particular how this relates to the problem of denial of birth registration and issues surrounding the country's *Hukou* system.

### **[“Stateless children, parents & undocumented migration: An Indonesian pilot study”](#)**

Research project of the University of Victoria (Canada) Centre for Asia-Pacific Initiatives looking, in particular at access to birth registration for children of undocumented Indonesian migrant parents. Project is ongoing but [working paper framing the research](#) and a [first field research report](#) are online.

### **[“Statelessness: The impact of international law and current challenges”, Chatham House meeting summary](#)**

Summary of meeting held at Chatham House (London) in November 2014 which explored the impact of international law on the treatment of stateless persons, as well as the prevention of statelessness. Issues discussed included the causes of statelessness and the impact on the individuals concerned, together with the challenges involved in the office of the UN High Commissioner for Refugees’ (UNHCR) pursuit of its campaign to eradicate statelessness within the decade.

### **[Radio podcast on statelessness, Talking History – Newstalk, Ireland](#)**

45-minute segment for Irish radio on international and historic aspects of statelessness with a diverse panel of experts, including Kelly Staples, Brad Blitz, Linda Kerber and Amal de Chickera.

## **What’s new: Law & Policy**

### **Asia Pacific states adopt Ministerial Declaration on Civil Registration and Vital Statistics (‘CRVS’)**

[Declaration](#) adopted by 44 States from the Asia Pacific at the end of November 2014. Participating states committed to achieving the goal of universal CRVS in the region by 2024 and endorsed a [Regional Action Framework](#) which governs implementation of the Declaration. [A news story by UNHCR](#) on this was already posted in November, but full details of these developments and further documents from the meeting can be found online here: <http://www.getinthepicture.org/>.

### **EU looks at how to do more to address statelessness in its external human rights action: [paper](#) and [debate](#)**

A [policy paper exploring how the European Union can play a greater role in the fight against statelessness around the world as part of its external action on human rights issues](#) was published by the EU Directorate-General on external policies of the Union. It identifies the ways in which the EU has already contributed to addressing statelessness in its external action and discusses the ways in which the EU can strengthen its contribution to the fights against statelessness through multilateral action, bilateral action and improved institutional arrangements. The paper was discussed during an [‘Exchange of Views’ by the European Parliament Sub-Committee on Human Rights, the webcast of which can be viewed here](#) (from minute 15.59).

### **Latin American countries agree regional framework of action towards eradicating statelessness**

On 3 December 2014, the governments of Latin America and the Caribbean met in Brazil for the Cartagena +30 conference on “A framework for cooperation and regional solidarity to strengthen the international protection of refugees, displaced and stateless persons”. The [declaration adopted includes references to statelessness throughout and the accompanying action plan \(page 17\)](#) sets out 8 actions on statelessness that the regions’ states commit to with a view to eradicating statelessness.

### **New NGO established in Canada: [Canadian Centre on Statelessness](#)**

The Canadian Centre on Statelessness (CCS) was launched on November 4, 2014. CCS is Canada's first resource for stateless persons in Canada, and those who wish to work with, and for, stateless persons either via research or advocacy. CCS focuses on stateless persons who are not refugees, thus filling a gap in Canadian research and advocacy efforts.

### **Estonia adopts amendment to nationality law which will help to reduce statelessness**

On 22 January 2015, Estonia passed [new amendments to its citizenship law](#) which will improve access to nationality for those who remained stateless following the dissolution of the USSR (special category described as persons of ‘undetermined citizenship’, comprising approx. 90,000 people). Children of stateless parents will now automatically acquire Estonian nationality (instead of requiring parents to make a declaration) and people over 65 will be able to take an oral language exam (instead of a written one).

## **Announcements & events**

### **[Nowhere People photography exhibition at Royal Alberta Museum](#)**

Exhibition of the award-winning photography project *Nowhere People*, by Greg Constantine, giving a human face to the global issue of statelessness.

Dates and Venue: **showing until 22 March 2015 in Edmonton, Canada**

### [Stateless in Holland photography exhibition at University of Amsterdam](#)

Exhibition of the photography series looking at the lives of stateless persons in the Netherlands, kicked off with a symposium entitled 'What awaits the Dutch stateless in 2015?'

Dates and Venue: **symposium 2 March 2015, exhibition throughout March in Amsterdam**, the Netherlands

### [European Network on Statelessness Conference 'None of Europe's children should be stateless'](#)

Conference aiming to provide a platform for sharing new research on the causes and impact of childhood statelessness in Europe and a forum for the sharing of knowledge on legal, policy and programming interventions that can help to realise children's right to a nationality.

Dates and venue: **2-3 June 2015 in Budapest**, Hungary.

Deadline call for papers: 15 February 2015.

### [bEUCitizen Conference 'Being a citizen in Europe'](#)

Conference addressing different aspects of European citizenship, its historical development, rights that European citizens have within the present-day European Union and the multiple legal, practical and other barriers they still face in exercising these rights, depending on their capacity and status.

Dates and venue: **29-30 June 2015 in Zagreb**, Croatia

Deadline call for papers: 28 February 2015

## Popular on Twitter this Month

**From @UNHCRUpdate:** UNHCR calls on EU Presidency to address statelessness <http://www.snsanalytics.com/iWwLy6>

**From @Markmanly:** Nobel Peace Laureates support [#ibelong](#) campaign to end [#statelessness](#)  
<http://www.nobelforpeace-summits.org/final-declarations/>

**From @LucyHovil:** See what's new on the [@CRAIAfrica](#) website, including the realities of [#statelessness](#) in Côte d'Ivoire  
<http://us6.campaign-archive2.com/?u=67f52446ec1d6d0f2c4aa32f9&id=9128c1ba70&e=1e90cf2395>

**From @EUODOEI:** New EUDO Cit Forum Debate on The Return of Banishment: Do the New [#Denationalisation](#) Policies Weaken [#Citizenship](#)? <http://eudo-citizenship.eu/commentaries/citizenship-forum/1268-the-return-of-banishment-do-the-new-denationalisation-policies-weaken-citizenship>

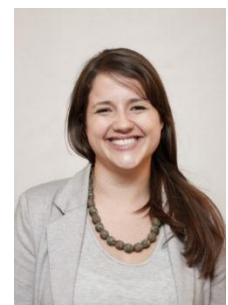
**From @BBCBusiness:** VIDEO: Living with 'statelessness' <http://www.bbc.com/news/business-30743628>

**From @ENStatelessness:** Ever wondered about the link between statelessness and development? Read this week's ENS guest blog <http://bit.ly/1zOo6fW> [#post2015](#)

## A day in the life of...

### **Liesl Heila Muller**

*Attorney, Head of the Statelessness Project, Refugee and Migrant Rights Programme  
Lawyers for Human Rights, South Africa*



### **What does Lawyers for Human Rights' work on statelessness look like?**

[Lawyers for Human Rights](#) (LHR) is an implementing partner to UNHCR for statelessness.

We focus on advocacy for the protection of stateless persons and solutions to statelessness in South Africa, including ratification of the 1954 and 1961 conventions. We aim to develop and strengthen law and policy through advocacy and litigation. Clients approach us for direct legal service in our legal clinics in three different cities in South Africa. Through direct legal advice, assistance and litigation we aim to increase the level of individual documentation. We also spend time building capacity to deal with statelessness in South Africa by training other NGO's, social workers and attorneys. We like to raise awareness of the issue through interactions with the media and short films which provide an insight into our clients' lives. We have released our first [statelessness short film, \*The Belonging Part 1\*](#). We will be launching a *Practitioner's Guide to Statelessness and Nationality* in February 2015.

**Could you describe a particular project you are working on right now?**

LHR is currently working on a court case in which we obtained a court order declaring a stateless child to be a citizen of South Africa, despite being born stateless in South Africa. LHR will soon argue the matter in a court of appeal. This will clarify the legal issues and hopefully set a precedent in law for all stateless persons born in South Africa. If we are successful, all stateless children born in SA will acquire South African citizenship. LHR is also planning an outreach to rural areas in the Eastern Cape where levels of documentation are low and where people live in border areas. We will do individual surveys with people of undetermined nationality to assess the risk and causes of statelessness in the area. We will also train social workers, Home Affairs officials and University law clinics to deal with statelessness.

**How did you get involved in statelessness?**

I have always been very enthusiastic about human rights and social justice. I have a particular interest in reconciliation in race, culture and gender. The issue of national identity and the inclusion or exclusion of certain persons from a society is an intriguing issue and one that I believe should be addressed in law and policy in a country. I grew up in post-Apartheid South Africa and have experienced the conflict between the rights reflected in the Constitution of South Africa and the reality of people whose rights are violated daily. I joined Lawyers for Human Rights as an attorney in 2013 in the Statelessness Project.

**What do you most enjoy about your work and what are the biggest challenges you face?**

I love the fact that I am challenged by my work every single day. I need to be creative to help people. I love the fact that people are interested in the field when I tell them about my clients. There is hope to mobilise public support. Nothing beats the satisfaction of making the kind of difference in someone's life that can mean the difference between life and death, both physically and psychologically. The biggest challenge we face is the low level of awareness of the issue as well as the fact that South Africa has no legal mechanism for identification or protection of stateless persons. We also face a lot of resistance because of xenophobia. South Africans are increasingly xenophobic and stateless persons are assumed to be foreign and therefore treated with mistrust. Officials struggle to conceive of a person with no nationality.

**What advice would you give to someone who wants to get involved in working on statelessness?**

I would advise them to keep an open mind and to be very diligent to weed out their underlying and dangerous prejudices towards people who are perceived to be different and outside of their national identity. I believe that we should be setting the standard for acceptance of stateless people for others to follow. It is the subtle prejudices that exclude persons from enjoying the most basic rights in the end. I would also advise them to keep a success chart and a wall of photos of clients who they have successfully assisted. Dealing with statelessness can be extremely frustrating, but being reminded of the beautiful stories can encourage one to keep going. I will never forget the complete happiness of my clients when they are officially recognised as human beings.

**What would you like to accomplish through your work?**

I really want the project to leave a legacy in South African law and practice, paving the way for future practitioners to assist stateless persons. I would like to see a statelessness determination procedure being established in South African law. More than anything I would like to remedy that part of South African history which speaks to the very heart of our identity as a nation, an identity that was so irrevocably harmed and altered in the many years of colonisation and Apartheid. I would like to see the people of South Africa belong officially in their country. Our constitution declares that South Africa belongs to all that live in it. I would like to see that realised.

[Read the LHR Report on Statelessness and Nationality in South Africa.](#)

[View LHR's photographic exhibition Invisible people in South Africa online](#) (link on this page, right)

Contribute to the Statelessness Monthly Bulletin via  
[news@InstituteSI.org](mailto:news@InstituteSI.org) or visit [www.InstituteSI.org](http://www.InstituteSI.org)