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A day in the life of... Helen Brunt, Programme Officer, Asia Pacific Refugee Rights Network (APRRN)

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

Spotlight on: Rohingya on the high seas

This month, thousands of stateless Rohingya refugees and Bangladeshis were left stranded in the high seas as the world looked on indecisively. The news first broke on 12 May of boats full of Rohingya and Bangladeshi's being pushed back by Indonesian, Malaysian and Thai authorities, with a few managing to land in Malaysia and Indonesia. An estimated 6,000 – 8,000 people were said to be adrift at sea for weeks, suffering dehydration and starvation. The traffickers and smugglers had abandoned ship to escape arrest by Thai authorities. Since January 2015, an estimated 25,000 persons embarked on the hazardous boat journey, and at least 1,050 have died at sea. After significant pressure from states, the UN and NGOs, Malaysia and Indonesia committed to searching for, rescuing and providing temporary shelter to 7000 people, while Thailand committed to not pushing back any more boats. The U.S. meanwhile committed to resettling an increased number of Rohingya, and Myanmar, which previously refused to attend a regional meeting on 29 May to address the crisis, agreed to do so. Furthermore, the UN Security Council was briefed on the crisis by UN High Commissioner for Human Rights on 28 May. These steps collectively provided temporary respite to the thousands of people left to die on the high seas, but their future remains uncertain. Furthermore, the mid to long term protection challenges relating to stateless Rohingya, who have suffered persecution in Myanmar and acute discrimination in other countries for many decades, remain immense.

The Institute's position

This issue highlights the nexus between statelessness and forced migration and demonstrates why decisive protection-centric international action is essential. Below, we draw attention to a few factors which must be taken into consideration when addressing a complex and entrenched crisis such as this:

- The root causes to the crisis – the persecution, discrimination, exclusion and statelessness of Rohingya (who were arbitrarily deprived of their nationality through a discriminatory law in 1982) in Myanmar - must be effectively addressed. The failure to do so will prolong suffering and forced migration.
- Countries receiving Rohingya refugees have a duty to protect in a manner that takes their statelessness into account, and to provide solutions that prevent intergenerational statelessness. There has been a collective failure to do so to date, resulting in the intergenerational statelessness of Rohingya refugees in Bangladesh, Malaysia, Thailand and other countries.
- The duty to assist and rescue at sea is a customary international law obligation irrespective of the legal status of those in need of rescue. It does not matter whether they hold a nationality or are stateless, nor whether they are refugees, migrants, smuggled persons or victims of trafficking.

- Taking a crime prevention approach to trafficking and smuggling in the absence of a protection approach to refugees can have disastrous human consequences. In this instance, the Thai crack-down on trafficking, without protection mechanisms in place for victims resulted in the disaster.

Statements, briefings and media coverage

The unfolding tragedy brought a media spotlight on the Rohingya issue, and a growing number of UN agencies, NGOs and states called for the immediate rescue of those stranded at sea, and for the root causes to be addressed. The Institute on Statelessness and Inclusion shares the views reflected in this selection of statements which are demonstrative of the breadth of issues that require urgent attention:

- UNHCR, [UNHCR alarmed at reports of boat pushbacks in South-east Asia](#), 13 May 2015
- Fortify Rights, [Thailand, Malaysia, Indonesia: Coordinate Sea Rescues, Protect Asylum Seekers and Trafficking Survivors](#), 13 May 2015
- Asia Pacific Refugee Rights Network (APRRN), [Save lives at sea!](#) 18 May 2015 (see also “A day in the life of... Helen Brunt” in interview below for more on APRRN’s work on statelessness)
- Burma Campaign UK, [International NGOs Urge Ban Ki-moon To Negotiate Aid Access To Rakhine State, Myanmar \(Burma\)](#), 20 May 2015 (The Institute was one of 37 signatories to this statement)
- Women Peace Network – Arakan, [ASEAN, international community must prioritise Rohingya women and children in crisis](#), 22 May 2015
- APRRN, [Urgent APRRN statement on Indonesia, Malaysia and Thailand allowing migrants rescued at sea temporary protection](#), 25 May 2015
- International Council of Voluntary Agencies (ICVA), [Joint NGO Statement on Irregular Migration in the Indian Ocean](#), 27 May 2015 (The Institute was one of 85 signatories to this statement)
- Burma Campaign UK, [UN Security Council Must Agree Concrete Action on Rohingya Crisis](#), 28 May 2015

All major media outlets including the [BBC](#), the [New York Times](#) and [Al Jazeera](#) have provided comprehensive coverage. This [article](#) highlights the challenges that those saved at sea now face in Malaysia, while [this](#) points to the protection challenges that remain unanswered. This [piece](#) focuses on Bangladeshi migrants and [this](#) on Bangladesh’s future plans for Rohingya refugees. [This](#) article explains how traffickers tricked children onto the boats. This [piece](#) places the Rohingya crisis in a wider global context, and [this](#) asks who is responsible. Finally, [this](#) article sets out what the UN HC for Human Rights is likely to report to the UN Security Council.

Announcements & events

[“None of Europe’s Children Should be Stateless”](#)

The European Network on Statelessness (ENS) conference on childhood statelessness will take place in **Budapest on the 2nd and 3rd June 2015**. Conference papers and the detailed programme can be found online [here](#).

[European Forum on the Rights of the Child](#)

This Forum brings together stakeholders working on rights of the child and child protection, to promote more effective coordination and cooperation in integrated child protection systems. It will take place in Brussels on 3-4 June 2015 and is an opportunity to share statelessness concerns with those working on children’s rights in Europe.

[Oxford rights workshop on Palestine refugees](#)

A one-day workshop on Palestine refugees and the interpretation of Art 1D, discussing the legal issues relating to Palestinians who seek asylum in the UK, taking place on 27 July 2015. **Deadline for applications to attend: 1 June.**

[Conference on Spreading Citizenship: dynamics of norm diffusion in Europe and the Americas](#)

The 2015 EUDO conference will compare access to citizenship and the franchise in Europe and the Americas. It will take place at the end of November in Florence. **Deadline for abstracts: 25 June 2015.** Access the [Call for Papers here](#).

[2015 UNHCR Award for Statelessness Research](#)

This year, academic institutions are again invited to nominate excellent research by undergraduate, graduate and doctoral researchers in the field of statelessness for the UNHCR Award for Statelessness Research. Three awards from a total prize pool of USD 4,000 will be granted to the best research at the undergraduate, graduate and doctoral levels. The full [nomination guidelines can be found online here](#). **Deadline for nominations: 1 July 2015.**

[Funding opportunity on “Right to education in inclusive settings”](#)

Open Society Foundations’ Education Support Program and Human Rights Initiative have put out a call for proposals from organisations working to promote the right to education in inclusive settings – it seeks to address obstacles to children’s participation in education resulting from majority attitudes toward, among others, race and ethnicity, minority or citizenship status. **Deadline for submission of proposals: 21 August 2015.**

What's new: Publications, Tools & Resources

An estimated 1.5 million refugees around the world are also stateless – and many more are at risk of becoming stateless as a consequence of their forced displacement. They have fled their homes and no country sees them as a national, prompting urgent questions about their unique protection needs. Check out the [new Scoping Paper on Statelessness and Displacement](#) (and accompanying factsheet) that was published by the Norwegian Refugee Council and Tilburg University, discussing the links between statelessness and forced displacement.

On a similar theme Refugees international have also published an expansive study on the issue of [birth registration for Syrian refugees in Turkey](#). Brookings also published an article entitled [“The Middle East now faces the prospect of adding Hundreds of Thousands to the Stateless Population”](#) which also discusses similar statelessness risks from the refugee crisis. There is also a new International Migration Institute paper out on [“Narratives of statelessness and political belonging among Kurdish diasporas in Sweden and the UK”](#).

UNHCR Action 9 of the Global Action Plan calls on States to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The latest UNHCR Good Practices Paper presents [positive examples of states acceding to the statelessness conventions](#). You can also check out the second UNHCR [#IBelong Campaign Update](#).

The European Union Democracy Observatory on Citizenship (EUDO) has launched a new debate topic: [“Bloodlines and Belonging: Time to abandon ius sanguinis?”](#) Read the opening contributions by Costica Dumbrava and Rainer Bauböck; and to find out how contribute to the debate you can write to C.Dumbrava@maastrichtuniversity.nl.

What's new: Law & Policy

The Human Rights Committee has issued a [landmark ruling on discrimination in access to naturalization](#). It found that Denmark violated Article 26 when it refused, without giving any reason, to exempt an Iraqi refugee from the Danish language proficiency needed for citizenship despite his documented mental disability.

On the eve of the European Network on Statelessness' conference on childhood statelessness in Europe, there were two positive developments in respect of this issue in the last few weeks. [Armenia adopted an amendment to its nationality law including ensuring nationality to all children born on the territory who would otherwise be stateless](#). This closes a gap which previously existed under the law and was allowing some cases of childhood statelessness to slip through the net. Meanwhile, the [Constitutional Court in Serbia has ruled that the authorities violated the right to a fair trial by failing to deal within a reasonable time with a request for subsequent birth registration](#). This will hopefully help to speed up and improve the effectiveness of procedures for subsequent birth registration – which can take many years or even go on indefinitely.

The Heads of State and Government of ECOWAS this month endorsed the [“Abidjan Ministerial Declaration on the Eradication of Statelessness”](#) at the 47th Ordinary Summit of Heads of State held in Accra, Ghana.

Popular on Twitter this Month

From [@wrcommission](#): The 4 factors that created global momentum to end [#statelessness](#): <http://bit.ly/1HAiauM>
[@MarkManly](#) [@globalcamp](#)

From [@grconstantine](#): Interview about [#Rohingya](#) [#statelessness](#) & [#photography](#) on [@AsiaSociety](#) blog [@United Photo](#)
[@POWERHOUSEArena](#) <http://bit.ly/1KtasG2>

From [@bronwenManby](#): New [@TheLancet](#) paper links [#civilregistration](#) & [#legalidentity](#) to better health outcomes
<http://bit.ly/1FkfYXO> [#ID4D](#) [#statelessness](#)

From [@kasia_zz](#): Polish Ombudsperson calls for acceding to UN [#statelessness](#) conventions & quotes [@CPPHN](#) rep
<http://bit.ly/1JVciBr> [@ENStatelessness](#)

Helen Brunt

Programme Officer, Asia Pacific Refugee Rights Network (APRRN)



How did you get involved in working on statelessness?

My motivation for working on statelessness is directly connected to my personal experiences garnered whilst coordinating the [Semporna Islands Project](#), a marine conservation initiative in eastern Malaysian Borneo, from 2004 until 2012. You may well wonder how someone counting coral reef fish has ended up working on statelessness! As an anthropologist, I was as intrigued by the people who were catching the fish, as much as the condition of the marine environment. While ten years ago I was ignorant to the plight of people with no nationality and no human rights protection, things that I as a British citizen took for granted, I soon became aware that the vast majority of the fishers were not Malaysian citizens and in fact, as they were not considered to be citizens of any country, were effectively stateless. Well, this was a revelation to me, as I'd never heard of statelessness before. It was also a pivotal moment which changed the course of my career. As I developed an awareness of the complexities surrounding stateless populations living in Malaysia, and especially those relying on natural resources for their survival, I decided that I wanted to focus on statelessness in my next job.

In 2013 I wrote my Masters [dissertation](#) on statelessness and about natural resource management, two growing areas of study yet which remain, so far, under-researched in combination. Through the lens of statelessness, I investigated how some stakeholders are marginalised from participatory processes, how the condition of statelessness affects the extent to which meaningful participation in marine conservation management can occur, and how institutions involved in this management perceive and respond to stateless people. I used a case study of the Sama Dilaut (also known as 'Bajau Laut'), stateless people without political recognition in Malaysia, to challenge some of the assumptions that marine protected areas (MPAs) can provide a win-win solution for conservation and sustainable development.

Can you give us a short description of the type of work you do?

In August 2014, I was thrilled to join the [Asia Pacific Refugee Rights Network \(APRRN\)](#) Secretariat as the Programme Officer. APRRN is an open and growing network of over 220 civil society organisations and individuals from 26 countries. APRRN is committed to providing a platform for communication and to advocating for the rights of people in need of protection in the Asia Pacific region. These consist of refugees and asylum seekers, as well as stateless and internally displaced people, and all those affected by forced migration. Members include community based organisations, NGOs, lawyers providing pro-bono legal aid, human rights advocates, and academics and research institutions, and one of our strengths is the diversity of a membership united around common issues. APRRN is comprised of 4 sub-regional working groups, and 5 thematic working groups, one of which is statelessness. Of course all the sub-regional and thematic work cross-cut and once every 2 years, the entire membership body meets to draw up action plans for our work. The Network is led by a Steering Committee elected from and by the membership, and supported by a small Secretariat team based in Bangkok.

Briefly describe what type of statelessness activities your organization is involved in.

APRRN envisions a region in which all people in need of protection have equal and adequate access to assistance and protection, and to timely durable solutions as relevant. We envision a region in which States (including those outside the region), civil society, UNHCR and other international agencies, community groups and other actors collaborate effectively towards a common purpose of protection with respect for their differentiated roles and responsibilities. The Asia Pacific Refugee Rights Network (APRRN) approaches statelessness from a human rights based perspective. In recognition of the significant and diverse stateless populations in the region, and the complex environment within which to advocate for the rights of stateless people, members APRRN established a Statelessness Working Group in 2012, which currently has over 50 civil society organisational and individual members.

The 3 core pillars of APRRN's work are joint advocacy, capacity strengthening, and knowledge and resource sharing. We **advocate** at national, regional and international levels, towards the goal of national and local ownership of protection, harmonised within a regional framework that is consistent with international standards. We also create spaces for advocacy with national governments as well as intergovernmental regional bodies such as ASEAN and SAARC. APRRN organises training courses and workshops to **strengthen the capacity** of members to respond to key protection challenges (such as statelessness, but also legal aid, refugee law, mental health, gender issues, and alternatives to detention) more effectively. The Network has a wealth of experience and expertise to be shared among each other and our capacity strengthening initiatives empower national civil society organisations and puts them in a better position to conduct their activities. The **knowledge and resource sharing pillar** includes enhancing effective information sharing and

exchange between existing/potential members as well as the public and is facilitated via Working Groups, the Secretariat, and the various APRRN communication channels. Outreach as well as awareness raising is also conducted with the aim of increasing APRRN's visibility, raising awareness on forced migration issues and countering the growing xenophobia in the region.

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

Now is a hugely exciting time to be a part of such a vibrant and passionate network! APRRN is proud to be co-organising along with UNHCR, a 'Retreat on Resolving Statelessness in Asia and the Pacific' to be held in Bangkok in June, which will bring together members of APRRN's Statelessness Working Group and other key stakeholders, to realise the goals of the [#I Belong Campaign](#), launched by UNHCR in November 2014, to end statelessness within 10 years. The objectives of the Campaign are to resolve existing major situations of statelessness; prevent new cases of statelessness from emerging; and better identify and protect stateless populations.

APRRN has also recently published a [Position Paper](#) on the vulnerability of stateless children in Sabah, Malaysia containing key recommendations for action by the Malaysian government, and hopes to produce similar papers on other stateless populations in the near future. Each year APRRN organises a '[Short Course](#)' for its members, and this year it is likely to be on statelessness and nationality – watch this space!

What do you most enjoy about this work?

Having spent almost a decade working on statelessness in relative isolation, one of the many things I enjoy about working with APRRN are the synergies between members who find support and solidarity with members in locations that are geographically very disconnected. I support the Statelessness Working Group and I always feel re-energised after our working group [virtual] meetings and the new alliances and friendships that are formed.

What do you find are the biggest challenges you face in your work?

In many countries in the region, the presence of non-citizens is a highly politicised, securitised and sensitive issue. However, migration flows through the region for myriad reasons have existed for hundreds of years – certainly long before the introduction of present day nation-state boundaries. The legacy of such migration and the current fast-changing geo-political environment has contributed to current complexities around documentation which are now being faced by both individuals and states.

During the [First Global Forum on Statelessness](#) held last year in The Hague, Irene Khan described statelessness as "*the poor second cousin to refugee issues, ... the issue lurking behind refugees*". APRRN views statelessness as a fundamental Human Rights issue, and the reduction and elimination of which as key that will ensure access to universal human rights. Yet securing citizenship is just an initial step to reducing statelessness, and even basic human rights at stake within the condition of statelessness.

With the backdrop of growing ethno-centrism and fear of the 'Other', coupled with a paucity of resources, increasing numbers, diverse needs and limited funding opportunities, civil society faces the significant challenges. Within the Asia Pacific region there is also currently very low levels of accession to international Human Rights instruments, and a lack of domestic legal frameworks for adequate protection for those in need. Negative perceptions of 'migrants' and 'foreigners' are also frequently perpetuated by media and politicians in some countries.

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

In many ways, now is the optimal time for those who wish to engage with statelessness to do so. In just a few years, statelessness and its impacts have started entering mainstream discourse. Since the [First Global Forum on Statelessness](#), and the launch of the [#I Belong Campaign](#), the focus on statelessness has increased. I would encourage students to contribute to a still limited body of literature on the issue, lawyers to engage directly with litigation on statelessness, media to cover stories about statelessness, and artists to depict the issue in their work to name a few. APRRN also offers [internships](#) at the Secretariat office and we'd be delighted to hear from anyone who has interests in statelessness from an advocacy, activist or research perspective.

What do you hope to accomplish through your work?

I really believe that through meaningful collaboration, civil society has the potential to play a vital role in building the political will of States to address statelessness, campaigning for changes in nationality law for example through ending gender discrimination, preventing and reducing statelessness, providing legal advice and assistance to help stateless persons resolve their predicament, identifying the causes of statelessness and generating public awareness of the importance of resolving statelessness. There is also the potential for national and sub-regional civil society to inspire new or innovative approaches and provide peer support for organisations currently working in isolation. It is therefore critical that networks such as APRRN continue to effectively collect, analyse and share information, to build on existing good practices, as well as enhance understanding of country specific issues and links between statelessness and other more visible issues.

Do you have any suggestions for (research) questions that you think deserve attention?

In relation to my current work at APRRN, the following questions come to mind:

- i) What are some of the opportunities and challenges for civil society to become more integrated in action and responses to addressing statelessness and related issues in the Asia Pacific Region?
- ii) What are some of the opportunities and challenges to the meaningful engagement of a wider constituency (including but not limited to those working on statelessness in connection with migration) on addressing statelessness in the Asia Pacific region?
- iii) In what way(s) is the condition of statelessness (by definition) symptomatic of further discrimination and an inability to enjoy universal human rights? How does the current rise of nationalism/ethno-centrism in the Asia Pacific region help or hinder advocacy on protection and the universality of human rights?
- iv) Based on empirical research, how might civil society build the commitment of governments in the Asia Pacific region to find regional solutions for stateless populations/address statelessness?
- v) In what ways can the subjective lived experiences of individuals be elevated within multi-stakeholder dialogues and not be 'silenced' by the dominant voices of other actors?

Given that '*the stateless [still remain]... the easiest [people/group] to exclude [from development] and their exclusion is least likely to be noticed*' (ENS, 2013) I would also like to propose the following areas that warrant further research, that are not directly related to my work with APRRN, but where I feel that further cross-disciplinary research on the theme of statelessness is needed:

- i) What are some of the implications of statelessness on resource use and conservation management and policy?
- ii) How can researchers and policy-makers better understand the social, cultural and economic relationships in different situations, in order to design and implement more effective sustainable development, poverty alleviation and environmental conservation initiatives?

Contribute to the Statelessness Monthly Bulletin via
news@InstituteSI.org or visit www.InstituteSI.org