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978-1-107-03244-6 - Nationality and Statelessness Under International Law

Edited by Alice Edwards and Laura Van Waas

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## NATIONALITY AND STATELESSNESS UNDER INTERNATIONAL LAW

Written by leading experts, *Nationality and Statelessness under International Law* introduces the study and practice of ‘international statelessness law’ and explains the complex relationship between the international law on nationality and the phenomenon of statelessness. It also identifies the rights of stateless people, outlines the major legal obstacles preventing the eradication of statelessness and charts a course for this new and rapidly changing field of study.

ALICE EDWARDS is Senior Legal Coordinator and Chief of the Protection Policy and Legal Advice Section at the UN High Commissioner for Refugees (UNHCR), Geneva.

LAURA VAN WAAS is the founder and manager of the Statelessness Programme at Tilburg Law School, the Netherlands.

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*Key Challenges* (Asser Press, 2007) and co-authored the *Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination* (2006), a joint publication of the IOM, Organization for Security and Co-operation in Europe (OSCE) and ILO. He was also Co-Editor-in-Chief of IOM's *World Migration 2008: Managing Labour Mobility in the Evolving Global Economy*. Ryszard holds a doctoral degree (LL.D.) from the University of Ottawa, a Master in Laws degree (LL.M.) from the University of Saskatchewan and a Bachelor of Laws degree (LL.B.) from the University of Leicester.

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A.E.

From first hearing of Alice's plans for this edited collection, I was impatient to see and use the finished product, since it would engage prominent international experts to jointly fill a significant gap in the literature on statelessness. My own contribution was initially to be limited to a chapter on the UN statelessness conventions, which I studied closely in the context of my doctoral research. To my delight, however, I had the opportunity to become more closely involved in the project and join Alice as co-editor. I have learned a great deal from her over the course of this collaboration and have also cherished the opportunity to delve into detailed

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nitty-gritty and enthusiastic discussions with her on the state of statelessness law today. It has been a great pleasure to work together and I hope this will not be the last chance to do so. I would also like to thank Monica Neal for willingly giving up so much of her time alongside her studies to assist with editing the contributions in this volume. A big thank you is also due to my colleagues at the Statelessness Programme at Tilburg Law School, whose enthusiasm for exploring and understanding statelessness knows no bounds and whose sense of humour is unmatched. And to Mark and Dylan – thank you for never letting a day pass without a good dose of grinning and giggles, and for being such great motivational coaches for the whole Statelessness Programme team.

Laura

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## ABBREVIATIONS AND ACRONYMS

1930 Hague Convention	League of Nations Convention on Certain Questions Relating to the Conflict of Nationality Laws 1930
1951 Convention or 1951 Refugee Convention	Convention relating to the Status of Refugees 1951
1954 Convention or 1954 Statelessness Convention	Convention relating to the Status of Stateless Persons 1954
1961 Convention or 1961 Statelessness Convention	Convention on the Reduction of Statelessness 1961
1967 Protocol	Protocol relating to the Status of Refugees 1967
ACHPR or African Charter	African Charter on Human and Peoples' Rights 1981
ACHR	American Convention on Human Rights
ACRWC or African Child Rights Charter	African Charter on the Rights and Welfare of the Child 1990
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women 1979
CEDAW Committee	Committee on the Elimination of Discrimination against Women
Children's Committee	Committee on the Rights of the Child
CHR	Commission on Human Rights
CJEU	Court of Justice of the European Union
CRC	Convention on the Rights of the Child 1989
CRPD	Committee on the Rights of Persons with Disabilities
ECHR	European Convention on the Protection of Human Rights and Fundamental Freedoms 1950

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ECmHR	European Commission on Human Rights
ECN	European Convention on Nationality 1997
ECOSOC	Economic and Social Council
ECtHR	European Court of Human Rights
ExCom	Executive Committee of the High Commissioner for Refugees Program
HRC	Human Rights Committee
I-ACmHR	Inter-American Commission of Human Rights
I-ACtHR	Inter-American Court of Human Rights
ICCPR	International Covenant on Civil and Political Rights 1966
ICCS	International Commission on Civil Status
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination 1965
ICESCR	International Covenant on Economic, Social and Cultural Rights 1966
ICJ	International Court of Justice
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families 1990
ICRPD	International Convention on the Rights of Persons with Disabilities 2006
ILC	International Law Commission
ILO	International Labour Organization
IOM	International Organization for Migration
MWC	Committee on the Rights of Migrant Workers and Members of their Families
NGO	Non-governmental organization
OHCHR	Office of the United Nations High Commissioner for Human Rights
OSCE	Organization for Security and Co-operation in Europe
PCIJ	Permanent Court of International Justice
PRWA or Protocol on the Rights of Women in Africa	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women 2000
UDHR	Universal Declaration of Human Rights 1948
UNCAT	United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984



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UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UPR	Universal Periodic Review