

STATELESSNESS AND COVID-19: AN INTRODUCTION

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Throughout the past year and a half, we have witnessed how no person or community on this planet has been untouched by COVID-19. There are countless reports about the differential experiences that various communities face in access to healthcare but also how some public health measures meant to stem its spread may actually be harming particular persons. The pandemic has put into sharp focus the inequities and the gaping fractures in societies all over the world. Moreover, the pandemic has made many realise that we cannot ignore the marginalised in our community given the interconnectedness of our existence.

This issue's critique and commentary part presents a snapshot of how some stateless persons are coping during the pandemic but also features the work of grassroots organisations and emerging researchers. We take a look at five stateless communities: the Rohingya in Bangladesh;¹ LGBTQ+ undocumented in Brazil;² those seeking reproductive healthcare in Canada;³ the Bidoon in Kuwait;⁴ and the stateless in Sabah, Malaysia.⁵

These five featured pieces are grounded in the experiences of the stateless, undocumented and those at risk of statelessness. Each writer is either from that community or has work and/or research embedded in the community they are writing about. While the pieces reveal the situation in a particular locale, there are some common threads.

First, while we in developed nations have our movements restricted, are learning or teaching online, trying to assess whether one is able to work and wonder when we will be able to access vaccinations, stateless and undocumented persons are experiencing these public health concerns in a more troubling way. For example, Yuriko Cowper-Smith and Saifullah Muhammad write in relation to Rohingya stateless persons in refugee camps, that domestic and sexual violence is on the rise, that girls are not being educated and are at greater risk of being forced into marriage.⁶ In Kuwait, Areej Alshammiry describes barriers to online learning

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¹ Yuriko Cowper-Smith with Saifullah Muhammad, 'COVID-19 in Cox's Bazar: Pandemic Narratives From the World's Largest Refugee Camp' (2021) 3(1) *Statelessness & Citizenship Review* 148.

² Yvonne Su, Tyler Valiquette and Yuriko Cowper-Smith, 'Surviving Overlapping Precarity in a "Gigantic Hellhole": A Case Study of Venezuelan LGBTQI+ Asylum Seekers and Undocumented Migrants in Brazil Amid COVID-19' (2021) 3(1) *Statelessness & Citizenship Review* 155.

³ Frédérique Chabot, 'Access to Abortion for Undocumented Persons during the COVID-19 Pandemic' (2021) 3(1) *Statelessness & Citizenship Review* 142.

⁴ Areej Alshammiry, 'COVID-19 and the Bidoon in Kuwait: Pandemic or Statelessness Vulnerabilities?' (2021) 3(1) *Statelessness & Citizenship Review* 123.

⁵ Mary Anne Baltazar and Amanda R Cheong, 'Reaching Stateless, Undocumented and Migrant Communities During the COVID-19 Pandemic: Lessons from the Grassroots Humanitarian Effort in Sabah, Malaysia' (2021) 3(1) *Statelessness & Citizenship Review* 131.

⁶ Cowper-Smith and Muhammed (n 1) 149.

that begin with being able to access the internet or having the proper equipment, such as computers or phones, to attend class.⁷ She also documents the heroic efforts that stateless Bidoon persons in Kuwait have in working in healthcare and contributing to the fight against the spread of COVID-19, only to still be denied any hope that they will receive citizenship.⁸ In many communities around the world, the pandemic is experienced more harshly than others, and despite the contributions stateless persons make in fighting the pandemic, they are often the last to be thought of when discussions about public health measures and recovery are taking place.

Second, access to health care was a common theme. With regards to accessing services that are not related to COVID-19, Frédérique Chabot writes how stateless and undocumented persons do not have the same means to access alternative resources for reproductive health care since Canada does not provide equal and comprehensive access to abortions.⁹ Chabot, through her work with Action Canada, documents how the pandemic is seeing stateless and undocumented women at greater risk of seeking unsafe procedures or being denied the help they need.¹⁰ Anne Baltazar and Amanda Cheong discuss how linguistic diversity, illiteracy and consumption of information via different platforms make communication of public health measures with stateless persons in Sabah, Malaysia more difficult.¹¹ Areej Alshammiry discusses the tragic consequences of not addressing the mental health of stateless communities with an increase in suicides. She notes that while the world has seen an increase in mental health issues due to the pandemic, this is exacerbated in stateless communities because of the inability to access work, services and assistance due to their lack of status.¹²

This brings me to the final common thread. Each commentary discusses how the lack of status is not only the fundamental reason why stateless and undocumented persons face abuse, exploitation, poverty and other challenges but how their status is politically constructed. Yvonne Su, Tyler Valiquette and Yuriko Cowper-Smith write how the influx of undocumented Venezuelan LGBTQI+ asylum seekers in Brazil is a particularly vulnerable population as a result of their 'politically produced precarity' that overlaps with the precarity caused by the pandemic.¹³ Frédérique Chabot and Action Canada support the Status for All campaign in Canada, arguing that immigration and citizenship status would fundamentally change the way in which people would be able to access the limited reproductive health care services equally.¹⁴ Areej Alshammiry discusses the tactics Kuwait is using to identify Bidoon as foreigners rather than long-standing members of the community deserving of citizenship.¹⁵ Saifullah Muhammad and Yuriko Cowper-Smith discuss the urgency in addressing the status of Rohingya in Bangladesh, given that many do not have exit visas or refugee status and there is

⁷ Alshammiry (n 4) 127.

⁸ *ibid* 128–29.

⁹ Chabot (n 3) 143.

¹⁰ *ibid* 146.

¹¹ Baltazar and Cheong (n 5) 133–34.

¹² Alshammiry (n 4) 128–29.

¹³ Su, Valiquette and Cowper-Smith (n 2) 157.

¹⁴ Chabot (n 3) 146–47.

¹⁵ Alshammiry (n 4) 124.

no safe repatriation option. They call for more permanent solutions to their status as part of a solution to alleviate the vulnerable conditions they are living in.¹⁶

Beyond documenting the challenges each stateless and undocumented community is experiencing, each piece also provides some hope that the pandemic offers a moment of change. For example, Anne Baltazar and Amanda Cheong discuss how ANAK, a grassroots organization founded by Baltazar, has developed innovative and targeted strategies to ensure that stateless communities are getting the public health information and resources they need to cope.¹⁷ They advocate for an approach that involves stateless persons and listening to and learning from communities in order to generate future advocacy strategies and services. Further, Yvonne Su, Tyler Valiquette and Yuriko Cowper-Smith argue that poor public policy responses have dire consequences and that beyond better local responses, enhanced coordination between government, international and local organisations is needed.¹⁸

While this issue's Critique and Commentary part is meant to be a warning about what is happening when we ignore stateless and undocumented communities, our authors provide recommendations and hope that as we move towards recovering from the pandemic, we can do so including stateless and undocumented persons, and listening to them about the best ways to do so.

I want to give special thanks to the authors of this part. Writing such thoughtful pieces during the pandemic is no easy feat and they provided insightful and important contributions. As an editor, it was a joy to work with this group of advocates and scholars.

¹⁶ Cowper-Smith and Muhammad (n 1) 154.

¹⁷ Baltazar and Cheong (n 5) 133–37.

¹⁸ Su, Valiquette and Cowper-Smith (n 2) 161–62.