

## EDITORIAL

DEIRDRE BRENNAN,\* MARIA JOSE RECALDE-VELA,\*\* JADE ROBERTS† AND  
BARBARA VON RÜTTE‡

The Global PhDs on Statelessness ('GPS') is a research network for doctoral researchers and early career scholars engaged on issues of citizenship and statelessness around the world. Founded at the inaugural PhD Workshop on Citizenship and Statelessness held in Tilburg in 2018, and now hosted by the Peter McMullin Centre on Statelessness,<sup>1</sup> the Network has since grown in members and in reach. From the beginning, the research undertaken by members of the Network has looked beyond statelessness as a legal issue and adopted a truly interdisciplinary, as well as critical, perspective on statelessness studies.<sup>2</sup> Today, the Network is a burgeoning and diverse group of over 50 researchers from all over the world, working on a variety of issues relating to statelessness and citizenship from different perspectives. Their research is contributing to 'statelessness studies' becoming a rapidly evolving field of inquiry.<sup>3</sup> Some early members have recently finished their PhDs, while many current PhD candidates have joined the Network over the last five years. The five year anniversary of the GPS network therefore marks a great opportunity to reflect on the scholarship that our members have produced during their doctoral studies. The *Statelessness & Citizenship Review*, as the first journal dedicated to statelessness and citizenship issues, is the perfect forum to host a Special Issue for and by the Global PhDs on Statelessness network.

The aim of this Special Issue is to showcase the work of some of the members of the GPS network and of other young researchers in the field of statelessness studies. As organisers of this Special Issue and members of the GPS network ourselves, our goal was to highlight the diverse research approaches and perspectives undertaken by the new generation of statelessness scholars, and we believe this publication accomplishes that.

This Special Issue is the outcome of an online workshop organised by the GPS network in March 2023. The Network has a great tradition of coming together to work collegially through workshops. Since its inaugural event in 2018, a second doctoral workshop was hosted by the Peter McMullin Centre on Statelessness in 2019 and several online events were organised amongst members during the

---

\* Postdoctoral Researcher, Smurfit Kappa Newman Fellow on Women in STEM, University College Dublin, Ireland.

\*\* Doctoral Researcher, Department of Public Law and Governance, Tilburg Law School, The Netherlands.

† Doctoral Researcher and Research Fellow, Peter McMullin Centre on Statelessness, University of Melbourne, Australia.

‡ Postdoctoral Researcher, Institute for European Global Studies, University of Basel, Switzerland.

<sup>1</sup> 'Global PhDs on Statelessness (GPS)', *Melbourne Law School* (Web Page, 15 October 2018) <<https://law.unimelb.edu.au/centres/statelessness/engage/gps>>, archived at <[perma.cc/6XH9-JGYG](https://perma.cc/6XH9-JGYG)>.

<sup>2</sup> See the Special Issue on statelessness which was published after the 2018 workshop: 'Volume 24 — Issue 2 — 2019', *Tilburg Law Review* (Web Page) <<https://tilburglawreview.com/13/volume/24/issue/2>>, archived at <[perma.cc/R9CQ-L6LX](https://perma.cc/R9CQ-L6LX)>.

<sup>3</sup> Michelle Foster and Laura van Waas, 'Editorial' (2023) 5(1) *Statelessness & Citizenship Review* 1, 1.

COVID-19 pandemic. In this Special Issue, many of the pieces published were initially presented and workshopped in the March 2023 online event. Unlike the 2018 and 2019 workshops — which included masterclasses by more senior academics<sup>4</sup> — this year’s event only involved PhD students, who had the opportunity to present their work. Feedback was peer-to-peer, which made the workshop a friendly and safe space to present one’s work and share feedback. Over the last five years, the GPS network has strived to serve as a safe space for early career scholars to meet other researchers with similar interests, to develop their skills and to receive feedback and support from their peers. We hope the Network can continue to serve this role as a community space that is open and welcoming for PhD students who are doing research on statelessness around the world.

This Special Issue consists of articles, commentaries, case notes and book reviews written by early career scholars. Three articles by PhD students are included in this issue. In her article on nationality and the right to enter, Cecilia Manzotti draws our attention to an important issue that should be considered for determining statelessness status: the right of entry.<sup>5</sup> She argues that given the right to enter and reside in the territory of one’s country of nationality, refusal of entry and denial of consular assistance should be evidence that a person is not (or no longer) considered as a national by said state. The article by Atefeh Ramsari investigates citizenship practices in Syria, in particular, in the Autonomous Administration of North and East Syria.<sup>6</sup> Based on her fieldwork, Ramsari studies individual perceptions and experiences of membership by stateless persons living in Rojava (northern Syria) before and after the establishment of the Autonomous Administration of North and East Syria. Ashley Walters, Taryn Painter and Heidi Meyers’ article draws on an empirical study of the impact of the COVID-19 pandemic on stateless persons in the United States.<sup>7</sup> The article is an important piece of work that will be sure to inspire further research in this area as the first of its kind to delve into the unique experiences of stateless people during the pandemic.

This Special Issue also includes two commentaries. Blanka Ujvári’s commentary, ‘Addressing Statelessness through the Hungarian Citizenship Act’, analyses Hungarian nationality law that is currently in force, focusing on the acquisition of Hungarian nationality.<sup>8</sup> She elaborates on whether statelessness is adequately addressed in the existing legislation, or if gaps remain. Since many PhD candidates will at some point find themselves exploring the idea of turning their dissertation into a book, the piece by Barbara von Rütte reflects on the pathways to publication for statelessness scholarship.<sup>9</sup> She highlights that the close links between statelessness studies and related fields such as migration or

---

<sup>4</sup> Maria Jose Recalde-Vela, Sangita Jaghai-Bajulaiye and Caia Vlieks, ‘The State of Statelessness Research: 5 Years Later’ (2019) 24(2) *Tilburg Law Review* 139.

<sup>5</sup> Cecilia Manzotti, ‘Nationality and the Right to Enter: Assessing the Impact of Refusal of Entry for the Purpose of Statelessness Determination’ (2023) 5(2) *Statelessness & Citizenship Review* 136.

<sup>6</sup> Atefeh Ramsari, ‘Reconfiguration of Citizenship Beyond State Boundaries in Rojava’ (2023) 5(2) *Statelessness & Citizenship Review* 166.

<sup>7</sup> Ashley Walters, Taryn Painter and Heidi Meyers, “‘I Don’t Know What Tomorrow Will Bring’”: Understanding COVID-19’s Impact on the United States’ Stateless Population’ (2023) 5(2) *Statelessness & Citizenship Review* 186.

<sup>8</sup> Blanka Ujvári, ‘Addressing Statelessness through the Hungarian Citizenship Act’ (2023) 5(2) *Statelessness & Citizenship Review* 202.

<sup>9</sup> Barbara von Rütte, ‘Getting Statelessness Published: Pathways to Publication for Early Career Researchers in the Field of Statelessness Studies’ (2023) 5(2) *Statelessness & Citizenship Review* 210.

citizenship studies, as well as the interdisciplinary focus and audience of statelessness scholarship, function both as a challenge to finding a suitable publisher and as an opportunity to address a broad audience.

Two case notes discuss important developments in jurisprudence on statelessness. Maria Jose Recalde-Vela<sup>10</sup> analyses *Habbal et al v Argentina*,<sup>11</sup> a 2022 ruling at the Inter-American Court of Human Rights. Although the Court did not rule in favour of the victims, it expanded its jurisprudence on matters of deprivation of nationality, establishing five elements that must be met so that an act depriving a person of their nationality is *not* arbitrary. Jade Roberts explores the role of statelessness in the ongoing proceedings between The Gambia and Myanmar before the International Court of Justice<sup>12</sup> arguing that the statelessness of the Rohingya is a central factor in the determination of genocidal intent in the international crime of genocide.<sup>13</sup>

Finally, we are happy that three recently published monographs by recent PhD graduates are being reviewed by fellow PhD students. Solomon Oseghale Momoh's book, *Statelessness Determination Procedures and the Right to a Nationality: Nigeria in Comparative Perspective*<sup>14</sup> is reviewed by Heather Alexander, who describes the book as a

welcome addition to the literature on best practices for SDPs [Statelessness Determination Procedures], while its focus on Nigeria also makes an important contribution to postcolonial legal studies in Africa, and the localisation and decolonisation of citizenship and nationality studies.<sup>15</sup>

The book, *Nationality and Statelessness in Europe: European Law on Preventing and Solving Statelessness*, by Caia Vlieks offers a comprehensive overview and critique of European law — ie, the regulatory framework of the Council of Europe and the European Union — in respect of the prevention of and solutions to statelessness.<sup>16</sup> As Clara van Thillo argues, Vlieks' book illustrates the protection gaps in the current legal framework without overstepping the essentially legal character of her research and is a must-read for academics, practitioners, lawyers and students interested in statelessness in Europe.<sup>17</sup> Aashish Yadav reviews Barbara von Rütte's book, *The Human Right to Citizenship: Situating the Right to*

<sup>10</sup> Maria Jose Recalde-Vela, 'Habbal et al v Argentina: The Inter-American Court of Human Rights' Test on Arbitrary Deprivation of Nationality' (2023) 5(2) *Statelessness & Citizenship Review* 217.

<sup>11</sup> *Habbal et al v Argentina (Judgment)* (Inter-American Court of Human Rights, Series C No 463, 31 August 2022).

<sup>12</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v Myanmar) (Provisional Measures)* (International Court of Justice, General List No 178, 11 November 2019).

<sup>13</sup> Jade Roberts, 'Statelessness Before the ICJ: *The Gambia v Myanmar*' (2023) 5(2) *Statelessness & Citizenship Review* 226.

<sup>14</sup> Solomon Oseghale Momoh, *Statelessness Determination Procedures and the Right to a Nationality: Nigeria in Comparative Perspective* (Routledge 2022).

<sup>15</sup> Heather Alexander, 'Statelessness Determination Procedures and the Right to a Nationality: Nigeria in Comparative Perspective by Solomon Oseghale Momoh (Routledge 2022). 260 Pages. Price £120.00. ISBN 9781032244730' (2023) 5(2) *Statelessness & Citizenship Review* 234.

<sup>16</sup> Caia Vlieks, *Nationality and Statelessness in Europe: European Law on Preventing and Solving Statelessness* (Intersentia 2022).

<sup>17</sup> Clara van Thillo, 'Nationality and Statelessness in Europe: European Law on Preventing and Solving Statelessness by Caia Vlieks (Intersentia 2022). 286 Pages. Price €102.00. ISBN 9781839702617' (2023) 5(2) *Statelessness & Citizenship Review* 239.

*Citizenship within International and Regional Human Rights Law*,<sup>18</sup> an important and timely exploration of citizenship as a human right. He concludes that the book is a valuable contribution to ‘strengthening the right to a nationality and realising effective nationality’, especially for precarious citizens.<sup>19</sup>

We anticipate that interest in statelessness and the number of scholars taking up doctoral research in this field will continue to grow not merely in numbers, but also that scholarship will grow in terms of research approaches and perspectives. There is room within the field of statelessness studies to grow in interdisciplinarity, such as through engagement with art, history, geography, economics etc. Being able to push the boundaries of approaches to research is an important — and exciting — part of early career scholarship. Both maintaining this excitement and having the space to push boundaries are key for the growth of the field. A continued critical reflection of, and engagement with, citizenship and statelessness will remain as a core value of the GPS network.<sup>20</sup> Part of this will be to strive towards ensuring that more scholars from the Global South and more members with lived experience of statelessness can have the opportunity to engage with the Network or join us as early career scholars.<sup>21</sup>

We hope that in the coming years — perhaps even over the next five years — statelessness becomes recognised as an issue worthy of wider scholarly attention in more departments and faculties, where established academics have the power to engage the next generation of scholars on this vital issue. We also hope that with this recognition comes recognition of the importance of engaging with the issue through various approaches, in solidarity and partnership with affected persons and their communities. To reach a wider audience on the importance of statelessness as an issue that needs to be addressed is an aspirational legacy of the GPS network.

Finally, we would like to express our gratitude to our mentors. As early career scholars, we are deeply grateful to the established academics that not only mentor our research but have also given us the opportunity to establish the GPS network and host this Special Issue. We are therefore especially grateful to the Editors-in-Chief of the *Statelessness & Citizenship Review*, Professor Michelle Foster and Dr Laura van Waas. Their support, guidance and encouragement have made this Special Issue, and the PhD network which it celebrates, possible.

---

<sup>18</sup> Barbara von Rütte, *The Human Right to Citizenship: Situating the Right to Citizenship within International and Regional Human Rights Law* (Brill Nijhoff 2022).

<sup>19</sup> Aashish Yadav, ‘*The Human Right to Citizenship: Situating the Right to Citizenship within International and Regional Human Rights Law* by Barbara von Rütte (Brill Nijhoff 2022) 480 Pages. Price €177.00. ISBN 9789004517516’ (2023) 5(2) *Statelessness & Citizenship Review* 245, 251.

<sup>20</sup> See Peter McMullin Centre on Statelessness, ‘Critical Statelessness Studies Blog’, *University of Melbourne* (Web Page, 2023) <<https://law.unimelb.edu.au/centres/statelessness/resources/critical-statelessness-studies-blog>>, archived at <[perma.cc/N2YT-7PZR](https://perma.cc/N2YT-7PZR)>.

<sup>21</sup> See generally Jozefien Boone, ‘A Power Imbalance in Academic Scholarship on Statelessness: A Thematic Analysis of the Academic Literature on Statelessness from 2014 Onwards’ (2023) 5(1) *Statelessness & Citizenship Review* 76.