

‘I DON’T KNOW WHAT TOMORROW WILL BRING’: UNDERSTANDING COVID-19’S IMPACT ON THE UNITED STATES’ STATELESS POPULATION

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In March 2020, COVID-19 was declared by the World Health Organisation (‘WHO’) as a global pandemic. Since the WHO’s declaration, it has become increasingly clear that the most vulnerable communities have experienced the brunt of the pandemic. Though race, ethnicity and economic status are considered in a majority of reports on the social, physical and financial impacts of COVID-19, there is little to no information on the impact of COVID-19 on stateless communities within the United States (‘US’). This research endeavours to add to the understanding of statelessness in the US by determining the impacts of COVID-19 on stateless people in the US through a survey scoping project. Through anonymous questionnaires completed by stateless individuals (n=19) in the United States, this study explores how stateless individuals have been impacted by the pandemic, including experiencing economic hardships, mental health challenges, physical health concerns and issues with documentation and legal status.

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I INTRODUCTION

Since the World Health Organization's ('WHO') March 2020 declaration of COVID-19 as a global pandemic, it has become increasingly clear that the most vulnerable communities have experienced the brunt of the pandemic.¹ Research has revealed that within the United States ('US'), racially and economically marginalised communities were more likely to be negatively impacted by the pandemic.² Though race, ethnicity and economic status are considered in many reports on the social, physical and financial impacts of COVID-19, there is little to no information on the impact of COVID-19 on stateless communities within the US. An intersectional approach that looks at the overlapping categories of an individual's life, including immigration status, would better examine the structural inequalities that lead to such negative impacts. Although the body of research on statelessness has been growing worldwide — including research taking an intersectional approach to causes and effects of statelessness — there is little research on any aspect of statelessness in the US. This article seeks to add to the small amount of research on statelessness in the US by examining how stateless individuals in the US were impacted by COVID-19. We examine these impacts by looking at the results of a questionnaire completed by 19 stateless individuals in the US. Before examining the results of the questionnaire, the current situation of statelessness in the US and the impacts of COVID-19 on marginalised communities will be explored.

II STATELESSNESS IN THE UNITED STATES

In general, individuals are granted nationality at birth through their parents (*jus sanguinis*) or the country in which they were born (*jus soli*). However, an estimated 10 to 15 million individuals around the world do not hold a nationality to any country and are thus stateless.³ According to the 1954 *Convention Relating to the Status of Stateless Persons*, stateless individuals are those who are 'not considered as a national by any State under the operation of its law'.⁴ Statelessness is an intersectional issue that highlights patterns of systemic exclusion and discrimination. The United Nations High Commissioner for Refugees ('UNHCR') reports that more than 75% of the world's known stateless population belong to ethnic, religious, linguistic or racial minority groups, many of whom are structurally and socially excluded from public life.⁵ A number of these individuals held nationality at one time, but then lost their nationality through discriminatory government rulings, the dissolution of a state and/or the changing of state borders, or through other administrative gaps. Others were born without a nationality and have never held one, most often because of laws and

¹ World Health Organization ('WHO'), 'Archived; WHO Timeline — COVID-19', *WHO* (Web Page, 27 April 2020) <<https://www.who.int/news/item/27-04-2020-who-timeline---covid-19>>, archived at <perma.cc/V9LG-V3YV> ('WHO Timeline').

² Kim Parker, Rachel Minkin and Jesse Bennett, *Economic Fallout from COVID-19 Continues to Hit Lower Income Americans the Hardest* (Report, Pew Research Center, 24 September 2020) 4.

³ *The World's Stateless: Deprivation of Nationality* (Institute on Statelessness and Inclusion 2020) 13–14.

⁴ *Convention relating to the Status of Stateless Persons*, opened for signature 28 September 1954, 30 UNTS 117 (entered into force 6 June 1960) art 1(1) ('1954 Convention').

⁵ United Nations High Commissioner for Refugees ('UNHCR'), "'This Is Our Home": Stateless Minorities and their Search for Citizenship' (Report, November 2017) 1.

rules that discriminate based on gender, ethnicity, race or religion. Without formally recognised citizenship, stateless persons are unable to participate fully in society and are particularly vulnerable to human rights abuses and violations.⁶

The US guards against statelessness within its territory through the Fourteenth Amendment of the *Constitution of the United States*, which grants birthright citizenship to all born on its soil.⁷ However, the Fourteenth Amendment alone is not enough to eradicate statelessness in the US. Gaps in the US immigration system allow statelessness to persist amongst some of the US' foreign-born population. The US Federal Government ('US Government') has no definition of statelessness under law, no mechanism for identifying stateless individuals and no path to a regularised status for stateless individuals solely on the basis of their lack of nationality.⁸ In 2020, the Centre for Migration Studies ('CMS') conducted a mapping project to estimate and examine persons who are stateless, potentially stateless and at risk of statelessness in the US. Using their robust methodology, CMS found that approximately 218,000 individuals in the US are stateless or potentially stateless.⁹ Due to the US's large, diverse population, there is a wide range of stateless or potentially stateless individuals living within the US who were born in, or journeyed to, the US from countries around the world.¹⁰

A *Challenges Facing Stateless Persons in the United States*

Due to a lack of recognition under current domestic law, stateless persons within the US face a wide range of challenges, including employment barriers and societal exclusion. In their 2020 report, CMS interviewed 48 stateless persons in the US to uncover the significant challenges caused by being stateless in the US.¹¹ These challenges included economic, social and political barriers. One of the most significant challenges for a stateless person is insecurity stemming from the threat of prolonged detention (as stateless individuals cannot be deported, since no country recognises them as a citizen), economic instability due to lack of work authorisation and extensive legal proceedings which are expensive and often unresolved. Stateless individuals have often been separated from their families for years, if not decades, with no clear knowledge of when they might be able to see them again.¹² With the US's complex and privatised healthcare system, affordable access to healthcare becomes a challenge for stateless individuals who lack identification and financial resources. Additionally, domestic travel presents a challenge for stateless individuals in the US as lack of identification can prohibit accessing particular types of travel. Even stateless individuals with identification will face further restrictions in 2025 with the full implementation of the *REAL ID Act*, which will require more intensive identification requirements to board domestic flights.¹³

⁶ 'Ending Statelessness', *UNHCR* (Web Page, 2023) <<https://www.unhcr.org/en-us/ending-statelessness.html>>, archived at <perma.cc/SLV6-DCLY>.

⁷ *United States Constitution*, art 14 § 1.

⁸ This was noted in the bill introduced to the Senate by Senator Benjamin L Cardin on 12 December 2022: *Stateless Protection Act of 2022* (2022) S 5330, § 3(a)(7) (US).

⁹ Donald Kerwin et al, 'Statelessness in the United States: A Study to Estimate and Profile the US Stateless Population' (2020) 8(2) *Journal on Migration and Human Security* 150, 153.

¹⁰ *ibid* 160.

¹¹ *ibid* 198–202.

¹² *ibid* 199–200.

¹³ US Department of Homeland Security, 'REAL ID Frequently Asked Questions', *DHS.gov* (Web Page, 30 August 2023) <<https://www.dhs.gov/real-id/real-id-faqs>>, archived at <perma.cc/6G94-AB62>.

B *United Stateless*

The US has seen the emergence of a path-breaking stateless-led organisation, United Stateless ('USL'), which seeks to bring attention and solutions to statelessness. United Stateless was founded in December 2017, by stateless individuals who found each other through social media. The seven decided they needed to band together to form a community of support for stateless individuals in the US. Since then, United Stateless has grown into a larger organisation with a network of allies (non-stateless people) who are helping them in their mission. Since its founding, United Stateless has worked on four main goals: growing a community and safe space for stateless individuals to connect; advocating for legislation and changes to the US Government's non-existent approach to statelessness; working on individual stateless cases by providing legal services; and educating funders, voters, leaders and the public about statelessness in the US.¹⁴

United Stateless' work has already resulted in positive outcomes, as on 15 December 2021 the United States' Department of Homeland Security ('DHS') announced that it would 'commit to providing greater protections for stateless persons present' in the country.¹⁵ This includes working to establish a statelessness determination procedure and 'work to identify and catalogue barriers to legally available immigration relief'.¹⁶ On 1 August 2023, details of what actions DHS would take on statelessness were released and included the implementation of new procedures 'to assist USCIS [United States Citizenship and Immigration Services] officers when assessing an individual's potential statelessness' which will include advisory reports 'clarifying how the officer might consider an individual's statelessness in making decisions about an individual's application or benefit request'.¹⁷ Although more work remains to be done in order to fully address statelessness in the US, the commitments made by DHS represent a positive step in the right direction. The present study was conducted by United Stateless' Research and Student Engagement Committee whose members include both stateless individuals and allies.

III THE INTERSECTION OF STATELESSNESS AND COVID-19

In March 2020, COVID-19 was declared a global pandemic by the WHO.¹⁸ Since the declaration, multiple governments and civil society organisations have highlighted the disproportionate impact of COVID-19 on socially marginalised communities, including one report that focused on stateless persons.¹⁹ Stateless persons are at a higher risk of being left behind in national and international campaigns to contain the virus and mitigate its effects on the economy and

¹⁴ 'Our Purpose', *United Stateless* (Web Page, 15 December 2021) <<https://www.unitedstateless.org/purpose>>, archived at <perma.cc/WJA7-RK3V>.

¹⁵ US Department of Homeland Security, 'DHS Announces Commitment to Enhance Protections for Stateless Individuals in the United States', *DHS.gov* (Press Release, 15 December 2021) ('DHS Announces Commitment').

¹⁶ *ibid.*

¹⁷ US Department of Homeland Security, 'DHS Issues Guidance for Stateless Noncitizens in the United States', *DHS.gov* (Press Release, 1 August 2023) <<https://www.dhs.gov/news/2023/08/01/dhs-issues-guidance-stateless-noncitizens-united-states>>, archived at <perma.cc/A39L-57WP>.

¹⁸ WHO, 'WHO Timeline' (n 1).

¹⁹ Institute on Statelessness and Inclusion, *Together We Can: The COVID-19 Impact and on Stateless People & a Roadmap for Change* (Report, June 2021).

workforce, mental and physical health, education and social relations.²⁰ Their lack of status — compounded with possible membership in a religious, ethnic, racial and/or linguistic minority community — places stateless people in precarious positions where they are unable to access government relief, healthcare services and vaccines on equal terms as citizens or other persons with recognised status. A 2021 Impact Report on COVID-19 and stateless populations published by UNHCR outlined six reasons why stateless populations might be excluded from vaccine distribution, including: nationality or lack of legal status, fear of coming forward, lack of identity documentation, cost of the vaccine, lack of awareness and discriminatory vaccine distribution.²¹ However, the report noted that most countries do not include stateless individuals in their discussions surrounding inclusion and addressing of the COVID-19 pandemic for individuals who are vulnerable.²² Additionally, most countries have not addressed how they are going to ensure access to the vaccine by individuals who cannot demonstrate their legal status and who often cannot provide identification. Although stateless populations would fall within populations more at risk to the impacts of COVID-19, they are not included within countries' discussions of how to address such vulnerabilities, which leaves stateless individuals at risk of shouldering more of the burdens and impacts of COVID-19 than the population at large.²³ A UNHCR Protection Note related to COVID-19 in West and Central Africa, released in 2020, recommended that the following be provided for stateless individuals in light of the emergence of COVID-19: legal counselling by phone, pre-recorded broadcast messages related to civil registration and advocacy for, and access to, online civil registration.²⁴ However, the implementation of these recommendations is not known. Overall, stateless individuals remain in very perilous situations, not only in terms of their lack of legal status, but also when it comes to impacts of the COVID-19 pandemic, including access to vaccinations.

In the US there has been limited research on immigration status as a compounding factor of pandemic-related impacts, with more studies focusing on differences in experience according to race and economic status, rather than immigration status. Qinggang Yu et al demonstrated how de facto racially segregated American cities — specifically racial segregation between white populations and both black and Hispanic populations — is correlated with more COVID-19 deaths and cases.²⁵ The difference between infection and mortality rates was even greater when assessed against income inequalities between these groups within metropolitan areas. As Yu et al state, 'structural inequality can

²⁰ See Marie Claire van Hout, Charlotte Bigland and Nina Murray, 'Scoping the Impact of COVID-19 on the Nexus of Statelessness and Health in Council of Europe Member States' (2021) 4 *Journal of Migration and Health* 100053; Nannie Sköld, 'Understanding Statelessness and Health Through Social Science' in P Liamputtong (ed), *Handbook of Social Sciences and Global Public Health* (Springer 2023) 1897.

²¹ UNHCR, *The Impact of COVID-19 on Stateless Populations: Policy Recommendations and Good Practices on Vaccine Access and Civil Registration* (Report, June 2021) 4.

²² *ibid* 2.

²³ *ibid*.

²⁴ UNHCR, 'UNHCR Protection Note: Impact of COVID-19 on the Protection of Displaced Stateless Populations West and Central Africa' (Note, 15 April 2020) 6 <<https://data.unhcr.org/en/documents/details/75706>>, archived at <perma.cc/BGV8-6S3X>.

²⁵ Qinggang Yu et al, 'Racial Residential Segregation and Economic Disparity Jointly Exacerbate COVID-19 Fatality in Large American Cities' (2021) 1494(1) *Annals of the New York Academy of Sciences* 18.

produce lethal consequences'.²⁶ As many stateless individuals in the US likely live in metropolitan areas and fall within minority groups, it is likely that stateless individuals have also been disproportionately impacted, not only by illness, but also by the other economic and social fallouts that have resulted from COVID-19. As black and Hispanic populations make up the two largest minority groups in the US,²⁷ it is logical that many of the studies looking at COVID-19's impacts on minorities focused on these two groups, as opposed to the smaller groups of ethnic minorities of which many stateless people are likely a part.²⁸ But these inequalities and findings likely also apply to other minority groups in the US. These multiple identities — including race, ethnic background, socioeconomic status and immigration status — highlight why it is important to pursue an intersectional approach to looking at COVID-19's impacts and consider how they all may affect an individual.²⁹ It is unlikely that being stateless is the only risk that stateless individuals face with regards to being disproportionately impacted by COVID-19. Likewise, some stateless individuals are likely to have been more or less impacted by COVID-19 because of other aspects of their identity that intersect with their lack of citizenship status.

Keeping the aforementioned in mind, researchers have argued that instead of focusing on the vulnerability of individuals, an intersectional approach would allow for a better understanding of the nuances of who is impacted by COVID-19 and the power structures that create such an environment. Although there were public campaigns approaching COVID-19 as an equaliser, as Lisa Bowleg rightfully stated, 'we are not all in this together'.³⁰ Just as in other epidemics, such as that of HIV/AIDS, the COVID-19 pandemic has highlighted structural inequality and issues of access that impact marginalised populations. Bowleg recommends intersectionality, the theory coined by critical legal scholar Kimberlé Crenshaw, to examine the inequalities that have arisen and been on greater display as COVID-19 has progressed.³¹ Immigration status, including statelessness, is one aspect of intersectionality that impacts an individual's life and should be taken into account when looking at the impacts individuals are facing as a result of COVID-19. The present research hopes to add immigration status, including statelessness, to the intersections being investigated. In light of the limited research available on statelessness, looking at research on other marginalised individuals can help to explore ways in which a stateless individual might also be impacted.³²

Michelle Lokot and Yeva Avakyan's early exploration of how COVID-19 was impacting marginalised individuals also argues that COVID-19 is far from a 'great equaliser' but rather 'lays bare stark disparities in power'.³³ Although Lokot's and Avakyan's focus is on humanitarian contexts, their discussion also applies to the

²⁶ *ibid* 18.

²⁷ United States Census Bureau, 'Racial and Ethnic Diversity in the United States: 2010 Census and 2020 Census', *Census.gov* (online, 12 August 2021) <<https://www.census.gov/library/visualizations/interactive/racial-and-ethnic-diversity-in-the-united-states-2010-and-2020-census.html>>, archived at <perma.cc/RCH2-GFLC>.

²⁸ See, eg, *ibid*; Kerwin et al (n 9).

²⁹ Sköld (n 20) 1900.

³⁰ Lisa Bowleg, 'We're Not All in this Together: On COVID-19, Intersectionality, and Structural Inequality' (2020) 110 *American Journal of Public Health* 917, 917.

³¹ *ibid*.

³² *ibid*.

³³ Michelle Lokot and Yeva Avakyan, 'Intersectionality as a Lens to the COVID-19 Pandemic: Implications for Sexual and Reproductive Health in Development and Humanitarian Contexts' (2020) 28 *Sexual and Reproductive Health Matters* 40, 40.

disparities faced among individuals in the US, including stateless individuals, who, as shown in this study, are often in jobs and situations that place them at greater risk of infection. Just as a ‘singular level of analysis ... fails to capture the complex combinations of intersecting power differentials’ and thus ‘has detrimental effects’ in the humanitarian context, this is also true when looking at vulnerabilities and risks faced by stateless individuals in the US.³⁴ Although the lack of a nationality is something that all stateless individuals share in common, there are many other aspects of their experience that make their situation unique from that of other stateless individuals. While the term ‘stateless’ often appears to be referencing a homogenous group of people, they are far from homogeneous and have additional challenges or benefits imposed upon them based upon other aspects of their individual identity.³⁵ While stateless individuals are vulnerable because they do not have immigration status, the power structures that create and allow for individuals to be stateless must be critiqued more than the individual statelessness of any individual person. While individual experience is key to understanding the unique experience of statelessness, by focusing on ‘not what makes people vulnerable but taking a broader approach to conceptualising how power hierarchies and systemic inequalities shape their life experiences’ we can better understand statelessness.³⁶

Lara Maestriperi looked at studies from around the world and also found the idea of COVID-19 being an ‘equaliser’ to be false, as different groups experienced risks of COVID-19 to different degrees, including migrants and minorities being at greater risk than white upper- and middle-class individuals.³⁷ Like Lokot and Avakyan, Maestriperi argued that intersectionality needs to be brought into the examination of vulnerability to look at the ‘multiplying effect when disadvantaged positions intersect in the same individual’.³⁸ The lack of research on stateless individuals in the US prevents a full understanding of the intersections that stateless individuals face. Although there can be some comparison to other populations, such as undocumented migrants in the US, statelessness is a different situation that deserves its own research and analysis.

IV METHODOLOGY

A Survey Overview

As part of the Institute on Statelessness and Inclusion’s COVID Emergency Relief Fund, United Stateless received a small grant to study the impact of COVID-19 on stateless people within the US.³⁹ Under this grant, USL created a voluntary online survey on Google Forms that included questions on experiences with COVID-19 and COVID-19 vaccination, work and life changes during COVID-19, mental health and stress, financial worries and other related topics. The survey was open to participants for approximately six months, from 10 August 2021 to 10 January 2022.

³⁴ *ibid* 42.

³⁵ Sköld (n 20) 1900.

³⁶ Lokot and Avakyan (n 33) 42.

³⁷ Lara Maestriperi, ‘The Covid-19 Pandemics: Why Intersectionality Matters’ (2021) 6 *Frontiers in Sociology* 1, 1.

³⁸ *ibid*.

³⁹ Institute on Statelessness and Inclusion, *Together We Did! A Reflection on the Impact of the COVID-19 Emergency Statelessness Fund (CESF) Consortium* (Report, March 2023) 33.

The survey began with an acknowledgement of informed consent before participants began to answer questions. It then moved onto a brief background questionnaire, which asked participants to confirm their age (to participate, an individual needed to be over the age of 18) and answer a series of statelessness screening questions. Then, participants were instructed to answer ordinally-measured (scaled) questions related to their experiences on COVID-19 (Sections 4 and 5) as well as questions on where they gather information on COVID-19 and vaccines (Section 6).

Following these sections, participants were asked if they had been vaccinated. Depending on the respondent's answer (yes or no), they were redirected to the next section, where they were asked a series of open response and/or ordinal-response questions, asking particularly about their experiences (or lack thereof) with the COVID-19 vaccine (Sections 7–9). Participants were then asked a series of questions related to their personal experiences and/or exposure to COVID-19 (Section 10) and their financial or job experiences during COVID-19 (Section 11). Sections 12 and 13 asked respondents about their mental and physical health during the COVID-19 pandemic through a series of dichotomous and ordinally measured questions, while Section 14 asked respondents to answer questions related to employment. The final section asked respondents to leave any additional comments, questions or concerns that they wished USL to consider or review. Almost all questions were optional and not required for all participants, as certain questions may not apply to their situation.

B *Participant Recruitment and Survey Distribution*

This survey project initially sought to map the effects of COVID-19 on stateless persons within New York City ('NYC'), New York. The reasons for selecting NYC were manifold. First, the city was the COVID-19 epicentre in the US through the first half of 2020 and continued to have high transmission rates throughout 2021.⁴⁰ As the delta and omicron variants spread across the US in the summer and winter of 2021, respectively, the city frequently reported high rates of transmission, resulting in over 1 million confirmed cases — an eighth of the city's entire population — since the start of the pandemic.⁴¹ NYC was also a location of interest as New York State is estimated to have the highest number of stateless or potentially stateless persons in the US.⁴² Given that NYC reports over 1 million residents who live with an undocumented migrant and remains an attractive city for immigrants, USL hypothesised that many unidentified stateless persons would also be present in the city.⁴³

To recruit participants, USL researched and generated a spreadsheet of over 60 legal, cultural, linguistic and refugee-related organisations based in NYC to

⁴⁰ Centers for Disease Control and Prevention, 'COVID-19 Outbreak — New York City, February 29 June 1, 2020', *Morbidity and Mortality Weekly Report* (Web Page, 20 November 2020) <<https://www.cdc.gov/mmwr/volumes/69/wr/mm6946a2.htm>>, archived at <perma.cc/ET3Y-PHQU>.

⁴¹ 'Tracking Coronavirus in New York City, NY: Latest Map and Case Count', *New York Times* (online, 23 March 2023) <<https://www.nytimes.com/interactive/2021/us/new-york-covid-cases.html>>, archived at <perma.cc/9ZK2-3YTE>; Emmanuel Felton, 'As Omicron Spreads, New York City is Once Again a Center of the Pandemic', *Washington Post* (online, 1 January 2022) <<https://www.washingtonpost.com/nation/2021/12/31/new-york-omicron/>>, archived at <perma.cc/52GU-2VKT>.

⁴² Kerwin et al (n 9) 182.

⁴³ Mayor's Office of Immigrant Affairs, *State of Our Immigrant City* (Annual Report, 20 December 2019) 16.

contact via phone and email to recruit potential survey participants. Though USL reached out to dozens of NYC-based organisations asking if they would be able to share the survey with the populations they served, they received little response from any of the organisations. After approximately three months with no survey submissions, USL broadened the scope of the survey to allow respondents from anywhere in the US to participate and disseminated the survey through USL's stateless community network. As a result, those who participated in the survey were selected through snowball or chain-referral sampling; a convenience sampling technique that relies on survey participants to refer other persons within their personal or professional circles to the study. Due to the networking nature of snowball sampling, this particular method of dispersal and recruitment is often criticised for its limitations on generalisability, representativeness and validity, and for the potential for the data to become easily distorted (ie, all female respondents, all one racial category).⁴⁴

However, several studies suggest that snowball sampling is particularly useful when conducting research on marginalised populations and issues, as participants are recruited by trusted acquaintances. As the stateless community within the US has not officially been mapped by the US Government and has only been estimated by the Centre for Migration Studies, snowball sampling proved to be the easiest method of recruitment for USL's study. Additionally, the use of snowball sampling online has been argued to increase representativeness across demographics and sample size, as participants can be instructed to reach out to their networks both online and offline.⁴⁵ As a convenience sampling method, snowball sampling is useful for capturing a 'snapshot' of stateless people throughout the country and measuring their experiences through COVID-19.

V RESULTS

A Respondent Demographics

All participants in the survey were over the age of 18. Only participants who stated they did not currently have a nationality to any country and considered themselves stateless were included in the results analysis (n=19). Responses that were not included in analysis (n=8) included one submission which was a duplication of another submission, three that were not stateless based on their answers to the questions and four that stated they did have a nationality.

The 19 participants used in this results analysis were born outside the US, including three in Kuwait, two in Jerusalem, two in the Union of Soviet Socialist Republics, and one each in Greece, Spain, Jordan, Thailand, the Bahamas, Qatar, Moldova, Western Sahara, Ethiopia, Mexico and Saudi Arabia.⁴⁶ Only six participants reported having lived in an additional country outside of their birthplace and the US. Nine reported that their parents were from different countries than where they themselves were born. All but two participants reported speaking at least one additional language to English. Within the US, five reported living in New York State, two in California, two in Florida and one each in Virginia, Maryland, the State of Washington and Colorado.

⁴⁴ Charlie Parker, Sam Scott and Alistair Geddes, 'Snowball Sampling' (2019) in Paul Atkinson et al (eds), *SAGE Research Methods Foundations* (Sage Publications).

⁴⁵ Fabiola Baltar and Ignasi Brunet, 'Social Research 2.0: Virtual Snowball Sampling Method Using Facebook' (2012) 22(2) *Internet Research* 57, 65.

⁴⁶ One individual was not certain where they were born.

Of the 19 respondents included in analysis, four (21%) reported having a previous nationality. Two of these respondents did not identify in which countries they previously held nationality, but Jordan and Ethiopia were identified by the other two respondents. The other 15 participants reported never having held a nationality. Thirteen reported having identification of some sort (68%) while six reported not having any identification.

B *COVID-19 Testing, Vaccination and Information*

When it came to having COVID-19, only four of the 19 respondents reported having had it, while 15 reported never having the disease up until the time of their survey submission. Of the four who reported having COVID-19, two knew their diagnoses from positive test results while two were symptomatic but did not get tested. When asked about accessing medical care in light of their COVID-19 diagnosis, two reported not being able to access medical care, one did not need it and one was able to access medical care. Ten of the participants reported having underlying conditions or considered themselves high risk for COVID-19, while nine did not.

Accessibility to testing was found to be mainly successful, with 14 respondents reporting that they were able to access testing when needed, three not being able to access testing and two reported never needing testing. With regards to family members having COVID-19, 11 reported not having family members with COVID-19 and eight reported having family members with COVID-19. Of the eight, seven knew from a positive test result and one was symptomatic but not tested.

At the time of the survey, 13 participants reported being vaccinated against COVID-19 (68%), while six were not. On a scale of 1–5, with one being not at all easy and 5 being extremely easy, the participants who were vaccinated reported a median score of both three and five (n=5 each) and a mean of 3.85 with regards to how easy it was to schedule and attend their vaccination appointment. Six reported getting their vaccination at a pharmacy. Individuals reported being vaccinated at the following locations: Citi Field,⁴⁷ a church, prison, a doctor's office and a free health clinic. Those who did get vaccinated reported making the decision to 'be safe' (n=2), due to 'health concerns' (n=1), to 'improve my immunity' (n=1), due to 'media pressure' (n=1), as their 'brother had COVID-19' (n=1), 'to protect myself' (n=1) and because their 'job required' it (n=1). When asked if they had any concerns or worries about the vaccination, eight said yes, five said no and six did not answer. Reasons for concern included: not having an ID (n=2), that the vaccine was like a flu shot and contained dead COVID-19 (n=1) and that the efficacy of the Pfizer vaccine was not 90% (n=1).

For those who reported not being vaccinated (n=6), two reported wanting to be vaccinated, while four reported not wanting to be vaccinated. Reasons for those who were not interested in being vaccinated included: health issues (n=1), fear of side effects (n=1), no clear statistics (n=1) and the information being published about the vaccine not lining up with efficacy reports being released (n=1).

When it came to getting information about COVID-19, the most common ways of receiving information included: TV media, social media, and friends and family. Sixty-three percent of respondents said yes, 'they were able to receive accurate and up to date information about the COVID-19 pandemic' meaning that almost 40% of individuals answered that they could not receive up to date

⁴⁷ A baseball stadium in New York City that was used as a mass COVID-19 vaccination site from February 2021 until March 2022.

information. With regards to precautions taken during the pandemic, nearly 90% of respondents stated that they socially distanced and wore masks in public spaces.

C *Impacts of COVID-19 on Daily Life*

In order to measure the impacts of COVID-19 on daily life, a 1–5 numerical scale was used once again (1 being ‘not affected at all’ and 5 being ‘extremely affected’). Disruption to daily routine scored the highest with a mean of 4.42 and a median of five. Employment was also highly impacted with a mean of 4.05 and a median of five. The results further indicate that stateless individuals’ ability to move freely throughout their place of living (such as going to the grocery, out to exercise, etc) has been impacted by the COVID-19 pandemic with a mean of 3.89 and a median of five. Personal relationships (3.68), access to healthcare (3.58), and access to legal assistance (3.42) also all had medians of five while school (2.58) and access to food (3.05) scored the lowest means for impact.

The survey further examined how comfortable stateless individuals felt completing certain activities using a 1–5 numerical scale (1 being ‘not at all comfortable’ and 5 being ‘completely comfortable’). When looking at means, individuals reported being most comfortable at home (3.42), going out and exercising (2.74) and going to the grocery store (2.53). While individuals reported being most uncomfortable being at work (1.71), using public transportation (1.88), socialising with people they do not live with (1.89) and being at school (1.93).

D *Employment and Finances*

With regards to employment, nine of the participants reported having lost a job while 10 did not report losing a job. Twelve reported having their work schedule changed during COVID-19, while five did not. Only four reported feeling safe at work, while 12 did not (three responses were left blank). Six reported being currently employed, while 13 were not. Two reported qualifying for unemployment benefits, while 17 did not. Only one reported qualifying for social security benefits, while 18 did not. With regards to how COVID-19 has impacted employment, a 1–5 numerical scale was used (with 1 being ‘not at all affected’ and 5 being ‘extremely affected’) and the mean respondent answer was 4.05 for impacts on employment.

Sixteen of the respondents reported not receiving help from the US Government during COVID-19, while three reported receiving help. Four reported receiving stimulus funds, while 15 reported not receiving stimulus funds. Eight reported their spouse or dependent children receiving stimulus funds, while 10 reported their spouse or dependent not receiving any stimulus funds (one response was left blank). Only one respondent reported receiving financial assistance from a community or local organisation and 17 reported not receiving help. Three reported receiving food stamps or assistance from another federal program, while 16 reported not receiving this assistance. Four respondents reported having Medicaid, Medicare or Essential Plan Insurance.⁴⁸ No respondents reported receiving assistance from a state or a local government program. Eight (42%) reported receiving financial help from family and/or friends, while 11 reported not receiving financial assistance from family and/or friends. Eleven respondents (58%) reported needing financial assistance currently, while eight reported not needing financial assistance currently.

⁴⁸ Essential Plan Insurance is a New York State-specific program that is for New York State individuals with limited income who do not qualify for Medicaid (government-funded health insurance).

'I Don't Know What Tomorrow Will Bring'

Eight respondents (42%) reported not having enough food to eat, while 11 reported having enough food. Twelve respondents (63%) had unpaid medical bills, while seven did not. For three of the 12 respondents (25%) with unpaid medical bills, the unpaid medical bills related directly to COVID-19. With regards to being able to afford medication, six reported being able to afford their medications, seven could not and six responded that it was not applicable.

E Mental Health and Challenges Faced

Mental health was also evaluated by looking at stress on a 1–5 scale (1 being 'less stressed than before the pandemic' and 5 being 'more stressed than before the pandemic'). Some of the variables asked about included: family, personal health, family health, economic needs and legal status. The mean of the majority of variables was over four, including money or economic needs (4.68), family (4.63), personal health (4.63), legal status (4.47), personal relationships (4.47) and family health (4.37). The mean for having enough food to eat (3.89) and schooling needs of self or children (3.87) scored the lowest.

To measure other impacts of COVID-19 on stateless individuals within the US, the survey asked an open-ended question to stateless individuals about the biggest challenges they faced due to the pandemic. The majority of the respondents included challenges in relation to economic concerns, such as job loss, economic hardships, lack of economic support from the Government, not having proper work permits and overall income changes. Stateless individuals further expressed challenges over finding legal support throughout the pandemic and concerns over their overall health and wellness. In regard to economic challenges, stateless individuals within the US have felt extreme uncertainty with their economic stability and ability to receive government assistance. In addition to being asked about challenges, respondents were also asked an open-ended question about what help they needed during the pandemic. The majority of respondents stated they needed financial assistance and support throughout the pandemic. Due to a lack of valid work permits, stateless respondents expressed their inability to obtain a job or apply for opportunities. Stateless respondents further indicated they were in need of immigration and legal help throughout the pandemic. The inability to have legal representation has led to many respondents being unable to acquire proper working permits and travel documents.

The end of the survey allowed for stateless individuals to express any other ideas or concerns unaddressed by the survey. These responses discussed mental health concerns caused by the pandemic and being stateless within the US. The respondents expressed the mental hardships being stateless has caused them and how the pandemic has further exacerbated their mental health stress. Additionally, many respondents emphasised the lack of financial support they have received from local and federal government agencies. This lack of financial aid has also led to concerns surrounding health and their ability to access proper medical care. Stateless respondents further expressed opinions on how the US has dealt with the issue of statelessness. One respondent conveyed concerns over US attitudes towards stateless individuals. They hoped the US would change further policies on statelessness within the country. This may include the protection of stateless individuals' human rights and providing more efficient ways to become citizens of the US.

VI DISCUSSION

Although this study has a small participant pool which limits generalisability across the global stateless population, this is the first study to specifically look at the impacts of COVID-19 on stateless individuals in the US. The present study provides valuable information and a starting point to better understand and address statelessness in the US, particularly in the wake of a public health crisis.

The respondents' diverse countries of birth showcase the accuracy of the CMS study, which put forth that stateless individuals hail from a variety of backgrounds and countries globally. With such a variety of backgrounds, it can be challenging to identify stateless individuals, access them in their spoken language and understand their specific legal issues and needs. Concerns with legal status and accessing legal assistance was a prevalent theme in the results. This is unsurprising as stateless individuals face the legal issue of not having documentation (which in turn creates a cascade of other issues as documentation and status are required to access so many different areas of life).

It was positive to learn that the majority of the respondents were able to get vaccinated (68%) as there was concern that individuals without documentation would have a harder time accessing COVID-19 vaccinations, despite federal and state governments' attempts to make vaccination accessible to all, regardless of legal status and documentation.⁴⁹ These results do not mean that vaccination access was as easy for individuals with documentation, but does show that the majority of the individuals surveyed were able to actually access it. Similarly, that 14 of the respondents were able to access testing when needed (74%) is a positive sign that access to testing is available to at least the majority of the stateless individuals, however, this still does leave others who are unable to access testing. As a result, access to both vaccination and testing should continue to be discussed, and efforts should be made to expand accessibility for those without documentation.

Many articles and conversations since the COVID-19 pandemic began have discussed the extreme disruption to daily life that has occurred for so many individuals; thus, it is unsurprising to find that stateless individuals have also experienced disruptions in their lives. Disruption to employment, including job loss and feeling unsafe at work, can be even more complex for stateless individuals because lack of documentation often means that individuals have to work under-the-table jobs or in situations where they are less likely to have the ability to protest against unsafe or unsanitary working conditions. As it can be challenging to find work without documentation, there are limited work options for stateless individuals, meaning that job loss could very well mean that new employment will not be found anytime soon. The finding that few of the stateless individuals qualified for unemployment or other government benefits suggests that at least some stateless individuals have to work within the informal sector and do not have access to relief that non-stateless individuals do.

Mental health was another prevalent theme throughout the results. Mental health is a complex topic and the present survey only briefly touched on it by looking at current stress levels as compared to before the pandemic. With most variables examined having a mean rating above 4.3 on a 1–5 numerical scale,

⁴⁹ Centers for Disease Control, 'Vaccines.gov — Find COVID-19 Vaccine Locations Near You', *Vaccines.gov* (Web Page, 2023) <<https://www.vaccines.gov>>, archived at <perma.cc/6ZNE-FKG9>.

stateless individuals are facing stress from a variety of sources, including money and economic needs, legal status and health. In addition to the high means for mental health-related questions, a number of individuals also mentioned mental health within the open-ended questions about challenges or help needed. It is clear then that mental health is an area requiring greater attention. Stateless individuals face additional challenges and stress in comparison to the non-stateless population because of their lack of nationality. Further, it is more than likely that the mental health field is also largely unaware of what statelessness is, and the unique needs that stateless individuals have.⁵⁰ Greater knowledge within the field of mental health as well as looking at the mental health needs of stateless individuals is needed. In addition, access to mental health services for stateless individuals needs to be explored; if adequate and comprehensive mental health services are not currently available for stateless individuals, work needs to be done in order to make these needed resources accessible.

The researchers were surprised that eight of the 19 individuals reported trouble accessing food, as this was not an area that was expected to be of concern. Future research should look at food access for stateless individuals and their ability to access food resources, including government benefits such as the Supplemental Nutrition Assistance Program (known as 'SNAP') as well as food banks and food assistance programs.

The two open-ended questions at the end of the survey that asked about challenges faced and help needed revealed some of the very personal struggles that stateless individuals are going through. One respondent wrote about their struggle with depression, and that their family is overseas sick with COVID-19 while financially dependent on the stateless individual to survive. Although not asked about in the survey, the challenges of being separated from family and unable to travel to see them is likely an issue that many stateless individuals are facing within the US. Although many non-stateless individuals around the world who may not have previously experienced limitations on their movement were limited in their travel because of the COVID-19 pandemic and the closing of borders, stateless individuals have known these restrictions long before the pandemic and will continue to know them long after all pandemic-related restrictions are lifted.

Another respondent replied that they 'don't know what tomorrow will bring'. This was likely a sentiment felt by many during the COVID-19 pandemic as uncertainty was abundant. But this also connects to the stateless experience as well, as statelessness leaves individuals in a state of uncertainty, not knowing what will happen next as a result of their lack of legal status. This uncertainty likely takes a toll on an individual's physical and mental health, which the COVID-19 pandemic likely exacerbated. The intersectional aspects of stateless people's lives, including their lack of legal status and their gender, race, ethnicity, economic status, location and language, amongst other things, all play a role in how the individual experiences both statelessness and the COVID-19 pandemic. Individuals who completed the survey discussed their struggles with not being able to access financial assistance that non-stateless individuals could, not having help from the Government or from other institutions and concerns with providing for their children while also staying healthy themselves. As restrictions lessen in the

⁵⁰ See Jocelyn Kane, Gezy Schuurmans, Miho Kitamura, 'Health Care Experiences of Stateless People in Canada' (2023) 11(3) *Journal on Migration and Human Security* 261.

present day, some of the concerns that arose from the pandemic will likely decrease but the concerns, frustrations and issues that stateless individuals face because of their statelessness will remain. The inclusion of immigration status when looking at the intersectionality of an individual's experience is essential to understanding the issues that stateless individuals continue to face.

In response to the question about the biggest challenges being faced during COVID-19, one respondent replied with a single word: breathing. Although there was no opportunity to follow up with this individual due to the anonymity of the survey, this answer can be viewed symbolically as representing so much about the COVID-19 pandemic and the experiences of stateless individuals. On one hand, falling ill with COVID-19 often impacts a person's respiratory system; when taken very literally, physically breathing can be challenging. Figuratively, breathing is also used to symbolise the ability to pause, to reflect, to relax and to live. Having challenges with breathing could also be reflective of the overwhelming nature of the pandemic that has impacted so many aspects of our lives. Breathing is a subconscious, natural process that all living humans perform. It is a simple aspect of being alive in the sense that it is a required physical action, often taken for granted, that occurs multiple times a minute for each person. For most individuals, nationality is like breathing; it is something that is taken for granted and always present. But stateless individuals do not have this luxury, leading to prolonged uncertainty, and, as one participant said, not 'know[ing] what tomorrow will bring'.

A *Additional Areas for Future Research*

As shown in the present study, it is very challenging to identify stateless individuals in the US. This is not only an issue within the US but with stateless populations around the world.⁵¹ It is also possible that the limited participation in the survey reveals a lack of trust or willingness by stateless individuals to come forward to participate in a survey. This lack of trust would likely extend to other areas, such as concerns around accessing vaccinations. This issue would only be exacerbated in any future crisis and needs to be addressed. Mapping studies would assist in identifying populations of stateless individuals in the US to better understand the reality of their lives and also to be able to more adequately conduct outreach and provide assistance. The Centre for Migration Studies' 2020 mapping project across the entirety of the US is an excellent place to start, as the research identified states within the US believed to have the highest populations of stateless individuals.⁵² Additionally, the US Government needs to collect and make available data about stateless populations to aid in these mapping projects.

In addition to better identification of stateless individuals across the US, there must also be greater education of organisations, social services and lawyers about statelessness in the US — including what it is and how to identify statelessness. The lack of feedback we received from the over 60 organisations in NYC to which we reached out could be due to a number of reasons, but it is more than likely some of these organisations have spoken with or served stateless individuals and simply not realised they were stateless. In addition, stateless individuals themselves are often unaware that they are stateless; they may instead think they are undocumented, rather than recognising their lack of nationality. For this

⁵¹ Institute on Statelessness and Inclusion, 'Statelessness in Numbers: 2020' (Note, August 2020).

⁵² Kerwin et al (n 9) 182.

reason, a greater emphasis on educating organisations and individuals about statelessness will allow more of the stateless population to be identified.

VII CONCLUSION

This study demonstrates the impacts of the COVID-19 pandemic on stateless individuals in the US, including impacts to their mental and physical health, economic challenges, issues with documentation and struggles accessing food. As one of the first studies looking specifically at the lives of stateless individuals in the US, this study hopes to be a jumping-off point for additional research on statelessness in the US. With the US Government's 2021 commitment to defining statelessness and creating a statelessness determination procedure,⁵³ now is the time to expand our understanding of statelessness in the US with the hope of addressing not only the issues faced by stateless individuals, but also furthering the legal options available for those in the US. COVID-19 remains present in the world and it is unknown how the pandemic will continue. For stateless individuals, this uncertainty is amplified. Although there have been advances in including undocumented individuals within vaccination efforts — and even within COVID-19 financial assistance in a more limited scope — stateless individuals must be included in relief efforts in the short term and legally within the US in the long term. When looking at the intersectional impacts of COVID-19, immigration status must be included as its impact can be substantial. As this study shows, stateless individuals have been, and continue to be, greatly impacted by the pandemic, and they 'don't know what tomorrow will bring'.

⁵³ US Department of Homeland Security, 'DHS Announces Commitment' (n 15).