

EDITORIAL

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The year 2024 marks 70 years since the adoption of the 1954 *Convention relating to the Status of Stateless Persons* ('1954 Convention')¹ and 10 years since the launch of the #IBelong Campaign.² These are the kinds of significant 'anniversary' events that often prompt reflection — a retrospective on work undertaken and progress made, as well as perhaps an attempt to prognosticate on the potential path ahead.

Reviewing progress is obviously the more straightforward of these two tasks. The 1954 *Convention*'s preamble affirmed that states considered it 'desirable to regulate and improve the status of stateless persons by an international agreement',³ and the subsequent 1961 *Convention on the Reduction of Statelessness* added that it was also 'desirable to reduce statelessness by international agreement'.⁴ Statelessness scholarship has since done much to document and analyse the extent to which stateless people can exercise their human rights and the right to a nationality is protected, providing the evidence base for further advocacy and policy interventions. In articulating the goal 'to end statelessness' within 10 years, proclaimed in 2014,⁵ the United Nations High Commissioner for Refugees ('UNHCR') brought much-needed impetus and urgency to the international community's stated aims of reducing statelessness and protecting stateless people. The decade long #IBelong Campaign has contributed to and benefited from a burgeoning of interest and ambition in the study of statelessness — not only as a matter of international law, but also as an intersectional issue warranting multi and interdisciplinary attention.

Today, whether we take a long lens view to look back over 70 years or a short lens that reviews just the last 10 years, it is evident that significant strides have been made in the field of statelessness studies. Whatever the measurement — volume, diversity, quality — academic output on statelessness has grown immeasurably since 1954 and exponentially over the past decade.

Since launching in 2019, the *Statelessness & Citizenship Review* has provided an important space for this scholarship, featuring work from approximately 160 authors to date. It has showcased critical, evaluative pieces on the state of statelessness, as well as innovative new directions in disciplinary approaches and research methodologies. The present issue is no different. The articles by Samantha

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¹ *Convention relating to the Stateless Persons*, opened for signature 28 September 1954, 360 UNTS 117 (entered into force 6 June 1960) ('1954 Convention') (emphasis added).

² See '#IBelong', *United Nations High Commissioner for Refugees* ('UNHCR') (Web Page) <<https://www.unhcr.org/ibelong>>, archived at <perma.cc/4Y87-HWKB>.

³ 1954 *Convention* (n 1) preamble (emphasis added).

⁴ *Convention on the Reduction of Statelessness*, opened for signature 30 August 1961, 989 UNTS 175 (entered into force 13 December 1975) Preamble (emphasis added).

⁵ See UNHCR, *Global Action Plan to End Statelessness: 2014–2024* (Action Plan, November 2014) 2.

Balaton-Chrimes,⁶ Lia Storey⁷ and Clara Van Thillo⁸ offer original and incisive analytical work on statelessness and precarious citizenship in the context of tribal communities in Kenya, the United Kingdom’s ‘Windrush Generation’ and Russia’s invasion of Ukraine, respectively. Bronwen Manby brings a fresh perspective to an as yet unsettled question which has long fascinated statelessness scholars: where does citizenship end and statelessness begin?⁹ By scrutinising the use of terminology in the contexts of litigation and statistical reporting, Manby provides welcome insights into what is at stake in framing the situation of someone ‘whose status as a national of any particular country or as a stateless person is not (yet) clear’ and proposes a ‘preferred lexicon’.¹⁰ The book reviews by Sumedha Choudhury,¹¹ Jyothi Kanics¹² and Maria Jose Recalde-Vela¹³ offer a window into just some of the exciting new academic work that is being published, discussing the varied contributions of Kalyani Ramnath’s *Boats in a Storm*,¹⁴ Julija Sardelić’s *The Fringes of Citizenship*¹⁵ and Christian Prener’s *Denationalisation and Its Discontents*.¹⁶ The case notes by Hannah Gordon¹⁷ and Helen-Ulrike Marambio¹⁸ advance the understanding of the functioning — or failing — of legal protections, looking at the limits imposed on state powers of detention and deportation. Such dissection of jurisprudence is a foundational and impactful part of statelessness scholarship that can pave the way for the cross-fertilisation of ideas between jurisdictions and contribute to progressive normative development.

As befits the timing of its publication, released in a significant ‘anniversary’ year, this issue also provides some indication of the direction of statelessness and associated scholarship. The Critique and Commentary pieces, in particular, offer insight on the question of what statelessness researchers of the future might write.

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- ⁶ Samantha Balaton-Chrimes, ‘*Jus Tribalis: Statelessness, Ethnicity and Registration in Kenya*’ (2024) 6(1) *Statelessness & Citizenship Review* 63.
- ⁷ Lia Storey, ‘Windrush Members’ Encounters with the “Hostile Environment” and a Deficit of Citizenship: Centring an Agentive Citizenship Experience’ (2024) 6(1) *Statelessness & Citizenship Review* 38.
- ⁸ Clara Van Thillo, ‘Persistent Gaps in Protection: Stateless and Forcibly Displaced in Ukraine and Abroad’ (2024) 6(1) *Statelessness & Citizenship Review* 88.
- ⁹ Bronwen Manby, ‘Schrödinger’s Citizenship: Framing Perspectives for the Resolution of Statelessness’ (2024) 6(1) *Statelessness & Citizenship Review* 5.
- ¹⁰ *ibid* 5.
- ¹¹ Sumedha Choudhury, ‘*Boats in a Storm: Law, Migration, and Decolonization in South and Southeast Asia, 1942–1962* by Kalyani Ramnath (Stanford University Press 2022). 308 Pages. Price USD30.00. ISBN 9781503632981 (2024) 6(1) *Statelessness & Citizenship Review* 158.
- ¹² Jyothi Kanics, ‘*The Fringes of Citizenship: Romani Minorities and Civic Marginalisation* by Julija Sardelić (Manchester University Press 2021). 216 Pages. Price £85.00. ISBN 9781526143143’ (2024) 6(1) *Statelessness & Citizenship Review* 166.
- ¹³ Maria Jose Recalde-Vela, ‘*Denationalisation and Its Discontents. Citizenship Revocation in the 21st Century: Legal, Political and Moral Implications* by Christian Prener (Brill Nijhoff 2023). 240 Pages. Price €154.00. ISBN 9789004508491’ (2024) 6(1) *Statelessness & Citizenship Review* 172.
- ¹⁴ Kalyani Ramnath, *Boats in a Storm: Law, Migration, and Decolonization in South and Southeast Asia, 1942–1962* (Stanford University Press 2023).
- ¹⁵ Julija Sardelić, *The Fringes of Citizenship: Romani Minorities in Europe and Civic Marginalisation* (Manchester University Press 2021).
- ¹⁶ Christian Brown Prener, *Denationalisation and its Discontents: Citizenship in the 21st Century — Legal, Political and Moral Implications* (Brill Nijhoff 2022).
- ¹⁷ Hannah Gordon, ‘*NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs: The End of Indefinite Immigration Detention in Australia*’ (2024) 6(1) *Statelessness & Citizenship Review* 144.
- ¹⁸ Helen-Ulrike Marambio, ‘Germany: Prohibition of Deportation on Bidoons with Comoros Passports’ (2024) 6(1) *Statelessness & Citizenship Review* 152.

Will their assessment of 2024 be that it was only significant because it offered the opportunity to commemorate the anniversary of previous initiatives, or that this is a year that commands its own place in the chronicles of international engagement on the issue of statelessness?

It is important to acknowledge that, in reality, progress is gradual and non-linear in nature, so it would be artificial to assert that a leap forward has been achieved at any particular time. This is something that the long view also reveals. While the *1954 Convention* was adopted by the United Nations ('UN') General Assembly on 28 September 1954, this was just one moment in the long road towards the effective protection of the rights of stateless people, which is, of course, still not complete. It was preceded by dramatic world events, as well as extensive study, drafting and debate; and followed by the slow advancing of accessions and the continuing hard work of securing meaningful implementation. Indeed, the *1954 Convention* did not receive the requisite number of ratifications (six) to come into force until 6 June 1960 and it was only in October 2023 that the Convention reached majority accession by UN member states when Congo became the 97th state party. Still, the formulation of the Convention marked one of the strongest and most symbolic commitments of the international community to addressing statelessness, without which the course of the past 70 years may have looked very different; and so, the year 1954 retains significance today.

The commentaries in this volume by Heather Alexander¹⁹ and Raymond Hyma,²⁰ respectively, suggest that we may have arrived at another such turning point. After remarking on the only partial success of the 10 year #IBelong Campaign to 'elevate and mainstream statelessness', Alexander points to opportunities that could usher in a new phase of international engagement — including the launch of the Global Alliance to End Statelessness — but warns that a whole of UN effort and far greater support for grassroots civil society organisations are needed for a real change to be realised.²¹ Hyma similarly reflects on the partial progress within statelessness scholarship to adapt methodological design, such that it 'engages those at the centre of inquiry in a much more inclusive way'.²² He posits that the field at large is 'within the throes of a participatory turn',²³ as evidenced by the programming and participation in the 2024 World Conference on Statelessness. While recounting considerable challenges in conducting participatory action research in Cambodia, Hyma argues that participatising statelessness research can be achieved through a sufficiently 'adaptive approach that can take in the realities and the unique challenges that stateless people face in their own marginalised contexts'.²⁴ Jason Tucker's commentary postulates an entirely new strand of methodological inquiry that would capitalise on 'ever increasing datafication of even the most mundane aspects of our daily lives and advances in artificial intelligence'.²⁵ Taking the lead from related fields which are already exploiting the datafication of society, Tucker suggests that similar approaches could be

¹⁹ Heather Alexander, 'Keeping Statelessness on the Agenda at the Global Refugee Forum and Beyond' (2024) 6(1) *Statelessness & Citizenship Review* 137.

²⁰ Raymond Hyma, 'Participatising Statelessness Research: Towards More Inclusive Scholarship' (2024) 6(1) *Statelessness & Citizenship Review* 130.

²¹ Alexander (n 19) 141.

²² Hyma (n 20) 136.

²³ *ibid* 132.

²⁴ *ibid* 136.

²⁵ Jason Tucker, 'Artificial Intelligence, Datafication and Exploring the Minimum Content of Nationality' (2024) 6(1) *Statelessness & Citizenship Review* 124, 125.

adopted for ‘empirically grounding’ work on the minimum content of nationality and even potentially to predict the occurrence of statelessness and thereby ‘improve the implementation of pre-emptive policy interventions’.²⁶

The experience of publishing the first five years of the *Statelessness & Citizenship Review* suggests that statelessness studies is a rich and ever-growing field of interdisciplinary research. We take this opportunity to reflect on and express gratitude for the engagement of our talented team of copy editors, production editors and section editors, and to celebrate the authors who have contributed to date:

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²⁶ *ibid* 126, 128.