

## COMMENTARY

# WORLD CONFERENCE ON STATELESSNESS 2024 — KEY TAKEAWAYS

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## I INTRODUCTION

The Second World Conference on Statelessness was convened at Taylor’s University, Kuala Lumpur, Malaysia, from 26 to 29 February 2024.<sup>1</sup> It was co-organised by the Institute on Statelessness and Inclusion (ISI), Nationality for All (NFA), Development of Human Resources for Rural Areas Malaysia (DHRRA), Family Frontiers (‘FF’) and supported by the Human Rights Commission of Malaysia (SUHAKAM).

The Conference was the biggest convening of the statelessness field to date, attended by 450 in-person participants and over 100 online participants from all over the world. Around 30% of the participants who responded to a voluntary

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<sup>1</sup> ‘2024 World Conference on Statelessness’, *Institute on Statelessness and Inclusion* (Web Page, 2024) <<https://www.institutesi.org/pages/conference2024>>, archived at <[perma.cc/5NZQ-7AMX](https://perma.cc/5NZQ-7AMX)>.

survey identified themselves as persons with lived experience of statelessness.<sup>2</sup> This shows a significant increase from the first World Conference in 2019, where only 10% of participants had lived experience.<sup>3</sup> In contrast to the first Conference being held in The Hague, the venue moving to Malaysia is reflective of greater accessibility and representation, with the Asia Pacific holding the largest population of stateless persons in the world.<sup>4</sup>

Over the course of three and a half days, the Conference featured plenary sessions, panel discussions, workshops and skill labs focusing on the three themes of ‘Solidarity, Knowledge and Change’. The Conference also featured the Immersive Arts and Culture Programme titled ‘Think of Others’, which was an integral part of the event.<sup>5</sup>

This piece captures some of the key conversations that took place at the Conference and provides a reflective analysis from the perspective of two members of the organising team. Their analysis delves into broad takeaways that affect civil society and the statelessness ecosystem through the three themes of the Conference, with the purpose of targeting a diverse set of participants. The findings are based on the notes taken by the designated note takers and the recorded videos of the plenary sessions.

## II CONFERENCE THEMES

### A *Preparations and Challenges*

The Conference offered the opportunity to celebrate and highlight the progress made in knowledge building and advocacy, as well as the innovative approaches emerging in the field.<sup>6</sup> Identifying and examining the challenges that remain in the field, participants deliberated on what changes the field must impart to address statelessness.<sup>7</sup> In particular, simply having conversations about access, hierarchies and meaningful participation of persons with lived experience is not enough.<sup>8</sup> The Conference revealed a need to pivot towards deconstructing the way we construct and use knowledge and offered new approaches for achieving real change in the field.<sup>9</sup>

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<sup>2</sup> Institute on Statelessness and Inclusion, *Submission to the UN Special Rapporteur on the Situation of Human Rights Defenders* (Submission, 4 June 2024) 3.

<sup>3</sup> ‘World Conference on Statelessness 2024’, *Nationality For All* (Web Page, 2024) <<https://nationalityforall.org/events/world-conference-on-statelessness-2024>>, archived at <[perma.cc/M8NH-PW39](https://perma.cc/M8NH-PW39)>.

<sup>4</sup> ‘Asia and the Pacific’, *StatelessHub* (Web Page, 2024) <<https://www.statelesshub.org/region/asia-and-pacific>>, archived at <[perma.cc/3CGE-BAM3](https://perma.cc/3CGE-BAM3)>.

<sup>5</sup> Institute on Statelessness and Inclusion, *Think of Others: The Arts and Culture Experience* (2024 World Conference on Statelessness Arts Programme Catalogue, 2024).

<sup>6</sup> Institute on Statelessness and Inclusion, *2024 World Conference on Statelessness: Setting a Shared Agenda for the Statelessness Field* (Report, 2024) 10 (‘World Conference Report’).

<sup>7</sup> *ibid.*

<sup>8</sup> *ibid.*

<sup>9</sup> *ibid.*

### 1 *Multidisciplinary Approaches to Knowledge Production and Recognising Lived Experience*

In considering how the field can change its approach to knowledge production, some participants shared that statelessness must be studied through an intersectional lens without overlooking race, gender, identity, religion, socioeconomic status, and other factors. By adopting multidisciplinary, change-oriented approaches to ‘knowing statelessness’ and mixing forms of knowledge production, there is a recognised potential to reach a deeper, more holistic understanding of the ways that statelessness impacts people.<sup>10</sup> Additionally, persons with lived experience must be viewed as collaborators and not just subjects in knowledge production.<sup>11</sup> Lived experience is a crucial form of knowledge, and qualitative techniques such as oral history and storytelling should be employed to link theories and policies together. Collective agreement on this was clear during the Closing Plenary of Knowledge Day, when one of co-hosts Samantha Balaton-Chrimes stated, ‘Raise your hand if you’re committed to making knowledge more just and kind of collapsing the hierarchy, so that lived experience and art forms are taken as seriously as statistics and academic research — raise your hand if you agree. Right, it’s everyone’.<sup>12</sup>

### 2 *The Power of Peer-Learning*

As the Conference went on, there were panels and discussions where people cited examples from other countries to explain the issues that mattered to them. Attendees emphasised the power of peer learning in building the arsenal of knowledge and tools one can deploy in their work. During the Opening Plenary of Knowledge Day, Bina Ramanand explained that:

Knowledge is really so vital for us because we’ve also come to a stage where there’s a wall and we want to know how to penetrate through that and the knowledge here from all the experts is going to help us [...] For those of us working on statelessness in Malaysia it’s really vital to gather this information and knowledge of what’s happening around the world, what’s working and how we can utilise that.<sup>13</sup>

### 3 *The Right and Wrong Forms of Knowledge*

One of the speakers, Abdul Kalam Azad at the Opening Plenary of Day One of the Conference, described that ‘knowledge production or knowledge works as a facilitator to create statelessness’<sup>14</sup> in the context of Assam:

In Assam, knowledge was created that these people do not belong here, they are not our citizens, they do not have any right to be here — and then there was this another level of dehumanisation and constructing them as threat that if you do not attack them they are going to attack you [...] Also, systematically certain groups of people, their knowledge is not accepted as knowledge. In the foreigners tribals, the testimony of these people are not accepted. There are bizarre kinds of things

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<sup>10</sup> *ibid.*

<sup>11</sup> *ibid.*

<sup>12</sup> Samantha Balaton-Chrimes, *Knowledge Day Closing Plenary* (Panellist, Recording Transcript, 2024 World Conference on Statelessness, 27 February 2024).

<sup>13</sup> Abdul Kalam Azad, *Knowledge Day Closing Plenary* (Panellist, Recording Transcript, 2024 World Conference on Statelessness, 27 February 2024) (‘Azad, *Knowledge Day Closing Plenary*’); *World Conference Report* (n 6) 20;

<sup>14</sup> Azad, *Knowledge Day Closing Plenary* (n 13).

happening: A father is coming to testify that “this is my son” and the tribunal member is saying “no, we can’t trust you”. This is a form of epistemic violence.<sup>15</sup>

His remarks shed light on the ability of knowledge to be used as a tool for systemic oppression and exclusion, to the same extent that it can be used to dismantle it.<sup>16</sup>

As was stated in the Closing Plenary by Balaton-Chrimes, ‘It’s not just a lack of knowledge that is the problem, it’s the wrong form of knowledge — so we need to correct those wrong forms of knowledge’.<sup>17</sup>

#### 4 *Making Knowledge Accessible*

In order to make knowledge accessible, those producing it must first evaluate how it is disseminated.<sup>18</sup> Although academic and legal institutions have traditionally held the power to produce and access knowledge, the majority of those taking action to address statelessness exist outside of such spheres.<sup>19</sup> Opportunities to amend this power imbalance such as overcoming language barriers that lead to exclusion have been discussed, but are yet to be disseminated and commonly used across the field.<sup>20</sup> Mirroring this, academic spaces also need to incorporate curriculums on statelessness with persons with lived experience leading their development.<sup>21</sup>

### B *Solidarity*

On Day Two of the Conference, sessions focused on how solidarity is fostered in the field through open and transparent discussions on both successes and shortcomings of the past and present.<sup>22</sup> These conversations are vital to shaping our understanding of solidarity and changing the way in which it guides knowledge production.<sup>23</sup> Recognising power imbalances among actors in the field, there is a need to foster multi-stakeholder solidarity that confronts and reverses the current power dynamics by clarifying the roles of different stakeholders in their contexts.<sup>24</sup> One way of doing this is through movement and coalition building with persons with lived experience at the centre of decision-making. Solidarity can be a tool to meaningfully challenge and uproot the exclusion and isolation caused by systemic oppression.<sup>25</sup> In the same breath, it is also a means of upholding empathy, care and community to keep those in the field from burning out in the face of so many challenges.<sup>26</sup>

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<sup>15</sup> *World Conference Report* (n 6) 20.

<sup>16</sup> *ibid* 11.

<sup>17</sup> Balaton-Chrimes (n 12).

<sup>18</sup> *World Conference Report* (n 6) 20.

<sup>19</sup> *ibid*.

<sup>20</sup> *ibid*.

<sup>21</sup> *ibid*.

<sup>22</sup> *ibid* 30.

<sup>23</sup> *ibid* 26–28.

<sup>24</sup> *ibid*.

<sup>25</sup> *ibid*.

<sup>26</sup> *ibid*.

1 *Multi-Disciplinary Approaches to Knowledge Production and Recognising Lived Experience*

Throughout the Conference, attendees consistently emphasised feelings of empowerment through community, with one participant commenting in the Closing Plenary, ‘I don’t think that there is any hope of this being solved without this group and I’ve been feeling like every session I go into is like therapy in many ways just because it’s so powerful to be in these spaces where everybody is sharing’.<sup>27</sup> Others echoed sentiments like, ‘I don’t feel alone’ and ‘I do not trust the system; I trust the people’.<sup>28</sup> Liesl Muller spoke to this during the opening plenary:

Solidarity means the feeling of being able to continue with the work. Solidarity is a duty, but it also feels like a privilege, and it brings joy to me when people share solidarity with me, but also when I stand in solidarity with other people. It helps me to maintain good mental health, and I think that solidarity is also an end in itself not necessarily only a tool.<sup>29</sup>

2 *Intergroup Solidarity Between Persons with Lived and Learned Experiences of Statelessness*

Creating this environment requires recognising the positionality and differences between persons with lived experience of statelessness and those with learned experience.<sup>30</sup> Decision-making power in the field is not currently held by those with lived experience but by those with learned experiences of statelessness.<sup>31</sup> However, the field should be led by those actually impacted, which can only happen when there is trust and solidarity between the two groups and within each group. This sentiment was reflected in multiple panel discussions and the Opening and Closing Plenaries.

In the ‘Solidarity and Power’ panel discussion, speakers called for a safe space where the two groups could have honest and difficult conversations and build genuine friendships. Both persons with lived and learned experiences must individually check and acknowledge their privileges to ascertain where they fall within the power hierarchy. Those with learned experiences as well as allies must recognise stateless people as complex individuals with identities beyond their lived experience. During the Closing Plenary of Solidarity day, Hafsar Tameesuddin voiced that, ‘Solidarity means to be willing to be vulnerable and at the same time also not being in the position of defensiveness. Coming from a place of humility and willingness to listen. Knowing that I don’t know everything, but I know something’.<sup>32</sup>

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<sup>27</sup> Participant, *Solidarity Day Opening Plenary* (Conference Attendee, Recording Transcript, 2024 World Conference on Statelessness, 28 February 2024).

<sup>28</sup> *ibid.*

<sup>29</sup> Liesl Muller, *Solidarity Day Opening Plenary* (Panellist, Recording Transcript, 2024 World Conference on Statelessness, 28 February 2024).

<sup>30</sup> Persons with lived experience of statelessness refers to people who were formerly or are currently stateless or affected by discriminatory nationality laws. In contrast, persons with learned experiences of statelessness include activists, academics and other allies who are not stateless or have never been affected by statelessness or unequal nationality laws but have been working to address statelessness: *World Conference Report* (n 6) 23.

<sup>31</sup> *ibid.*

<sup>32</sup> *ibid.* 24.

### 3 *Intragroup Solidarity Through Art and Cultural Exchanges*

Within affected groups, there is room for greater solidarity across different stateless communities as well as at the regional and global levels. For example, the solidarity extended between the Rohingyas and the Palestinians at the Conference was extremely powerful.<sup>33</sup> However, there is little awareness of the multifaceted nature of the issue of statelessness across different stateless communities. The overall solidarity within the field can be strengthened by creating space to share and learn from statelessness issues in contexts outside of one's own national or local context. Regional and international organisations can help facilitate this by connecting different communities to express solidarity with each other.

Arts and culture are powerful tools that should be prioritised in advocacy and solidarity building. This was evidenced by the theatre performances, art exhibits, poetry recitations and other performances during the Conference that brought people together and helped build genuine relationships.<sup>34</sup>

## C *Change*

On the third day of the Conference, participants began identifying the required shifts in the field's approach to addressing statelessness and achieve change going forward. By highlighting the importance of collaborative efforts and mutual learning in creating transformative change, this underscored the need to continually discuss how we can challenge who decides what changes are needed to address statelessness.<sup>35</sup>

### 1 *Tailoring Approaches to Addressing Statelessness*

Some participants emphasised that the approach used to address statelessness in one context cannot be directly translated to another context.<sup>36</sup> Every context has unique challenges and therefore must be addressed with unique solutions.<sup>37</sup> Statelessness is a sensitive topic in most countries in the world but each country has its own sensitivities that present unique challenges and opportunities. Where possible, tactics for addressing statelessness must come from the local and national level where the change needed is best understood.<sup>38</sup>

We must think critically about the change we seek, which is often something more than 'nationality' or 'ending statelessness'. Acquisition of nationality cannot be portrayed as synonymous with addressing statelessness and the exercise of other rights in all contexts. For some communities, despite having access to nationality rights, the nationality document does not result in the ability to exercise other rights in the same capacity as citizens. Regarding Palestinian nationality, one of the speakers shared how access to nationality still renders them stateless — as is the case with many unrecognised states. Khalid Hussain from the Council of Minorities shared in a session that despite having the right to nationality, the Urdu-speaking community in particular are still not treated as equal citizens, and

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<sup>33</sup> *ibid.*

<sup>34</sup> *ibid.*

<sup>35</sup> *ibid* 27.

<sup>36</sup> *ibid* 28.

<sup>37</sup> *ibid.*

<sup>38</sup> *ibid.*

still face the impacts of prior statelessness.<sup>39</sup> Considering these nuances, the newly formed Statelessness and Dignified Citizenship Coalition - Asia Pacific ('SDCC - AP') provides inspiration for re-conceptualising change as 'dignified citizenship'.<sup>40</sup>

## 2 *Social Media, Storytelling and Art to Create Change*

To realise change, stakeholders must embrace creative, innovative and multidisciplinary approaches, transcending conventional forms of advocacy and drawing on lessons from other social movements. Grassroots organisations have demonstrated the profound influence of social media, particularly in engaging younger generations, fostering greater allyship and catalysing legal reforms.<sup>41</sup> The statelessness field must invest time in identifying and developing a new group of leaders and activists who will drive the work forward.<sup>42</sup>

Storytelling and art are powerful mediums for changing mindsets and act as potent tools for advocacy and awareness raising. Personal narratives shared by individuals with lived and learned experiences, as well as storytelling by stateless individuals, illuminated the realities of statelessness and its impact on individuals and communities worldwide. Art can be used to traverse the personal and political in imaginary ways as stories are not only seen and heard but felt and navigated in time and space. Art can also humanise lived experiences, encourage dialogue and create pressure on consumers of art, while expressing advocacy in a more accessible and palatable way.

## 3 *Intersectionality and Inclusion of Stateless People*

Addressing statelessness also requires an intersectional approach that rejects the categorisation of stateless persons as having a one-dimensional identity. Sometimes statelessness cannot be addressed without confronting other underlying forms of discrimination that perpetuate statelessness. Stateless persons are often categorised only as stateless, overlooking race, identity, gender, religion, socioeconomic status and other important factors.<sup>43</sup> Reflexivity is crucial for activists and organisations, especially those unaffected by statelessness, to constantly reflect on their work and the impact they are striving to achieve.<sup>44</sup> They must continually question the kind of change they are helping to create and share those reflections.

Ensuring that persons with lived experience are meaningfully included in driving change is both just and effective for dismantling the systems that exclude them.<sup>45</sup> When impacted persons are the ones leading advocacy initiatives with support from their allies, the resistance from the state is reduced and the impact is greater.<sup>46</sup> Impacted persons should be included in the planning, design and implementation of advocacy strategies. Further, greater resourcing is key to

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<sup>39</sup> Khalid Hussain, *Statelessness in South Asia* (Panellist, Recording Transcript, 2024 World Conference on Statelessness, 28 February 2024).

<sup>40</sup> *World Conference Report* (n 6) 27.

<sup>41</sup> *ibid* 5.

<sup>42</sup> *ibid* 15.

<sup>43</sup> *ibid*.

<sup>44</sup> *ibid*.

<sup>45</sup> *ibid*.

<sup>46</sup> *ibid*.

realising the change envisioned by impacted persons.<sup>47</sup> Imagine the potential for greater impact and success if every group present at the Conference, sharing their work, challenges and victories, had the resources to fight for change without constraint. The field must urge donors to invest as if change is within arm's reach.

#### 4 *Revisiting International Framework*

There were also conversations on how the existing international framework to address statelessness at the United Nations level is inadequate and how international systems and institutions need to be re-envisioned.<sup>48</sup> The *Statelessness Conventions* need to be viewed as a 'living instrument'.<sup>49</sup> Other ideas such as having a Special Rapporteur on Statelessness, the Right to a Nationality and widening the scope for United Nations High Commissioner for Refugees work on in situ statelessness in countries that are not parties to the Conventions should be explored.

Further, the ambiguity surrounding legal identity and statelessness must be addressed. While legal identity is crucial for exercising legal rights and can be used to verify whether an individual is eligible for nationality, it is not always clear whether legal identity itself constitutes the legal status of nationality. Therefore, there needs to be a more definitive answer on whether legal identity is constitutive of nationality. A deep tension has been recognised in the legal identity space, especially concerning digital identity.<sup>50</sup> As certain actors do important work in strengthening states' capacity for Civil Registration and Vital Statistics ('CRVS') systems,<sup>51</sup> other actors are outspoken with their concerns on the inclusion and safety of stateless people and digital identity.

### III CONCLUSION

The increased participation of impacted persons at the Conference, the launch of the stateless-led Global Movement Against Statelessness, the announcement of the Global Statelessness Fund to support stateless-led organisations and stateless activists<sup>52</sup> and the depth of dialogue and exchange of knowledge on stateless inclusion marks a potential turning point in the structure and leadership of the field. Looking ahead, the imperative for change is clear. Yet translating the insights gained from the Conference into tangible progress first requires action at

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<sup>47</sup> Institute on Statelessness and Inclusion, 'Resourcing the Statelessness Field Session', (YouTube, 1 July 2024) <<https://www.youtube.com/watch?v=sHuN6-IPPQA>>, archived at <[perma.cc/G3HH-ZJLR](https://perma.cc/G3HH-ZJLR)>.

<sup>48</sup> Institute on Statelessness and Inclusion, 'Addressing Statelessness Through UN Mechanisms', (YouTube, 1 July 2024) <<https://www.youtube.com/watch?v=EjQnLr47oFs>>, archived at <[perma.cc/H9F9-ZF39](https://perma.cc/H9F9-ZF39)>.

<sup>49</sup> *Convention relating to the Status of Stateless Persons*, opened for signature 28 September 1954, 360 UNTS 117 (entered into force 6 June 1960) art 1; *Convention on the Reduction of Statelessness*, opened for signature 30 August 1961, 989 UNTS 175 (entered into force 13 December 1975).

<sup>50</sup> Bronwen Manby, 'The Sustainable Development Goals and "Legal Identity for All": "First, Do No Harm"' (2021) 139 *World Development* 1.

<sup>51</sup> 'Civil Registration and Vital Statistics (CRVS)', *World Health Organisation* (Web Page, 2024) <[https://www.who.int/data/data-collection-tools/civil-registration-and-vital-statistics-\(crvs\)](https://www.who.int/data/data-collection-tools/civil-registration-and-vital-statistics-(crvs))>, archived at <[perma.cc/3QW4-A4AB](https://perma.cc/3QW4-A4AB)>.

<sup>52</sup> Institute on Statelessness and Inclusion, 'The Launch of the Global Movement Against Statelessness', (Youtube, 20 March 2024) <[https://www.youtube.com/watch?v=Qfgnx7r\\_Rcs](https://www.youtube.com/watch?v=Qfgnx7r_Rcs)>, archived at <[perma.cc/53Q7-A8P4](https://perma.cc/53Q7-A8P4)>.



the individual level. Meaningfully shifting power from those with learned experience to those with lived experience was a common sentiment across the three Conference themes. Our identity is the foundation for our contributions to the field and global change starts with each of us personally embodying the change we work towards. We are all individually called upon to engage in critical self-reflection and gain a deeper understanding of our own positionality within the field. In doing so, we can more candidly come together as a community and realise the systemic shifts required to catapult the field forward. It is through this introspection that we pave the way for stronger solidarity within our communities, within our regions and across the globe. In doing so, not only are our movements for change stronger together, but we are also stronger as individuals held up by others who share and support our difficult work. Together at the Conference, we re-envisioned a field that more accurately reflects the justice we collectively seek and began the difficult conversations required to challenge systemic forces at play within the field, questioning current structures of access and power.