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Statelessness: a forgotten dimension of the Syrian refugee emergency

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The Syrian civil war continues to cause asylum seekers to flee in search of safety and security. People hastily leave their homes and begin the treacherous journey across the continent. This has presented a number of difficulties for those in search of sanctuary, which is exacerbated as children are born and brought up abroad, creating a subset of stateless people.

Statelessness is a difficult concept to compute. Having a nationality and being afforded the rights and protection of a state is often taken for granted. One would assume that being born on a state's land automatically entitles them to the nationality of that country. If this theory fails, then perhaps their parents' nationality would allow them access to the protection of that state. In reality, limited countries give automatic right to citizenship to those born on the land. Therefore, when they are forced to leave, many are unable to return to their parent's homeland in order to access their nationality and are prevented from accessing the one in which they were born, leaving them stuck in a 'legal limbo', which causes an ongoing stateless population. Although it is very difficult to assess figures due to their lack of registration, it has been estimated that there are around [10 million stateless persons worldwide](#).

The causes of statelessness may vary. Following the fall of the Soviet Union in 1991 and Latvia gaining its independence, many Latvians found themselves at risk of statelessness. Only those who could trace their family's existence in the state before the Soviet occupation in 1940 were granted Latvian citizenship. Similarly, those with expired Soviet passports who have been unable to acquire the nationality of the state they reside in suffer a similar fate and are still defined as "[non-citizens](#)". This leaves [276,797](#) people in Latvia alone without a nationality.

The majority of European countries are bound by the [1954 Convention Relating to the Status of Stateless Persons](#), which seeks to protect "a person who is not considered as a national by any State under the operation of its law". This requires all countries that have ratified the treaty to assist people without a nationality to obtain one and to access the necessary documents. Without a nationality, individuals are restricted from accessing health services, employment and education, among other rights. Their quality of life is severely diminished and can lead to abject poverty and ongoing suffering. Victims are often subjected to intimidation, lengthy periods of detention and the constant threat of deportation, but, as stateless persons, they have nowhere to be deported to. This continues to cause a great [emotional impact and strain](#), which further worsen the mental health of those suffering from as a result of the reality they faced in Syria. The unregistered or "[maktoumeen](#)" as they are known, often feel they are unseen and have to struggle just to lead normal lives.

While the parents are in Syria, they often fail to register their children due to the ongoing conflict or the lack of will of some authorities. Alternatively, babies are born in their host countries after the families have fled. Often documents are destroyed during the attacks or families are forced to leave without them. This situation makes it [hard to register a birth](#) in the host country because to do so, they often require their marriage certificate or other relevant documents in order to prove their own legal status, identity and nationality.

UNHCR recently highlighted that the ongoing war in Syria has [fractured countless Syrian families](#). It found that around 25 percent of displaced families are growing up in a single mother household due to fathers being dead, imprisoned or missing. As is common in many conflicts, Syrian males are being [arbitrarily detained or forcibly recruited](#) into rebel or government armies. Many of these families have no knowledge of the father's whereabouts and, as a result, they continue to face difficulties in registering their children's birth.

In addition, Article 3 of the [Syrian Nationality Act](#) has presented problems for children who are born outside of Syria. In such circumstances, a child can only inherit his/her nationality from the father, which affects those who are growing up in single-mother households. This is based upon [Sharia Law and the cultural belief](#) that Syrian men are more likely to teach and strengthen Syrian national patriotism in their children, unlike their female counterparts who may marry foreigners and instil in their children a love of their fathers' foreign nation, instead. This problem is exacerbated among children conceived through rape, therefore removing the chance of contacting the father. The fathers' absence means that verifying information for the birth certificate is near impossible and further hinders any progress.

The expense and strain of the ongoing refugee influx has caused government bodies to be too slow to assist. The UN has stated that [30,000 Syrian babies in Lebanon and 60,000 babies in Turkey](#) are at risk of statelessness, but this is not a problem specific to these countries only. The UNHCR has widely criticized the delayed action and has highlighted the need for "[straightforward legal and practical measures](#)" which could be implemented to ensure the maintenance of children's connection

to their country and their nationality. This includes suggested amendments to nationality legislation that will safeguard against statelessness. Further, they are providing technical support to partner organisations in order to establish statelessness determination procedures to assist people in accessing documents and acquiring a nationality.

Little progress has been made, but amongst growing pressure from the UNHCR and partner NGOs, it is hoped that wider recognition of the need to obtain documentation for victims of statelessness will lead to further implementation of a clearer legal framework. The [High Commissioner for Refugees](#) highlighted this pressing need as follows: “Statelessness can set in stone grave problems that will haunt them throughout their childhoods and sentence them to a life of discrimination, frustration and despair”. A lack of documentation can expose children to human trafficking and abuse, which will have life long dilapidating effects. Furthermore, it is in each state’s interest to access documentation for these children as a matter of urgency. Without this, they risk becoming a burden on the state and their lack of access to education will hinder their progression. Further, they may be prevented from returning to Syria when the war ceases if they do not possess the necessary documentation. It is evident this matter needs to be urgently addressed by host states in order to prevent the crippling effects of statelessness for generations to come.

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