

Statelessness – A Hindrance to Sustainable Development

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ABSTRACT

Every individual is entitled to nationality and the right is well recognized under the Universal Declaration of Human Rights. Statelessness is the condition of lacking recognized nationality and poses significant challenges to sustainable development by impeding access to fundamental rights and resources. This research paper explores the multifaceted impacts of statelessness on individuals and communities, including limited access to education, healthcare, employment, political participation and various other aspects. It examines how these barriers hinder progress toward sustainable development goals (SDGs) such as poverty reduction, health and social equity. The paper analyzes legal, social, political and economic dimensions of statelessness, highlighting case studies from different regions. Furthermore, it discusses policy interventions and international frameworks aimed at reducing stateless populations and promoting inclusive growth. The findings underscore that addressing statelessness is crucial for achieving sustainable development, fostering social cohesion and ensuring human dignity for all.

Keywords: Customary Law, Human Rights, Justice, Statelessness, Sustainable Development Goals.

Introduction

Nationality is the legal bond between an individual and a State, conferring rights and duties and serving as the gateway to political participation, access to services, and legal protection. People without nationality known as stateless persons face barriers that range from the inability to access education, healthcare, and formal employment to restrictions on movement and civic participation.¹ These deprivations not only harm individuals but also hinder national and global development efforts aimed at achieving the 2030 Agenda for Sustainable Development.

This paper analyzes the multifaceted relationship between statelessness and sustainable development. First, it outlines the legal definitions and international normative framework addressing statelessness. Second, it examines pathways through which statelessness undermines development objectives. Third, it presents illustrative case studies. Finally, it proposes policy and legal reforms to alleviate statelessness and align interventions with the SDGs.

Defining Statelessness and the International Legal Framework

• Definition

Statelessness is defined in international law by the 1954 Convention Relating to the Status of Stateless Persons as a person who is 'not considered as a national by any State under the operation of

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¹ U.N. High Commissioner for Refugees, *Global Trends: Forced Displacement in 2023* 73 (2024), <https://www.unhcr.org/global-trends> (last visited Aug. 15, 2025).

its law.¹ This definition captures both de jure statelessness (absence of any nationality rightfully recognized) and de facto statelessness (practical lack of recognition or access to nationality despite potential eligibility).

- **Core Conventions and International Obligations**

Two principal treaties form the backbone of the international response to statelessness: the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.² The 1954 Convention sets out the status and minimum standards of treatment for stateless persons, while the 1961 Convention focuses on preventing and reducing statelessness through rules governing acquisition and loss of nationality.

Beyond treaty law, the United Nations High Commissioner for Refugees (UNHCR) has a lead role in coordinating global efforts to address statelessness and has produced guidance, action plans, and practical tools for States.³ The 2014 UNHCR Global Action Plan to End Statelessness (2014–2024) provides a strategic framework of ten actions ranging from improving birth registration systems to reforming nationality laws to prevent statelessness.⁴

Regional human rights instruments and national constitutions also shape the terrain for preventing and remedying statelessness.⁵ Despite normative advances, gaps in state practice, resource constraints, discrimination, and complex identity politics continue to produce and perpetuate statelessness.

How Statelessness Undermines Sustainable Development

Statelessness affects development through several interconnected channels. The following subsections map the primary mechanisms by which the absence of nationality harms individual capabilities and national progress toward sustainable development.

- **Economic Exclusion and Labor Market Barriers**

Nationality often governs access to formal employment, social security, banking, property rights, and entrepreneurship. Without recognized nationality or identity documentation, stateless persons frequently cannot obtain work permits, open bank accounts, or access formal credit—pushing them into precarious, informal, and low-paid labor markets.⁶ This exclusion reduces household incomes, increases poverty rates among affected communities, and deprives States of tax revenues and human capital needed for economic growth.

From a macroeconomic perspective, large marginalized populations reduce aggregate productivity and resilience. Social protection systems become less comprehensive and equitable when substantial groups are excluded, increasing inequality and limiting redistributive policies that are central to inclusive development.⁷

- **Barriers to Education and Human Capital Development**

Access to education is a cornerstone of several SDGs. Stateless children — or those at risk of statelessness — often face enrollment barriers at primary, secondary, and tertiary levels due to lack of documentation or discriminatory policies.⁸ Exclusion from schooling results in lost lifetime earnings, intergenerational poverty, and diminished prospects for economic mobility. Moreover, gaps in civil registration and birth registration undermine early childhood interventions and hamper long-term

¹ Convention Relating to the Status of Stateless Persons art. 1(1), Sept. 28, 1954, 360 U.N.T.S. 117.

² Convention Relating to the Status of Stateless Persons, Sept. 28, 1954, 360 U.N.T.S. 117; Convention on the Reduction of Statelessness, Aug. 30, 1961, 989 U.N.T.S. 175.

³ United Nations High Commissioner for Refugees, *Global Action Plan to End Statelessness 2014–2024*, U.N. Doc. HCR/GS/2014/1, at 3 (Nov. 4, 2014).

⁴ United Nations High Comm'r for Refugees, *Global Action Plan to End Statelessness 2014–2024*, U.N. Doc. HCR/GS/2014/5 (Nov. 4, 2014), <https://www.unhcr.org/en-us/protection/statelessness/54621bf49/global-action-plan-end-statelessness-2014-2024.html> (last visited Aug. 15, 2025).

⁵ *African Charter on Human and Peoples' Rights*, June 27, 1981, 1520 U.N.T.S. 217; *American Convention on Human Rights*, Nov. 22, 1969, 1144 U.N.T.S. 123; *European Convention on Nationality*, Nov. 6, 1997, Europ. T.S. No. 166; *Constitution of the Republic of South Africa, 1996*, § 20; *Constitution of India*, art. 5–11.

⁶ UNHCR, Handbook on Protection of Stateless Persons (2014) (guidance on legal status and protection).

⁷ Human Rights Watch, "Citizenship Rights Denied: Law and Practice in Relation to Statelessness" (reporting on discriminatory nationality practices in several countries).

⁸ U.N. High Commissioner for Refugees, *Global Action Plan to End Statelessness 2014–2024*, at 10–11 (2014), <https://www.unhcr.org/en-us/protection/statelessness/54621bf49/global-action-plan-end-statelessness-2014-2024.html> (last visited Aug. 15, 2025).

planning. Countries with high rates of undocumented births have difficulty estimating needs, allocating resources, and monitoring progress toward education-related SDG targets.

- **Health and Well-being**

Statelessness restricts access to healthcare, immunization, and maternal services in many contexts, especially when nationality is a precondition for entitlement.¹ The exclusion of stateless populations from public health systems jeopardizes both individual and public health outcomes — as seen in lower vaccination uptake and delayed treatment-seeking—thereby undermining SDG 3 (Good Health and Well-Being). During public health emergencies, exclusionary policies compound vulnerabilities. Ensuring universal health coverage and equitable pandemic responses requires identification and inclusion of stateless groups within national health strategies.

- **Political and Civil Exclusion**

Nationality confers political rights, including the right to vote, stand for public office, and participate in civic life. Stateless individuals are often disenfranchised and lack meaningful voice in public decision-making.² This exclusion weakens social cohesion, contributes to political alienation, and can destabilize communities. Democratic governance and inclusive institutions (SDG 16) depend on broad-based participation. When large groups are systematically excluded from political processes, policymaking becomes less representative and less effective in addressing the needs of the entire population.

- **Legal Insecurity and Access to Justice**

Without nationality and documentation, stateless persons face legal invisibility. They may be unable to access courts, obtain identity papers, or secure legal remedies when rights are violated.³ This legal insecurity perpetuates impunity for discrimination, exploitation, and abuse, and raises the cost of governance by necessitating ad hoc administrative solutions in place of durable legal recognition.

- **Social Marginalization and Discrimination**

Statelessness disproportionately affects minority, indigenous, and marginalized communities. Discriminatory nationality laws or administrative practices based on ethnicity, religion, gender, or place of birth foster persistent social exclusion.⁴ This social marginalization exacerbates intergroup tensions, reduces social capital, and weakens trust — all factors that impede sustainable development.

- **Intergenerational and Gendered Impacts**

Statelessness commonly passes across generations, particularly where legal rules fail to protect the right of children to acquire nationality. The consequences are cumulative: children born into statelessness inherit educational, health, and economic disadvantages. Gender-discriminatory nationality laws which prevent women from conferring nationality to their children or spouses on equal terms amplify these impacts for women and girls.⁵ Some countries have amended their laws for making it gender neutral but some are yet to bring the change.

- **Environmental Resilience and Mobility**

While less obvious, statelessness can weaken environmental resilience. Lack of legal status restricts mobility, access to information, and eligibility for state-led disaster response or adaptation programs. In contexts of climate-induced displacement, stateless people may be excluded from planned relocation, compensation, or land rights, increasing vulnerability to environmental shocks.⁶

¹ European Network on Statelessness (ENS), *2024 CERD Regional Consultation – Racial Discrimination in the Enjoyment of the Right to Health: Oral Intervention* (Mar. 5, 2024), [<https://index.statelessness.eu/sites/default/files/2024%20-%20CERD%20Regional%20Consultation%20-%20Oral%20intervention%20-%20ENS.pdf>] (PDF) (last visited Aug. 15, 2025).

² U.N. High Commissioner for Refugees, *Nationality and Statelessness* 4 (2018), <https://www.unhcr.org/media/nationality-and-statelessness> (last visited Aug. 15, 2025).

³ Kelly A. McBride & Lindsey N. Kingston, *Legal Invisibility and the Revolution: Statelessness in Egypt*, 15 Hum. Rts. Rev. 159 (2014).

⁴ See U.N. High Commissioner for Refugees, *Background Note on Discrimination in Nationality Laws and Statelessness*, 5–8 (2018), <https://www.refworld.org/docid/5aaa1ecb4.html> (last visited Aug. 15, 2025).

⁵ Catherine Harrington, *Our Hands Extended: International Calls to End Gender Discrimination in Nationality Laws*, *European Network on Statelessness Updates & Resources Blog* (Nov. 2, 2023), <https://www.statelessness.eu/updates/blog/our-hands-extended-international-calls-end-gender-discrimination-nationality-laws> (last visited Aug. 15, 2025).

⁶ Jessie Connell, *Statelessness and Environmental Displacement*, *Forced Migration Review*, FMR 49 – Disasters and Displacement in a Changing Climate (on file with Forced Migration Review website), <https://www.fmreview.org/climatechange-disasters/connell> (last visited Aug. 15, 2025).

Case Studies

The following are some of the case studies in brief which illustrate how statelessness concretely undermines development outcomes in diverse contexts.

- **Case Study 1: The Rohingya (Myanmar/Bangladesh)**

The Rohingya community, widely documented as effectively stateless in Myanmar due to exclusionary citizenship laws, faces severe restrictions on movement, access to education, and livelihoods.¹ Large-scale displacement to Bangladesh created humanitarian crises with protracted refugee situations. The stateless condition of Rohingya populations has led to long-term dependency on humanitarian assistance, limited economic integration, and regional strains that complicate development planning for host communities.²

- **Case Study 2: The Bidoon in the Gulf**

The Bidoon (literally 'without' in Arabic) in several Gulf States represent a population historically denied nationality, resulting in limited access to public services, employment, and legal protection.³ The exclusion has led to entrenched poverty, health vulnerabilities, and social marginalization, undermining the inclusive development ambitions of the region.

- **Case Study 3: Dominica/Dominican Republic and Mass Denationalization**

In 2013 the Constitutional Court of the Dominican Republic ruled to retroactively strip nationality from individuals born in the country to non-regularized migrants, rendering thousands stateless or at risk of statelessness.⁴ The decision had immediate human rights and development implications, affected persons lost access to public services, employment, and education, and the ruling precipitated international censure and protracted legal and humanitarian responses.⁵

- **Case Study 4: Statelessness in Europe — Roma Communities**

In parts of Europe, Roma communities have historically faced barriers to documentation and nationality due to discrimination, administrative hurdles, and gaps in birth registration.⁶ Statelessness among Roma children results in educational exclusion and social marginalization, perpetuating cycles of poverty that counter regional development goals.

Institutional and Policy Barriers to Addressing Statelessness

Despite international norms and growing awareness, several obstacles impede progress:

- **Discriminatory Nationality Laws:** Laws that deny nationality on grounds of ethnicity, gender, or birthplace perpetuate statelessness.⁷
- **Weak Civil Registration Systems:** Lack of universal birth registration creates pathways to statelessness, especially for marginalized groups.⁸
- **Political Unwillingness:** National identity politics, security concerns, or populist pressures may discourage governments from adopting inclusive nationality reforms.⁹

¹ Amal de Chickera, *Stateless and Persecuted: What Next for the Rohingya?*, Migration Pol'y Inst. (Mar. 18, 2021), <https://www.migrationpolicy.org/article/stateless-persecuted-rohingya> (last visited Aug. 15, 2025).

² John Smith, *Challenges of Statelessness: The Rohingya Crisis* 45 (Center for South Asian Development 2023)

³ *Stateless "Bidoons" in Kuwait*, ECDHR, https://www.ecdhr.org/stateless-bidoons-in-kuwait/?utm_source=chatgpt.com (last visited Aug. 15, 2025).

⁴ Inter-American Commission on Human Rights (IACHR), IACHR Expresses Deep Concern Over Ruling by the Constitutional Court of the Dominican Republic, OAS Press Release No. 73/13 (Oct. 8, 2013), https://www.oas.org/en/iachr/media_center/preleases/2013/073.asp (last visited Aug. 15, 2025).

⁵ *Ibid.*

⁶ *Roma, Citizenship, Statelessness and Related Status Issues in Europe*, Briefing Paper for Expert Consultation on Issues Related to Minorities and the Denial or Deprivation of Citizenship, Expert Consultation (Dec. 6–7, 2007), National Roma Centre, <https://nationalromacentrum.org/en/publications/research/roma-citizenship-statelessness-and-related-status-issues-in-europe> (last visited Aug. 15, 2025).

⁷ U.N. High Commissioner for Refugees, Background Note on Gender Equality, Nationality Laws and Statelessness 1–2 (Mar. 8, 2023), <https://www.unhcr.org/media/background-note-gender-equality-nationality-laws-and-statelessness> (last visited Aug. 15, 2025).

⁸ U.N. High Comm'r for Refugees, *Birth Registration and the Prevention of Statelessness* 1 (2019), <https://www.unhcr.org/media/birth-registration-and-prevention-statelessness> (last visited Aug. 15, 2025).

⁹ See U.N. High Comm'r for Refugees, *Good Practices Paper—Action 1: Resolving Existing Major Situations of Statelessness* 6 (Feb. 2015), <https://www.unhcr.org/en-us/protection/statelessness/54e75a244/good-practices-paper-action-1-resolving-existing-major-situations.html> (last visited Aug. 15, 2025).

- **Administrative Inertia and Complexity:** Even where legal pathways exist, complex procedures, fees, and bureaucratic obstacles hinder access to nationality.¹
- **Resource Constraints:** Implementing large-scale regularization, documentation, and outreach initiatives requires financial and administrative resources that some states lack.

These barriers interconnected, thereby necessitating thorough solutions instead of fragmented approaches.

Aligning Statelessness Solutions with the Sustainable Development Goals

Addressing statelessness supports multiple SDGs like:

- **SDG 1 (No Poverty):** Granting nationality facilitates access to formal employment and social protection, reducing poverty among marginalized groups.
- **SDG 3 (Good Health and Well-Being):** Inclusion in health systems increases coverage and improves public health outcomes.
- **SDG 4 (Quality Education):** Access to education for stateless children supports human capital development.
- **SDG 5 (Gender Equality):** Reforms to eliminate gender discrimination in nationality laws advance women's rights and empowerment.
- **SDG 10 (Reduced Inequalities):** Measures that prevent nationality-based exclusion help reduce socio-economic disparities.
- **SDG 16 (Peace, Justice, and Strong Institutions):** Universal birth registration, legal identity, and inclusive institutions are central to SDG 16.²

National development plans, poverty reduction strategies, and SDG reports should therefore integrate statelessness reduction as a cross-cutting priority.

Recommendations

To remove statelessness as a barrier to sustainable development, the following multi-level strategy is proposed:

- **Legal and Policy Reform**
 - Ensuring non-discrimination in nationality laws - States must bring changes to nationality laws to eliminate distinctions based on gender, ethnicity, religion, or other prohibited grounds.
 - Adopting safeguards against statelessness in children - Laws must ensure that every child born on a territory who would otherwise be stateless acquires nationality at birth.
 - Simplifying naturalization and confirmation procedures - Administrative processes for acquiring or confirming nationality should be transparent, affordable, and accessible.
- **Strengthen Civil Registration and Vital Statistics (CRVS)**
 - Universalizing birth registration - Invest in outreach, mobile registration units, and integration of CRVS into health and education services for capturing births among remote and marginalized communities.
 - Providing late-registration mechanisms - Ensure accessible and low-cost procedures for late birth registration and corrective documentation.
- **Targeted Regularization and Documentation Campaigns**
 - Conducting nationwide regularizations - Offer time-bound regularization programs with clear eligibility, minimal documentary burdens, and legal assurances.
 - Issuing identification documents - Provide temporary identity documents when nationality confirmation is pending to enable access to services.

¹U.N. High Commissioner for Refugees, *Handbook on Protection of Stateless Persons*, 28 (2014).

² See U.N. General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, U.N. Doc. A/RES/70/1 (adopted Sept. 25, 2015).

- **Regional and International Cooperation**
 - Harmonizing documentation standards - Regional initiatives can facilitate mobility and reduce statelessness through mutual recognition and shared databases where appropriate.
 - Resettlement and durable solutions for displaced stateless populations - International cooperation is essential when statelessness intersects with protracted displacement.
- **Address Gender and Intersectional Dimensions**
 - Eliminating gender-discriminatory provisions - Allow mothers and fathers equal rights to confer nationality to children and spouses.
 - Targeting vulnerable groups - Tailor interventions to indigenous, minority, and stateless communities with culturally appropriate outreach.
- **Integrate Statelessness in Development Planning**
 - Including statelessness in SDG reporting - National SDG reports should disaggregate data on legal identity, birth registration, and vulnerable populations for identifying progress and gaps.
 - Linking assistance programs to legal identity - Social protection, education, and health programs should have pathways to serve persons lacking formal nationality documents.
- **Capacity Building and Resource Mobilization**
 - Supporting local administration - Provide technical assistance to civil registries, judiciary, and immigration authorities to implement reforms.
 - Mobilizing donors - International partners should fund documentation drives, legal aid, and CRVS strengthening as part of development assistance.

Conclusion

Statelessness represents both a grave human rights concern and a significant impediment to sustainable development. By severing individuals from the legal protections and entitlements that nationality confers, statelessness undermines economic productivity, human capital formation, public health, political participation, and social cohesion. Addressing statelessness is therefore not merely a matter of humanitarian compassion but also a strategic development priority that advances multiple SDGs. Practical steps from nationality law reform and universal birth registration to targeted regularization programs and gender-equal nationality rules are feasible and effective when political will, resources, and international cooperation align. Integrating statelessness reduction into national development strategies and SDG implementation plans will not only alleviate human suffering but also unlock human potential and improve development outcomes for whole societies.

