

Statelessness and issue (non-)emergence

Lindsey Kingston

The issue of statelessness highlights an important question: why do some issues make it onto the international agenda while others do not?

How do some issues 'emerge' – that is, take that step in the process of mobilisation when a preexisting grievance is transformed from a 'problem' into an 'issue'? This happens when advocates name a problem as a human rights violation and when major human rights NGOs begin referencing the issue in advocacy materials, perhaps leading to the creation of campaigns and/or coalitions aimed at solving the social problem. Furthermore, issue adoption occurs when an issue is championed by at least one major player in the network, often signified by a shift in resources. Understanding this step is crucial because no effective advocacy is possible unless an issue is defined as such and accepted as such by a critical mass of activists.

Unexplained cases of issue non-emergence, or partial emergence, prompt us to look more deeply at this process. Statelessness serves as an example of a social problem that has not yet fully emerged onto the international human rights agenda, yet reasons for its limited success are unclear. While the average person has a general idea of what it means to be a refugee, and perhaps even an 'internally displaced person', the concept of statelessness is generally not widely known or understood. Yet the issue has features – including its ties to international legal instruments and existing human rights norms, as well as the existence of observable harms to vulnerable populations – that make statelessness, according to some, an excellent candidate for issue emergence.

Indeed, statelessness has enjoyed partial emergence during the past few years after a long period of inattention. UNHCR recently prioritised statelessness as a budgetary pillar, and a landmark 2011 ministerial meeting in Geneva reinforced and expanded state commitments to the 1951 Refugee Convention and the 1961 Convention on the Reduction of Statelessness. International organisations and NGOs (particularly Refugees International and the Open Society Justice Initiative) increasingly reference statelessness as an important human rights issue, and connect it to concerns such as forced displacement and climate change. Unfortunately, statelessness has not yet garnered widespread public attention or become 'mainstream' enough to warrant campaign adoption by a major human rights NGO. In many cases, statelessness is dismissed as a domestic matter.

Using data collected from interviews with 21 decision-makers in major human rights and humanitarian NGOs in the US, I would argue that statelessness has failed to fully emerge as an issue as a result of three main weaknesses. Firstly, statelessness suffers from the legalistic and complex nature of the issue itself. The 'story' of statelessness is difficult to construct, due to a lack of compelling images specifically tied to lack of nationality, as well as a lack of an easily understood narrative of why statelessness happens and how it can be eliminated. Secondly, statelessness flounders at the stage of issue definition because it lacks credible solutions at the global

level. Thirdly, the political will for solving this problem is often missing because statelessness is fundamentally tied to the delicate issue of state sovereignty.

Although statelessness faces these clear obstacles to successful emergence, it also possesses potential for future mobilisation efforts. Statelessness must be made understandable to the general public. Most approaches are largely aimed at elite sectors of the population (such as policymakers, academics and activists already engaged with nationality issues) rather than the general public. For emergence to happen, this issue needs to reach everyday people in more accessible forms – perhaps through films and mainstream media reporting, for a start. Indeed, the only exposure most people have had to statelessness comes from the 2004 movie 'The Terminal' in which a traveller is trapped in New York's JFK airport and temporarily rendered *de facto* stateless following a coup back home.

In addition, those wishing to mobilise or organise around the issue also need to overcome statelessness' lack of global solutions by building on existing legal frameworks (namely, the 1954 and 1961 Statelessness Conventions) in order to draw up and implement a decisive plan of action for eliminating statelessness. This is ambitious but not impossible; unlike some other issues – such as internal displacement – mandates for statelessness already exist within the international community and represent important starting points. Conducting research and sharing information, for instance, may provide valuable tools for enforcing legislation at all levels of government. Attempts to craft global solutions must be balanced, however, with an understanding that statelessness occurs for a variety of reasons around the world, and therefore a 'one size fits all' plan of action will be overly simplistic. Instead, the international framework provided by the UN conventions must be complemented by local research, problem solving and advocacy. Finally, to combat lack of political will, mobilisers must focus on raising public awareness (as discussed above), encouraging grassroots organising among stateless populations, and seeking out leadership within governments and international organisations.

For activists attempting to propel the problem of statelessness into the global spotlight, understanding the above could mean the difference between success and failure.

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