The Unheard Voices: Stateless People in South Asia

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Abstract

There are millions of people all around the world who don't have a country to call their own. They are the stateless people, world's orphan. As these people don't have any legal bond with any state, they are deprived of the basic human rights. A joint collaboration among the concerned people, states and international community can effectively solve this problem. Many states recently made positive developments on this regard. We hope their examples will be a guiding star for the rest of the world where stateless people still exists.

Keywords: Statelessness, Nationality, Citizenship, South Asia.

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1. Introduction:

Statelessness is a global phenomenon that is seldom heard on international media. It's a highly ignored issue both at national and international levels affecting the lives of millions of people from every corner of the world. It's estimated that there are around 15 million people in world without a country to call their own (UNHCR, 2007). Their nationality is not legally recognized and therefore, they cannot hold a passport, cannot vote, travel freely, be educated and get work or proper medical care. Recognition of nationality or being a citizen of a particular country is the effective link between an individual and a state and thus it is also the essential prerequisite of numerous state protections. Nationality or citizenship of a particular country, not only helps to enjoy the social, political and economic rights but it also encompasses the responsibilities of the state and the individual. Although, human beings are entitled to basic human rights irrespective of their race, religion and nationality but real life seems to depict a different picture. For many of us, nationality or citizenship only matters when we travel abroad or when we vote in national elections. But for these stateless people, lack of citizenship or effective nationality is an ever present issue, an obstacle to enjoyment of basic needs. Identity, dignity, justice, peace and security of a person's life are impeded in a stateless situation. In this article an attempt has been made to shed a light on this grave issue of statelessness with special reference on the plight of the stateless people in South Asia.

2. Statelessness:

Statelessness got first attention after WWII (Berkeley, 2009). The war produced millions of refugees and stateless people all across Europe and Asia. Hundreds of thousands of Jews who survived the Nazi genocide fled their home countries, millions of ethnic Germans were expelled from eastern European states and millions of Poles, Ukrainians, Byelorussians and other minorities of the Soviet Union were either forcibly expelled or fled for their safety (Goris, Harrington, Kohn, 2009). This mass population movement and denationalization, in fact motivated the inclusion of Article 15 of the Universal Declaration of the Human Rights (UDHR) (Goris, Harrington, Kohn, 2009). Article 15 asserts that "Everyone has a right to nationality" and "No one should be arbitrarily deprived of his nationality". This concept of citizenship shows that human rights are essentially guided by the state (Berkeley, 2009). Article 15 did not either specify which states should grant nationality to whom or in what circumstances. That's why each and every state has the sovereign power to determine the procedures and conditions for acquisition and loss of citizenship of their respective countries. Generally, the two most accepted norms in granting citizenship are through birth on a country's territory and through descent if the child acquires the nationality of the parents (UNHCR, 2006).

As mentioned before, there are nearly 15 million stateless people in the world. To some this figure is close to 20 million (Berkeley, 2009). It is difficult to find an accurate figure because of the delicate political nature of the problem. Many states are reluctant to disclose having stateless people in their territory. Some poor countries have financial limitations to do a population census regularly. In many parts of Asia and Africa, specially in the countries which have just emerged from civil

wars, it's difficult to do a population census either because of mass refugee influx or poor internal structure. Stateless groups of people can be found in Asia, Africa, Middle-East and in Europe. The most vulnerable groups of people are the Roma in Europe, Rohinga in Bangladesh and Myanmar, Bidun in the Persian Gulf, Kurds in Syria, Palestinians in different parts of Middle-East, Tamils in Sri Lanka, Bhutanese in Nepal, Biharis in Bangladesh and ethnic Haitians in the Dominican Republic etc. The break up of former Soviet Union also produced many stateless people (UNHCR, 2006).

In recent years, many countries have taken laudable steps to reduce the problem of statelessness in their countries. The developments in Bangladesh, Nepal, Sri Lanka, Ethiopia and Kenya are an indication that world community is no longer silent about this problem. At the same time, these positive initiatives can be a source of inspiration to the rest of the world where statelessness is a major concern.

2.1 Definition:

A stateless person is someone who is not considered as a national by any state under the operation of its law (UNHCR, 2006). That is, a person who does not enjoy citizenship of any country or who does not have any legal bond of nationality with any state is a stateless person. These people are also called *de jure* stateless people (Goris, Harrington, Kohn, 2009). Persons who have legitimate claims to citizenship but cannot prove it or whose governments refuse to give effect to their nationality are also considered to be stateless. They are called *de facto* stateless people; which mean they are stateless by practice, if not by law (Goris, Harrington, Kohn, 2009). In certain cases stateless persons can be refugees too. Although very small in number but once the stateless persons are forced to leave their places of habitual residence because of fear of persecution, they are considered as refugees. But, generally stateless persons remain in their country of habitual residence which is an important factor behind the less international media attention to this problem.

2.2 How do people become stateless?

Based on different findings from around the world, it is found that there are several root causes behind statelessness. These factors vary from country to country. According to Philippe Leclerc, the head of United Nations High Commissioner for Refugees' Stateless Unit, the main reasons of statelessness are the followings:

(a) Break up of states (even empires), transfer of territory or sovereignty are major reasons for statelessness. The dissolution of Soviet Union and former Yugoslavia, the partition of the Indian sub continent, the secession of East Pakistan from West Pakistan etc can be good examples.

(b) Technical problems such as the conflicts of law can be another reason. For example, when a baby is born in a country which grants citizenship through descents but the law of the state of which the parents are nationals grants citizenship only to people born on its territory.

(c) Sometimes states arbitrarily deprive nationality to an individual or group of people. It can happen when states change their nationality laws which exclude particular group of people from being citizens of that country. For example, the ethnic Russians in Estonia have struggled with statelessness for last 19 years (Goris, Harrington, Kohn, 2009). Some countries don't allow transmission of cit-

izenship from mother to baby (UNHCR, 2006). In Africa, there are 20 countries which don't allow women to transfer nationality to foreign spouse (Goris, Harrington, Kohn, 2009). These types of discriminatory laws also create stateless people.

Apart from these reasons, experts have also found other crucial factors behind statelessness. These are:

(d) Administrative difficulties such as excessive fees, unrealistic deadlines or failure to notify the need of register as citizens.

(e) Individual renunciation of one nationality without first acquiring another.

(f) Automatic alteration of nationality in the case of marriage, dissolution of marriage between couples from different countries.

(g) Failure to register children at birth, so there is no proof of where or to whom they were born.

(h) Being born to stateless parents (UNHCR, 2006).

(i) Environmental degradation such as rise of sea level is also considered as a potential factor in the creation of statelessness (Goris, Harrington, Kohn, 2009).

2.3 Consequences of statelessness:

Statelessness has a terrible impact on lives of individual. Possession of nationality is required for the full participation in society and prerequisite for enjoyment of full range of human rights. Stateless persons face different types of problems and humiliation on a daily basis depending on where they live and why they are stateless.

Lack of identification papers result in lack of legal protection from states. Stateless people are often deprived from political, economical and social rights. Put in a simpler form, they cannot vote or take part in any political activities, cannot work in government services, cannot buy properties, sign documents, cannot get proper education, cannot get health care, cannot travel freely like rest of the citizens, cannot get married without proper authorization and cannot even register child birth. For example, in some European Union states, large numbers of stateless people are unable to vote, get government sector jobs and are denied proper health care and education. In Malaysia, stateless children are deprived from basic education (Goris, Harrington, Kohn, 2009). The Bihari population in Bangladesh faced numerous problems due to their lack of identity paper. They couldn't vote, buy property, get a passport, send their children to schools, get medical facilities and were targets of social abuses (Farzana, 2008).

But statelessness is not only a human rights concern. It can be a security threat with a long term effect. Increased violence within and around states, human trafficking, illegal drugs and weapon smuggling –all are connected with statelessness.

Let's consider few examples from the world for a better understanding. First, we analyze the prolonged crisis between Israelis and Palestinians. The solution to Jewish statelessness was creation of Israel, which eventually made the Palestinians stateless (Berkely, 2009). The struggle between these two historical stateless groups, fighting for their land- not only took millions of lives but also created severe security concern in that region. The same example can be found in Africa. The Tutsis of Central Africa were driven en masse into exile in the late 1950s and early 1960s with the demise of

Belgian colonial rule. With the advent of majority Hutu rule, hundreds of thousands of Tutsis languished in stateless limbo for two generations in neighboring Uganda, before a Tutsi-led insurgency sought to reclaim a place for them in Rwanda. The unintended consequence was a Hutu-led genocide against Rwanda's Tutsis in 1994 (Berkeley, 2009). Also Sudan's two decade long civil war, specially in the Western part of Darfur was partly instigated by the *de facto* statelessness, the second class citizenship of Sudan's black Africans (Berkeley, 2009).

Statelessness is also a source of human trafficking, illegal drugs and weapons smuggling leading to regional instability. The stateless people in Thailand, mainly the Karen and Hmong tribesmen are easy targets of the traffickers. Young women and girls from these groups are prime targets and often they end up working in the brothels of Southeast Asia (Berkeley, 2009). Many young girls from the Bihari population in Bangladesh are vulnerable to human trafficking and forced prostitution due to lack of proper protection and working facilities (Farzana, 2008).

2.4 International legal instrument for these people:

Traditionally international law has recognized state's judgment to define eligibility for nationality. But, at the same time there are several international and regional conventions and treaties to provide guideline on the issue of statelessness.

As mentioned earlier, Article 15 of the UDHR which underlies that "Everyone has a right to nationality" and "No one should be arbitrarily deprived of nationality."

Originally, the norms to prevent statelessness were to be included in a Protocol to the 1951 Convention relating to the Status of refugees. But, eagerness to deal with the large number of refugees at that time, led to the adoption of the Convention without inclusion of the Protocol (Goris, Harrington, Kohn, 2009).

Later in 1954 the Convention relating to the Status of Stateless Persons was adopted. This Convention requires the signatory states to provide documentation to the stateless people and to consider granting them a lawful residence in appropriate cases (UNHCR, 2006). It also calls for the fundamental rights of the stateless people (Goris, Harrington, Kohn, 2009).

In 1961 another Convention on the Reduction of Statelessness was adopted. This Convention gives guidance to countries on how to prevent children becoming stateless at birth and how to protect them against loss of nationality later in life (UNHCR, 2006). Thus, this Convention provides framework to avoid future statelessness.

It should be mentioned that international support for these Conventions is very poor as only 62 nations and 33 nations are party to the 1954 Convention and 1961 Convention respectively (UNHCR, 2006).

There are also several regional treaties such as the 1969 American Convention on Human Rights, the 1990 African Charter on the Rights and Welfare of the Child and the 1997 European Convention on Nationality emphasize that everyone should have a nationality. They seek to clarify the rights and responsibilities of countries in ensuring this right in practical ways (UNHCR, 2006).

2.5 The role of UNHCR:

The United Nations High Commissioner for Refugees (UNHCR) is also the guardian organization for stateless people. Because, refugee and stateless problem sometimes overlap and may be interdependent, the United Nations in 1974 designated UNHCR as the UN body to prevent and reduce stateless persons (UNHCR, 2006). Although, the stateless unit of UNHCR in severely understaffed and under funded compared to the organization's other functions but it's trying to reach as many as stateless people as possible (Berkeley, 2009).

As mentioned earlier, stateless people don't have any identification paper to prove their nationality/citizenship creating a major havoc in their daily lives. So, the stateless unit of UNHCR takes various steps to help these people and affected states to solve their problems.

UNHCR promotes accession to and implementation of the 1954 Convention relating to the Status of Stateless persons.

It also provides assistance to the individuals by helping them solving their legal problems, obtain relevant documents and eventually restart their lives (UNHCR, 2006).

In some places, implementation of nationality laws creates statelessness. In this type of situations, UNHCR gives advice to the concerned authorities on nationality laws, so that statelessness can be prevented or reduced (Berkeley, 2009). For example, UNHCR provided comments to more than 40 states in relation to the enactment of new nationality laws and the revision of old laws. In particular, UNHCR provided comments on constitutional provisions or nationality legislation in states where large segments of the population are stateless or have undetermined nationality. Comments were provided to the Democratic Republic of the Congo which enacted a new citizenship law in December 2004 and to the relevant Iraqi authorities with regard to the reacquisition of nationality by persons or groups who had been arbitrarily deprived of their nationality by the previous regime (UNHCR, 2006).

It trains officials, cooperates and coordinates with other stakeholders and disseminates relevant information. The role of UNHCR in Sri Lanka in 2004 can be an example here. In order to reduce statelessness in that country, the UN refugee agency worked with Sri Lankan immigration authorities, Ministry of the Interior and the Ceylon Workers' Congress (CWC) to design a campaign to ensure that stateless persons could get their citizenship in a speedy, fair and transparent manner. They raised public awareness through the media and created advertisements to inform people about the new nationality law (UNHCR, 2004). UNHCR has produced information material such as the brochure entitled "World's Stateless People: questions and answers" in English, French, Russian and Arabic language versions, which are now used widely at conferences, meetings, seminars. UNHCR published a collection of citizenship laws of twelve states from Eastern Europe and Central Asia (UNHCR, 2006).

UNHCR takes support from other UN agencies on related issues too. For example, it takes support from United Nations Children's Emergency Fund (UNICEF) for birth registration, from United Nations Population Fund (UNFPA) for population census and from Office of the High Commissioner on Human Rights (OHCHR) on combating arbitrary deprivation of human rights. UNHCR has also been exploring ways to involve less traditional partners, such as United Nations Development Pro-

gramme (UNDP) and International Labour Organization (ILO), more actively in addressing protracted statelessness situations (UNHCR, 2006).

3. The South Asian Experience:

South Asia has experienced one of the largest population movements during the partition of Indian subcontinent and later through different inter state conflicts. In this paper, the experiences of Bangladesh, Nepal and Sri Lanka with regard to stateless population have been discussed. As all three states are developing states, the stateless people were and in some extent are in marginalized situation (Berkeley, 2009). In the past few years, these countries made positive developments to solve their long lasting statelessness problems. These developments illustrate how improvements can occur and what are the future challenges in terms of integration, rehabilitation for complete and lasting solution to this problem.

3.1 Bangladesh:

The stateless group in Bangladesh is commonly known as Biharis or Stranded Pakistanis. The most important identification of this group of people is they speak in Urdu. In 1947, during the partition of Indian subcontinent nearly one million Urdu speaking non Bengali Muslim minorities from different parts of Bihar, Madhya Pradesh, Uttar Pradesh, Rajasthan and West Bengal migrated to then East Pakistan, which is now Bangladesh (Abrar, Redclift, forthcoming). These people enjoyed rights and protection as full citizens of Pakistan from 1947 till 1971.

In her book titled *The Great Bihari Tragedy- Partition and the South Asian Diaspora: Extending the Subcontinent (2007)* Ms. Papiya Ghosh explained the reasons of distance between these Biahri Muslims and Bengali Muslims in East Pakistan. According to her, the language and cultural differences resulted in mistrust among these two groups. The Biharis then started associating with the fellow West Pakistanis. Eventually, during the liberation war of Bangladesh some of these Biharis were actively involved in different atrocities against Bengali freedom fighters and civilians. Due to their active 'anti-independence' role and previous alienation from mainstream Bengali society, this community was subject to political persecution during and aftermath of the Liberation War. Thousands were arrested and many hundreds more were executed or simply disappeared. Properties belonging to the Biharis were forcibly occupied or acquired by the State through legal mechanisms designed to dispose of abandoned property. The continued persecution caused the Biharis to abandon their properties and move into settlements (popularly known as camps). By 1972, some 1,008,680 displaced Biharis were living in settlements all over the country (Paulsen, 2006). Bangladesh Government announced the Presidential Order 149 in 1972- as a step towards offering the Bangladeshi citizenship to these Bihari people. According the Government sources nearly 600000 Biharis accepted the offer (Kumar, 2005). Later, these people assimilated with the larger population and settled down properly. But at that time, a survey was conducted by the International Committee for the Red Cross (ICRC), which found that 540000 Biharis wanted to go back to Pakistan as it was their country of nationality (Kumar, 2005). Unfortunately most of the Pakistani regimes had shown very

little or no interest in taking these people back. Bangladesh government as well as this community itself tried different methods to pursue Pakistani government for repatriation. On the other hand different Pakistan regimes used various reasons like lack of fund, threat to ethnic integrity and economic cohesion to defer this process. According to a report by 1974 United Nations High Commissioner for Refugees (UNHCR) facilitated the return of nearly 100000 Biharis (Farzana, 2008). According to another report, some 178,069 Biharis were "repatriated" to Pakistan during 1973 to 1993 (Paulsen, 2006). But for the rest of the camp based Bihari people the future were uncertain. They rejected the offer of Bangladeshi citizenship and Pakistan was reluctant to take them back. Ultimately, they turned into stateless people, with no legal connection with both these countries.

Today it is estimated that there are around 250000 to 300000 Biharis in Bangladesh. They are mainly concentrated in some 116 slum-like settlements located in largely urban areas in Dhaka, Rajshahi, Khulna and Chittagong divisions. Most of the settlements are founded on public land. In the city areas, especially in Dhaka, major sections of some of the settlements are made up of multi-storey state-owned buildings like the former town halls, markets or Government staff quarters. These settlements are characterized by severe overcrowding, poor basic amenities and unsanitary living conditions. Most settlements have electricity but there are few water points, toilets or washing facilities. The poor drainage and garbage disposal systems and livestock living side by side with the community contribute further to sub-standard living conditions (Paulsen, 2006). The economic condition of the Bihari people is equally appalling due to the financial insecurity. During the initial years they were mainly dependent on the government relief but over the years the amount of relief has decreased significantly. The community cannot get access to any government service due to their camp address and undefined status. Those who are involved in different economic activities also discriminated in the job market because of the lack of 'papers of citizenship' (Abrar and Redclift, Forthcoming). The Bihari camps have almost no educational facilities. And even if there are schools, the poor people cannot afford to send their children to the school. Life in these camps is also insecure as these settlements have turned into centers of criminal activities and lawlessness.

The camp based older population who wanted to go back to Pakistan has no hope for repatriation and views it as a closed chapter. On the other hand, the new generation Bihari population aged between 18 to 35 wants to have Bangladeshi citizenship (Abrar and Redclift, Forthcoming). Born in Bangladesh, these young Biharis are fluent in Bengali language and don't have any affiliation with either India or Pakistan. In different occasions, through their own community channels or through civil society, these young people expressed their interest to obtain national ID card as Bangladeshi and wanted reintegration with dignity (Paulsen, 2006). The High Court in 2003 declared that 10 Urdu-speakers who filed a case and those living in all the camps around the country were citizens of Bangladesh. It was the first time that some Urdu-speaking Biharis have been recognized as Bangladeshi nationals (Ahmed, 2008). As it didn't address the larger problem, later in May 2008, Bangladesh High Court declared that Biharis who were born after 1971 can be granted as the citizens of Bangladesh and they should be eligible to vote and to get national ID cards. In the following month the inter-ministerial decision approved the decision and later in December 2008, a portion of Bihari population was able to vote for the first time as the citizens of Bangladesh (Berkeley, 2009). Thus a

stagnant problem saw rays of hope.

3.2 Nepal:

Nepalese stateless situation is a little complex as there is more than one group of people without legal identity. Nepal's Madheshi people from Terai region and individuals from Bhutan and Tibet are commonly known as the stateless population. In 1995, there were around 3.4 to 5 million stateless people in Nepal (www.nfa.org).

The people from the Terai region were treated as second class citizens from an ancient time. They were systematically shunned from getting any important state assignments. Even, up to 1958, these Madheshi people needed passport to enter into Katmandu (Jha, 2010). All these discriminatory acts resulted in less participation in the mainstream society and they became less fluent in Nepali language both in speaking and writing terms (Jha, 2010). It should be mentioned that Nepali citizenship laws, enacted in 1952 have few restrictive clauses like fluency in Nepali language, Nepalese origin (definition not provided) which created obstacles for these people. As a result many of the Nepalese citizens from Terai region were de facto stateless which amounted to 1.5 million people (Jha, 2010). In 2007, the Interim Constitution of Nepal mentioned that any person born and living permanently in Nepal before April 1990, shall acquire the citizenship by birth. It was followed by a massive campaign to distribute citizenship certificates among the eligible Nepalese citizens. During that time 2.6 million people got the certificates (Jha, 2010). But, the people from Madheshi origin again failed to get the certificates as they failed to produce relevant documents related to land ownership which was essential to prove their length of residence in that country. Their age long treatment as "less" Nepali led to illiteracy, poverty, social discrimination and that also played a crucial factor for not able to get the citizenship certificates.

The denial of citizenship in their own country is a humiliation and a violation of basic human rights. These people cannot take part in social, economical and political activities. They cannot get government jobs, cannot do business, cannot go to schools-just like other stateless people around the world.

The Nepali speaking Bhutanese people, officially known as the Lhotshampa migrated to Bhutan in 19th century and lived in the Southern part of that country (Khanal, 1998). They are predominantly Hindus and ethnically-culturally different from the majority group (www.nfa.org). In 1985, the new Bhutanese Citizenship Act included clauses like fluency in official language, good knowledge on national customs, tradition, culture and history (Khanal, 1998). The Nepali community feared that their citizenship would be forfeited. Their fear came true and in the early 1990s, around 100000 Nepali speaking people were stripped off their citizenship and expelled from Bhutan (www.nfa.org). These people took asylum in Nepal as refugees and they live in UNHCR administrated camps. The Bhutanese government denied the fact that these people were forced to leave their country. On the contrary, they argued that these people voluntarily migrated to Nepal, which automatically denoted the expulsion of Bhutanese citizenship. Their right to return thus has been obstructed by this decision. Ultimately, these ethnic Nepali Bhutanese citizens turned into stateless refugees. But as mentioned above, with the latest citizenship law of 2007, 60% of these people got Nepalese citizenship (Jha,

2010) and some of them have resettled in USA and Australia (www.nfa.org).

In 2002 a report was published by the Tibet Justice Centre titled "Tibet's Stateless National: Tibetan Refugees in Nepal", which described the legal status and the future of Tibetans in Nepal. About 3,000 Tibetans flee Tibet through Nepal annually and approximately 20,000 reside in settlements scattered throughout Nepal. The Tibetans are generally divided into two categories. First group of Tibetans who arrived before 1989, have Refugee Identity Certificate (RC), which enables them to stay in Nepal legally. The second group of people arriving after 1989, having no right to remain in Nepal and thus must leave Nepal within few weeks for the Tibetan exile community in India. Some Tibetans reported being detained by Nepalese border authorities, forced to pay bribes in order to continue their journey to Katmandu, and even compelled to march back to Tibet in violation of the fundamental principle of *non-refoulement*. Because the Nepalese government no longer permits UNHCR to carry out border missions, monitoring of border activity is minimal.

Nepal also does not recognize the rights of the refugees. That is Nepal is not obliged to provide these people documents or minimum facilities. As a result, this group of people is deprived of basic human rights. They live in small, isolated settlements in Katmandu and Pokhara. They cannot move to certain restricted areas specially near the border with China. They seldom can travel internationally. They cannot own property or business. Moreover, their children, who were born in Nepal, are eligible for the Nepalese citizenship has been systematically denied. In fact Nepal's Citizenship Act makes many Tibetans eligible for Nepalese citizenship but the government doesn't see it as viable option (www.nfa.org). UNHCR, so far couldn't provide any durable option for this problem either.

Tibetans cannot present asylum claims or seek a formal determination of their refugee status, resulting once again in an undefined and highly precarious lack of legal status. Tibetans residing in Nepal are essentially stateless. They are neither citizens nor refugees under the law, and they possess neither the legal status nor the rights with which to improve their welfare.

3.3 Sri Lanka:

The majority of stateless people in Sri Lanka are known as the hill Tamils. These Indian origin Tamils work in different tea states in Southern and Central areas of Sri Lanka. Before adopting the recent nationality law, there were around 300000 stateless hill Tamils in that country (UNHCR, 2004).

Like the other stateless persons, these Tamils also didn't have any nationality, right to vote, right to work in government services and couldn't go to school, buy a land or get a passport. They were the marginalized section of the society locked in the tea estates.

Most of the stateless people in Sri Lanka are the descendents of people who had been brought from India by the British colonizers during 1820 to 1840 for working on coffee, tea and rubber plantations. Majority of these people still live in tea estates which are concentrated in particular areas. The status and the future of these Indian Tamils had always been a problem in the Sri Lanka political arena (Kodikara, 1989). After independence and precisely after the enactment of Ceylon Citizenship Act of 1948, these people were found to be "stateless", as they didn't fulfill the criteria of the

Act and India didn't acknowledge them as her citizens (Kodikara, 1989). During 1950s and 1980s, India and Sri Lanka conducted various bilateral agreements to grant the citizenship to these people in any of these two countries. For example, two of the most important agreements were sign in 1954 and 1964 to end this problem. The agreements promised to facilitate the return of some Tamils in India and acquisition of Sri Lankan citizenship for others (www.nfa.org). India however was extremely slow to process the citizenship application and by 1982 India declared that previous agreements were no longer binding. Repatriation to India ceased in 1984 (www.nfa.org). In 1988, Sri Lanka passed a citizenship law which granted citizenship to Indian origin Tamils who had not applied for Indian citizenship before. The law excluded around 500000 Tamils (www.nfa.org). Ultimately in 2003, the Sri Lankan parliament passed the "Grant of Citizenship to Persons of Indian Origin Act". This Act paved the way to end the statelessness situation of these ethnic Tamils and their descendents who had been living in Sri Lanka since 1964 (UNHCR, 2004). The government also took necessary steps to provide documentation to these people. UNHCR helped the Sri Lankan government and other NGOs disseminating this information and registering as citizens.

4. The thorny road ahead:

From the South Asian experiences we have learned that granting citizenship is one of the most important foundations to the solution of statelessness problem. But at the same time, improvement of enjoyment of basic human rights after becoming citizens and rehabilitation or reintegration with mainstream society are future tasks that are needed to accomplish if we truly want a better and permanent solution.

Overall statelessness is a complex problem and it needs multilateral cooperation for permanent solution. The group itself, the countries concerned as well as international organizations-they all can play a vital role to eradicate this problem.

Most of the stateless groups are very small in size and are scattered all around the world. Their problems are decades-long problems which hardly attract any international attention. They don't have any particular body to lobby for them. Self awareness is very much needed in order to raise their problem both at national and international arena.

The countries where they live, most of the times are unaware of the presence of these types of people. Even if they are aware, they don't want to expose statelessness within their territory because then they would have to deal with it. As these people need legal recognition, their solution must take place within a political framework. In this case, the countries concerned have a responsibility to tackle this issue before it creates further unrest in the country.

UNHCR's stateless unit is relatively small and lacks sufficient financial support (Berkeley, 2009). That is why; it is huge burden on this UN body to tackle this issue in a practical manner. This stateless unit should be provided with sufficient human resources as well as financial support, because statelessness is as severe as refugee problem. Normally, this UN body can provide logistical support but the stateless people have more complex and elusive needs that require diplomatic and political will to end the problem. Thus, UNHCR has a crucial role to play as a UN body. It can,

(a) Disseminate information on the wider understanding of the problem and its consequences.
(b) Provide technical or intellectual support to review national citizenship laws where necessary.
(c) Provide training to people who are dealing with the issue and arrange consultation with governments and stateless groups.
(d) Work closely with the countries concerned and exert political pressure to solve their problems and take necessary caution measures to reduce future statelessness.

5. Conclusion:

Statelessness is a sensitive, hidden problem which affects the lives of millions of people all around the world. Loss of nationality is denial of basic human rights and thus this problem needs vigor efforts from all concerned parties to address this issue in a practical manner. The experiences of Bangladesh, Sri Lanka and Nepal can be an example to the other places where they have the same problem. As developing countries, these states' initiatives are praiseworthy and international community should lend helping hands to them if necessary for further improvisation of this issue. UNHCR should uphold the international standards and work fully up to its mandate to help these stateless people. So that at the end of the day, we all have a country to call our own and live there with full dignity.

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