

Statelessness Law in India: Production, Prevention and Protection

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Abstract

The response of international organizations and groups whose work and study concerns stateless populations is largely to continue to call on states to accede to the 1954 and 1961 UN conventions on statelessness, but the legal situation of stateless people in India cannot be understood simply by the fact that India has not acceded to either of the conventions. In this presentation, I will argue that we should understand statelessness law as including both the law which produces situations of statelessness and the law which seeks to address. If we accept this, India clearly has a great deal of statelessness law. I will present an overview of the legal means by which a person in possession of Indian citizenship may lose that legal bond and the ways in which India's IHL commitments provide the basis for more substantial rights protection for the stateless than the 1954 and 1961 statelessness conventions.