

Statelessness and Gendered Claim of States

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This paper is an attempt to investigate the gendered dimensions of being a stateless person and its trajectories with state policies. Contemporary forms of gender based discrimination in citizenship laws are exclusively based on patrilineal lineage have created large numbers of stateless population. Migration projects differential treatment to both women and men and it has never been a neutral process. So the presence of women in refugee population is not a mere accident. Reducing the status of women as a mere victim is itself perpetuating their aspirations for sustainable lives, which is often bounded by differential or gendered citizenship policies. Statelessness does not offer a distant hand to women. Gendered notions of statehood have always been an intricate matter and perpetuate effective protection system for women refugees. There are 27 states¹ worldwide which discriminate or project more gendered policy towards women and this complicate the whole process of giving statehood to a refugee woman and her children. These countries do not grant equal rights to women into passing their nationality. This can result in statelessness when the father is stateless, unknown or otherwise unable to confer nationality. These policies juxtapose with basic rights of children, women thus deregulating human rights.

New development of bodies of international jurisprudence on the prohibition of nationality based discrimination has been further encouraged by the advocacy efforts of international organisations, non- governmental actors and states. The second part of paper deals with public diplomacy to increase global awareness of women's nationality rights, including role of different state and non-state actors, civil societies and think tanks. This paper is based on secondary data including Case studies, Annual reports, documentation of government and nongovernmental organizations, news paper reporting. This paper also concludes with major policy suggestions.

Key Words: Statelessness, Citizenship, Gendered, Nationality, Rights, Policymaking.

¹ UNHCR Report, 2104.