



# **Nationality and Statelessness under International Law**

Edited by **Alice Edwards**  
and **Laura van Waas**

CAMBRIDGE

# Nationality And Statelessness In International Law

**Helen O'Nions**



## **Nationality And Statelessness In International Law:**

**Nationality and Statelessness in International Law** Paul Weis, 1979-12-13 This second revised edition takes into account the decision of the International Court of Justice in the *Nottebohm Case* which was published just as the first edition was going to press and therefore received only cursory treatment It also of course includes an analysis of international legislation adopted since 1955 including the 1961 UN Convention on the Reduction of Statelessness the 1957 UN Convention on the Nationality of Married Women and the 1966 International Covenant on Civil and Political Rights The decisions of international tribunals and in particular of the Italian Conciliation Commissions are analysed Finally the author presents legislative judicial and governmental practice during the twenty two years After beginning with a clear definition of terms the author analyses the functions of nationality in international law the relationship between municipal and international law and then the public international law of nationality In this latter part he examines international conventions international custom and the principles of law generally recognized with regard to nationality The book ends with a summary and conclusions dealing with the existing law and future developments

**Nationality and Statelessness in International Law** P. Weiss, 2024-11-04 *Nationality and Statelessness under International Law* Alice Edwards, Laura van Waas, 2014-09-18

Written by leading experts *Nationality and Statelessness under International Law* introduces the study and practice of international statelessness law and explains the complex relationship between the international law on nationality and the phenomenon of statelessness It also identifies the rights of stateless people outlines the major legal obstacles preventing the eradication of statelessness and charts a course for this new and rapidly changing field of study All royalties from the sale of this book support stateless projects *Nationality and Statelessness in the International Law of Refugee Status* Eric Fripp, 2016-09-22 International refugee law anticipates state conduct in relation to nationality statelessness and protection Refugee status under the Convention relating to the Status of Refugees 1951 and regional and domestic instruments referring to it can be fully understood only against the background of international laws regarding nationality statelessness and the consequences of national status or the lack of it In this significant addition to the literature a leading practitioner in these fields examines in the light of international law key issues regarding refugee status including identification of the country of his nationality concepts of effective nationality and the inclusion within persecution of a range of acts or omissions focused on nationality

**The Nationality and Statelessness of Nomadic Peoples Under International Law** Heather Jean Alexander, 2025 Despite the universal right to nationality many nomadic peoples struggle to claim this fundamental status International law offers solutions to combat statelessness like birth registration but do they work for nomadic peoples The *Nationality and Statelessness of Nomadic Peoples Under International Law* delves into the nationality challenges faced by four communities former Bedouin in Kuwait Tuareg in Mali Fulani in Cote d'Ivoire and Sama Dilaut Bajau Laut in Malaysia Drawing on diverse sources from across disciplines as well as original field research the book traces the roots of nomadic

statelessness from colonization to the present Through a rigorous legal analysis the book evaluates how effectively international law addresses these underlying issues and safeguards the right to nationality for those whose lifestyles transcend borders and conventional nation state structures Finally the book proposes reforms to international law to better address the needs of nomadic peoples regarding nationality and citizenship Nationality and Statelessness in the International Law of Refugee Status Eric Fripp, 2016-09-22 International refugee law anticipates state conduct in relation to nationality statelessness and protection Refugee status under the Convention relating to the Status of Refugees 1951 and regional and domestic instruments referring to it can be fully understood only against the background of international laws regarding nationality statelessness and the consequences of national status or the lack of it In this significant addition to the literature a leading practitioner in these fields examines in the light of international law key issues regarding refugee status including identification of the country of his nationality concepts of effective nationality and the inclusion within persecution of a range of acts or omissions focused on nationality Nationality and Statelessness in International Law Paul Weis, 1956

Minority Rights Protection in International Law Helen O'Nions, 2016-04-22 There are approximately ten million Roma in Europe making them the continent's largest non territorial minority Despite this fact the Roma continue to experience routine discrimination and marginalization in European countries As a result they are seldom engaged in national political activism and are frequently at the bottom of the economic and social ladder The severity of exclusion experienced by the Roma in societies which have long paid heed to the notion of individual universal human rights combined with their geographical dispersal and heterogeneous nature makes the study of the Roma highly informative This book examines the theoretical debate concerning the most appropriate way of protecting the fundamental human rights of the Roma which also illuminates ways in which the rights of minority groups can be protected more generally As a result this work will be a valuable resource for social scientists and practitioners in the field of human rights **Palestinian Refugees in**

**International Law** Francesca P. Albanese, Lex Takkenberg, 2020-05-21 The Palestinian refugee question resulting from the events surrounding the birth of the state of Israel seventy years ago remains one of the largest and most protracted refugee crises of the post WWII era Numbering over six million in the Middle East alone Palestinian refugees status varies considerably according to the state or territory hosting them the UN agency assisting them and political circumstances surrounding the Israeli Palestinian conflict these refugees are naturally associated with Despite being foundational to both the experience of the Palestinian refugees and the resolution of their plight international law is often side lined in political discussions concerning their fate This compelling new book building on the seminal contribution of the first edition 1998 offers a clear and comprehensive analysis of various areas of international law including refugee law human rights law humanitarian law the law relating to stateless persons principles related to internally displaced persons as well as notions of international criminal law and probes their relevance to the provision of international protection for Palestinian refugees and

their quest for durable solutions      **Parry & Grant Encyclopaedic Dictionary of International Law** Clive Parry, John P. Grant, J. Craig Barker, 2009 For nearly thirty five years the international legal community has relied on one ambitious yet humble volume as a starting point for legal questions This classic red volume is a one of a kind reference tool that brings together both terminology and pertinent descriptive information on international law This book will also be available online as an e reference on the Oxford University Press Digital Reference Shelf Now in its third edition The Parry and Grant Encyclopaedic Dictionary of International Law is completely updated and expanded to include increased coverage in growing areas of international law including diplomatic law criminal law human rights and more Over 2 500 entries over a 20% increase in content from the previous edition provides the reader with copious references for further research including cases treaties journal articles and websites Its alphabetically arranged entries allow the reader to form a deeper understanding than a mere definition could supply and offer concise but substantial information on such essentials of international law as Legal terms as used in international law Significant doctrines Prominent cases decisions and arbitration Important incidents Judicial and literary figures Treaties and conventions Organizations and institutions Acronyms

**Research in International Law**, 1928      **The Refugee in International Law** Guy S. Goodwin-Gill, Jane McAdam, Emma Dunlop, 2021 Millions of people are today forced to flee their homes as a result of conflict systematic discrimination or other forms of persecution The core instruments on which they must rely to secure international protection are the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol This book the leading text in the field examines key challenges to the Convention such as the status of refugees applications for asylum and the international and domestic standards of protection The situation of refugees is one of the most pressing and urgent problems facing the international community and refugee law has grown in recent years to a subject of global importance In this long awaited fourth edition each chapter has been thoroughly revised and updated and every issue old and new has received fresh analysis The book includes analysis of internally displaced persons so called preventive protection access to refugees safety of refugees and relief personnel the situation of refugee women and children a detailed examination of the role of the UNHCR and the Palestinian situation and an assessment of the protection possibilities or lack of them in the European Convention on Human Rights This new edition has been expanded with coverage of forced migration and displacement as a result of disasters and climate change It is once again an unmissable reference work for practitioners and students in the field

**International Law: Peace** Lassa Oppenheim, 1928      **The American Journal of International Law**, 1925 Vols for 1970 73 include American Society of International Law Proceedings no 64 67      *International Law; a Treatise* Lassa Francis Lawrecne Oppenheim, 1928      Introduction to International Law Joseph Gabriel Starke, 1984 4 International transactions Part 5 Disputes and hostile      **The Oxford Handbook of International Refugee Law** Cathryn Costello, Michelle Foster, Jane McAdam, 2021-06-02 The Oxford Handbook of International Refugee Law is a comprehensive critical work which

analyses the state of research across the refugee law regime as a whole Drawing together leading and emerging scholars the Handbook provides both doctrinal and theoretical analyses of international refugee law and practice It critiques existing law from a variety of normative positions with several chapters identifying foundational flaws that open up space for radical rethinking Many authors work directly in the field and their contributions demonstrate how scholarship and practice can mutually inform each other Contributions assess a wide range of international legal instruments relevant to refugee protection including from international human rights law international humanitarian law international migration law the law of the sea and international and transnational criminal law Geographically contributors examine regional and domestic laws and practices from around the world with 10 chapters focused on specific regions This Handbook provides an account as well as a critique of the status quo and in so doing it sets the agenda for future academic research in international refugee law

**Nationality and Statelessness Under International Law** Alice Edwards, Laura van Waas, 2014 Identifies the rights of stateless people and outlines the major legal obstacles preventing the eradication of statelessness *Citizenship, Alienage, and the Modern Constitutional State* Helen Irving, 2016-04-01 To have a nationality is a human right But between the nineteenth and mid twentieth centuries virtually every country in the world adopted laws that stripped citizenship from women who married foreign men Despite the resulting hardships and even statelessness experienced by married women it took until 1957 for the international community to condemn the practice with the adoption of the United Nations Convention on the Nationality of Married Women *Citizenship Alienage and the Modern Constitutional State* tells the important yet neglected story of marital denaturalization from a comparative perspective Examining denaturalization laws and their impact on women around the world with a focus on Australia Britain Canada Ireland New Zealand and the United States it advances a concept of citizenship as profoundly personal and existential In doing so it sheds light on both a specific chapter of legal history and the theory of citizenship in general *Nationality of Foundlings* Mai Kaneko-Iwase, 2021-09-24 This is the first book dedicated to clarifying the concept of foundlings and how to best prevent their statelessness in light of the object and purpose of Article 2 of the 1961 UN Convention on the Reduction of Statelessness and equivalent nationality law provisions Among other features the book defines the terms foundling including the maximum age limit of the child to be considered a foundling unknown parents being found in a territory and proof to the contrary as well as the procedural issues such as the appropriate burden and standard of proof In doing so the book draws upon a comparative analysis of national legislation on foundlings covering 193 states case law and precedents in some states as well as international human rights law norms including the best interests of the child As its conclusion the book proposes an inclusive model foundling provision and a commentary to inform legislative efforts and interpretation of the existing provisions Its findings are useful not only to state parties to the 1961 Convention but also to non state parties particularly in countries lacking systematic civil documentation or experiencing the effects of armed conflicts migration trafficking and displacement

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