



RESEARCH ARTICLE

STATELESSNESS IN THE MODERN ERA: THE PLIGHT OF ANGOLAN AND RWANDAN FORMER REFUGEES IN CONTEMPORARY AFRICA

¹Prof. Prosper M. Ng'andu, PhD and ²Prof. Lewis B Chilufya, PhD

¹Ministry of Home Affairs and Internal Security, Box 32379 Lusaka-Zambia

²Nkwame-Nkuruma University

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*Corresponding author:

Prof. Prosper M. Ng'andu, PhD

ABSTRACT

Statelessness remains a critical global issue, disproportionately affecting vulnerable populations and exacerbating social, economic, and political marginalization. This study examines the impacts and implications of statelessness among former Rwandan and Angolan refugees. Utilizing a multidisciplinary approach, the research delves into the historical context, causes, and contemporary consequences of statelessness for these groups. Through qualitative analyses of case studies and interviews with affected individuals, the study highlights the profound detriments statelessness imposes on identity, access to essential services, and legal rights. The findings reveal that statelessness hinders, socioeconomic integration, perpetuates poverty, and restricts educational and employment opportunities, creating a cycle of disenfranchisement. Moreover, the study underscores the urgency for international policy reforms and national legislative actions to address statelessness. It posits that in a contemporary globalized world, statelessness is an unnecessary condition that can and should be eradicated through concerted efforts by governments, non-governmental organizations, and international bodies. By bringing to light the specific experiences of Rwandan and Angolan stateless individuals, this paper aims to foster a deeper understanding of the issue and advocate for strategies to ensure citizenship rights for all, ultimately contributing to more inclusive and equitable societies.

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INTRODUCTION

In the present-day African landscape, the issue of statelessness has become an increasingly prevalent concern, particularly for Angolan and Rwandan former refugees. "Statelessness in the Modern Era: The Plight of Angolan and Rwandan Former Refugees in Contemporary Africa" examines the intricate challenges faced by these individuals as they navigate a world without the protection and rights afforded by citizenship. By exploring their stories and the broader implications of statelessness, this article seeks to spark meaningful conversations and actions aimed at addressing this critical issue in today's Africa. Gibney (2014) laments that the issue of statelessness has been ignored by scholars, government officials as well as practitioners despite its profound impact upon the lives of people affected contrary to the attention given to asylum seekers, refugees and immigrants. Interestingly, in the recent past there is flourishing concern over the matter in some sectors. UNHCR Report (2021) stress that the phenomenon of statelessness has become a thorn in most States thereby, prompting United Nations High Commissioner for Refugees (UNHCR) to be pivotal in advocating for prevention and eradication of statelessness

targeted to redeeming millions of people affected in the world. International and regional instruments in terms of Conventions and Protocols have been established as tools, complimented by individual States legislation on the prevention and reduction of Statelessness. However, UNHCR resolute that the problem largely requires political will, therefore, it is entirely solvable too.

Brief historical overview of Angolan and Rwandan refugees: The histories of former Angolan and Rwandan refugees are deeply intertwined with the tumultuous events that have shaped their home countries in the recent past. Both Angola and Rwanda experienced extended periods of conflict that led to large numbers of their citizens becoming refugees. The historical background of Angolan and Rwandan former refugees in Africa is marked by political instability, conflict, and mass displacement.

Angola: Angola was a Portuguese colony until 1975. The Angolan War of Independence began in 1961 and lasted until 1975. During this period, many Angolans fled to neighboring countries such as Congo (Kinshasa), Namibia and Zambia to escape the violence.

The struggle for independence saw many Angolan nationals seeking asylum, marking the beginning of significant refugee movements. Examples: - Zambia hosted over 100,000 Angolan refugees, mainly in the Western Province. - The Democratic Republic of Congo hosted tens of thousands of Angolan refugees, particularly in the provinces of Kinshasa and Bas-Congo. However, after gaining independence from Portugal in 1975, Angola descended into a brutal civil war that lasted until 2002. The conflict was primarily between the ruling MPLA (Popular Movement for the Liberation of Angola) and UNITA (National Union for the Total Independence of Angola). The prolonged civil war resulted in vast numbers of displaced persons both internally and across borders, with refugees finding asylum in countries such as Zambia, Namibia, and the Democratic Republic of Congo. The war ended in 2002 following the death of UNITA leader Jonas Savimbi. Subsequent years saw organized repatriation efforts facilitated by the UNHCR and other agencies to help refugees return home.

Rwanda: Rwanda suffered ethnic tensions and 1959-1962 pre-independence and early conflicts as well as genocide in 1994. Prior to its independence from Belgium in 1962, ethnic tensions between the Hutu and the Tutsi led to violence and mass displacement. The 1959-1962 revolution saw Tutsi fleeing mainly to Uganda, Burundi, Tanzania, and Congo. In 1994 the country was engulfed in the most devastating period of Genocide, where an estimated 800,000 Tutsi and moderate Hutu were killed within a span of 100 days. The genocide triggered one of the largest and fastest mass exoduses in history. During the devastating genocide in 1994, an estimated 800,000 people, primarily from the Tutsi ethnic group, were killed. The genocide led to a massive influx of refugees into neighboring countries, including Tanzania, Uganda, and the Democratic Republic of Congo and Burundi. For instance, Tanzania hosted over 600,000 Rwandan refugees, mainly in the Kagera Region, Uganda hosted around 200,000 Rwandan refugees, primarily in the southwestern districts of Kisoro and Kabale. These conflicts and displacement have had lasting impacts on the region, with many former refugees still facing challenges related to statelessness, livelihoods, and social integration.

Meanwhile, Post-genocide, efforts to encourage repatriation were undertaken, and many refugees have since returned to Rwanda. However, political instability in the Great Lakes region has continued to affect refugee movements. While many have returned, some refugees have remained in exile due to ongoing political and ethnic tensions in the region. Both Angola and Rwanda continue to receive international support for reintegrating returnees and addressing the lingering issues from their turbulent histories. Interestingly, both countries have also become host nations to refugees from neighboring conflicts, underscoring the cyclical nature of displacement in the region. Understanding the history of refugees from Angola and Rwanda provides critical context for the humanitarian efforts and policies needed to support these individuals and their communities as they rebuild their lives.

Scholarly definition of Refugees and Statelessness

Refugee: Goldstein & Pevehouse (2012, pp435) define a refugee “person fleeing to find refuge from war, natural disaster, or political persecution”.

Edwards and Waas (2014E, pp 48) define “refugee individuals who are persecuted by their own state”. According to Article 1 A (2) of the 1951 Convention, defines a refugee as person incapable or unwilling to return to his country of origin “due a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”. Therefore, there are three main characteristics that defines someone to be called a refugee: he/she must physically be outside of his/her country of origin; psychologically, he/she must be unwilling or unable to return to his/her country of origin due to a fear of persecution; causal element – the fear of being persecuted is based on grounds of race, religion, nationality, membership of a particular social group or political opinion (Moldovan, 2019).

According to Article 33(1) of the 1951 Convention, it protects refugees from expulsion or return to a threat to their life or freedom on account of their race, religion, nationality, membership of a particular social group or political opinion. Parliamentary Guideline (2017) Asylum-seekers are protected by this principle until their status has been determined. International norms mandate countries not to deny or reject refugees who arrive at the borders. Refugees from wars or natural disasters are generally housed in designed refugee’s camps but in Zambia they are housed in settlements until they return home. Meanwhile, refugees from who are political persecution may be granted asylum in urban areas of the country they have sought refuge and the cost for refugees is a collective goods (Goldstein & Pevehouse, 2012). Parliamentary Guideline (2017) stress that Non-refoulement obligations under international refugee and human rights law as mentioned in Chapter1, States have non-refoulement obligations under international refugee and human rights law, whether treaty-based or as part of customary international law. Under international refugee law, the principle of non-refoulement contained in the only permissible exceptions to the principle of non-refoulement as provided for in international refugee law are set out in Article 33(2) of the 1951 Convention. They apply in two circumstances: if there are reasonable grounds for regarding an individual refugee as “a danger to the security of the country in which he/she is” or if he or she, “having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country”.

Like any exception to human rights guarantees, Article 33(2) must be interpreted restrictively and with full respect for the principle of proportionality. This means it must be shown that the danger posed by the refugee to the security of the host country or to its community is sufficiently serious to justify refoulement. The “danger to the security” exception requires a threat to be to the country of refuge itself and to be very serious. The finding must be based on reasonable grounds and supported by credible and reliable evidence. The “danger to the community” exception requires a final conviction of a particularly serious crime as well as a finding that the person constitutes a future risk. In both cases there must be a rational connection between the removal of the refugee and the elimination of the danger. Refoulement must be the last possible way to eliminate or alleviate the danger and it must be proportionate, in the sense that the danger to the country or to its community must outweigh the risk to the refugee upon refoulement. The scholarly definitions of refugee gives us a clear understanding that all of us we are potential refugees therefore, it is significant for States and individuals to support

the plights of refugees in their host countries. Refugees or persons of Concern (PoCs) who include new permanent residents should be accorded their rights to access culture, social, and economic benefits apart from political and military rights like nationals of the particular country. This article anchors on philosophical underpinning to articulate the effect of statelessness and how the phenomenon can be addressed, especially for former refugees.

Statelessness: In view of the fact that the Second World War, a right to nationality even if easier said than done, to define and rarely enforced appears under international law. Article 1(1) of the 1954 Convention defines Stateless “as person who is not considered as a national by any State under the operation of the Law” (UNHCR, 2014). The nationality can be lost by an individual by acquiring another nationality as some countries do not allow renunciation of nationality (Edwards and Waas, 2014, p 23). The lack of legal bond between an individual and any given state culminates into statelessness. When former refugees reside within a state that accepted them before cessation and due to fear to return to their country of origin, therefore should have a bond with a state, but it is not the case. According to International law, individual states have sovereignty right to determine its own domestic law lay down who are its nationals. Basically, states follow either the principles of *jus soli* or *jus sanguinis* for the provenance of nationality. The *jus soli* requires nationality attribution to the place of birth, while the *jus sanguinis* necessitates nationality ascription by parental descent. Chan (1991, p.12), “Statelessness arises as a result of a deliberate act of deprivation of nationality by the state concerned, as a result of territorial change, or more frequently, as a result of a conflict of nationality law”.

Whilst it is indisputable that the problem of statelessness exists, some contentious issues are raised by the phenomena. The main point of contention concerns the idea of “what qualifies a person stateless” (Waas 2008, p.9). Despite the existence of an official definition of statelessness, states and other relevant bodies apply different interpretations of this single definition. Thus, the methods adopted to recognize statelessness differ, as do their requirements for the proof of statelessness (Waas 2008, p.9). These different interpretations and methods result in statistics related to statelessness do vary between organizations. In 2005, Refugees International estimated 11 million stateless persons worldwide (Lynch 2005). However, in 2006, the United Nations Refugee Agency (UNHCR) estimated that there were 5.8 million stateless persons (UNHCR 2006, table 14). These differences are empirical evidence of the uncertainty surrounding the topic, which leads to greater difficulties in dealing with the issue.

The Categories of Statelessness: In this article *de jure* and *de facto* stateless categories have been cited. The Article one of 1954 Convention Relating to the Status of Stateless Persons defines *de jure* stateless as a person who is not considered a national by any state under the operation of its law. The domestic law determines the existence formal bond of nationality for a person whether there is effective and genuine link to qualify for nationality or *de jure* stateless. However, it is argued that all persons should have a link with one state either through residency or birth in a state hence under a states domestic law they expected to be nationals. Albeit, (Batchelor, 1998, p.171) “not everyone receives a nationality by operation of law.

Those who have not received nationality automatically under the operation of any state’s law are *de jure* stateless persons”. Waas (2008, p.20) elaborates that 1954 convention definition excludes persons who retain the formal bond of nationality but are not able to rely upon it for protection. The *de facto* stateless persons under the 1954 convention receive no protection. The definition stress that *de facto* stateless persons are those who are admitted with *de jure* stateless nonetheless, have a technical possibility of seeking for naturalisation in another state, due to a state succession or transfer of territory do not receive nationality of the state they have a link with but receive nationality of the successor state with which they have no effective or genuine link and persons who have rights to the nationality but are unable to receive it due to administrative hurdles (Batchelo, 1998). As there is a technical bond with a state they cannot be considered as *de jure* stateless.

Theoretical Framework: Statelessness among former refugees, including those from Angola and Rwanda, is a complex phenomenon that can be studied through various theoretical lenses. This study is underpinned on philosophical assumption of international relations and human rights, forced migration, citizenship, social exclusion, historical context and post-colonial theories to help in understanding and analyzing statelessness among these populations.

International Relations and Human Rights Theory: This theory examines the tension between state sovereignty and the protection of individual human rights. Statelessness challenges traditional notions of state boundaries and citizenship. This principle may be applied to understand international obligations to protect stateless individuals. Statelessness is a complex issue at the intersection of international relations and human rights theory. From an international relations perspective, statelessness can be seen as a challenge to the traditional Westphalian conception of the nation-state, which assumes that each individual belongs to a specific state with defined rights and responsibilities (Sikkink, 1998).

Statelessness disrupts this framework by leaving individuals without a recognized nationality, leading to a lack of access to basic rights and services. In terms of human rights theory, statelessness is viewed as a violation of fundamental rights, as every individual has the right to a nationality according to international human rights law. Edwards & Waas (2014) the right to a nationality is enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, among other instruments. Statelessness can leave individuals vulnerable to discrimination, exploitation, and marginalization, as they are often unable to access education, healthcare, employment, or legal protection. Efforts to address statelessness from both international relations and human rights perspectives include the work of the United Nations High Commissioner for Refugees (UNHCR) and other organizations to identify stateless individuals, advocate for their rights, and support efforts to prevent and reduce statelessness worldwide. Additionally, international legal frameworks such as the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness provide guidance on how to protect the rights of stateless individuals and prevent statelessness from occurring. Overall, the issue of statelessness highlights the importance of recognizing and upholding the rights of all individuals, regardless of their nationality, and working

collaboratively at the international level to address the complex challenges posed by statelessness

Forced Migration Theory: Rahman (2021) argued that in Bangladesh, the plight of the Rohingya people through their statelessness has become less decisive in the major powers' diplomatic calculations. Forced migration theorists often discuss statelessness as a complex issue that can arise from various factors such as conflict, persecution, and human rights violations. Statelessness refers to a person not being considered a national by any state under the operation of its law. Theorists may emphasize the vulnerabilities and challenges faced by stateless individuals, including limited access to basic rights such as healthcare, education, and employment. They may also examine the legal and policy frameworks needed to address statelessness and protect the rights of stateless populations. Additionally, discussions on statelessness within the context of forced migration may highlight the importance of international cooperation and advocacy to find durable solutions for stateless persons. Explores the causes, processes, and consequences of forced migration, including how voluntary repatriation and local integration affect statelessness.

Citizenship Theory: Citizenship theory has been shaped by various scholars and researchers over the years. Some prominent proponents of citizenship theory include, T.H. Marshall: Known for his seminal work on citizenship and social rights, Marshall presented the idea of citizenship as a historical process involving the extension of civil, political, and social rights. Hannah Arendt: Arendt's work focused on the concepts of plurality and the public sphere in relation to citizenship, emphasizing the importance of active participation and political agency while, Iris Marion Young's contributions to citizenship theory revolve around the concept of differentiated citizenship, highlighting the need for recognition and inclusion of marginalized groups within society. These scholars, among others, have significantly contributed to the development and advancement of citizenship theory, offering diverse perspectives and insights into the complexities of citizenship in modern contexts. Scholars of citizenship theory often discuss statelessness as a significant issue affecting individuals' rights and legal status. Statelessness, which refers to the lack of any nationality or citizenship, can lead to various challenges such as limited access to education, healthcare, employment, and other basic services, as well as barriers to exercising fundamental rights. It is seen as a problem that undermines the principles of equality and non-discrimination, and some scholars argue for stronger international laws and mechanisms to address and prevent statelessness.

Social Exclusion Theory: Explains how stateless individuals are marginalized from social, economic, and political aspects of society. Social exclusion theorists examine statelessness as a severe form of exclusion from society, highlighting how being deprived of citizenship rights can lead to marginalization and vulnerability. Proponents of social exclusion theory emphasize the interconnected nature of social, economic, and political factors that contribute to statelessness and its consequences. They argue that stateless individuals often face multiple forms of disadvantage, including limited access to education, healthcare, employment, and legal protection. Furthermore, social exclusion theorists underscore the importance of addressing the root causes of statelessness, such as discriminatory nationality laws, lack of legal identity

documentation, and conflict-induced displacement. They advocate for inclusive policies and practices that recognize the rights and dignity of stateless persons, promoting their integration into society and providing avenues for legal recognition and protection. Overall, proponents of social exclusion theory view statelessness as a significant social issue that reflects broader patterns of marginalization and structural inequalities. They call for comprehensive approaches to address statelessness that tackle the underlying social, economic, and political factors driving exclusion and insecurity among stateless populations.

Historical Context and Post-Colonial Theory: Scholars of historical context and post-colonial theory offer insightful perspectives on statelessness, drawing attention to the historical legacies of colonialism, imperialism, and state-building processes that have contributed to contemporary issues of nationality and belonging. From a historical standpoint, these scholars highlight how colonial powers often imposed arbitrary borders and citizenship laws that have had lasting implications on the citizenship status of individuals and communities. In the post-colonial context, scholars emphasize the ongoing effects of colonialism on notions of identity, nationality, and statehood, underscoring the complexities of citizenship in societies shaped by colonial histories. They argue that statelessness can be a direct result of colonial policies that created categories of exclusion and hierarchy based on race, ethnicity, or religion. Moreover, scholars in this field critique the unequal power dynamics and structural inequalities that continue to marginalize certain groups and perpetuate statelessness in the post-colonial era. They call for a reexamination of existing legal frameworks and a recognition of diverse histories and identities within nation-states to address the root causes of statelessness and promote more inclusive forms of citizenship and belonging. In essence, scholars of historical context and post-colonial theory offer nuanced analyses of statelessness, highlighting the deep-seated historical injustices and power dynamics that underlie issues of citizenship, identity, and statelessness in contemporary societies. Their work underscores the importance of understanding these complex dynamics to develop more equitable and just approaches to citizenship and nationality.

The complex history of Angola, including its civil war, can be explored using post-colonial theory and forced migration theory to understand the statelessness of refugees who have difficulty proving their nationality. Similarly, the aftermath of the Rwandan Genocide and the challenges of repatriation and local integration can be examined through the lens of citizenship theory and human rights theory. Combining qualitative interviews with affected individuals and quantitative data analysis can provide a comprehensive understanding of the statelessness issue. Each of these theories can provide a different perspective on the causes, consequences, and potential solutions to statelessness among former Angolan and Rwandan refugees.

Major Roots cause of statelessness: The 20th century globally has registered problems of statelessness attributed to various factors ranging from gaps in and between the nationality laws of States, States succession, manipulation of political systems by national leaders, marginalization of certain groups in society to redrawing of international borders. Others have been due to stripping individuals of their nationality or denial/deprivation (UNHCR Handbook, 2010).

There are many causes of statelessness, but for the former refugees mainly is the undesired by the hosting country to integrate them using *prima facie* instead of demanding for passports of their origin countries. Although individuals who have legal citizenship and its accompanying rights may take both for granted, what they enjoy is one extreme of a continuum between full, effective citizenship and *de jure* statelessness, in which individuals have neither legal citizenship nor any attendant rights. In between these extremes are millions of *de facto* stateless persons denied effective protection. Statelessness may result from various circumstances. States may simply cease to exist while individuals fail to get citizenship in their successor states; political considerations may dictate changes in the way that citizenship laws are applied; an ethnic minority may be persecuted by being denied citizenship; or a group may live in frontier areas and frequently cross borders, causing states on both sides of the border to deny them citizenship. There are individuals who become stateless due to personal circumstances, rather than persecution of a group to which they belong. Statelessness can arise from legal differences between countries, people renouncing one nationality without having acquired another or even, more simply, from failure to register the birth of a child. Added to this is a potential new category: small islands which, condemned by a changing climate to be swallowed by the sea, will see their entire populations become stateless.

Causes of Angolan and Rwandese Refugees to be former Refugees in host countries: Refugee status is temporal status that is given to individuals who flee their country of origin for ascertained fear of persecution and who have been settled in a refugee hosting country whilst they await durable solutions that include voluntary repatriation, resettlement to a third country and local integration. Refugee status is not supposed to be permanent under any circumstances. In 2009, the United Nations High Commissioner for Refugees (UNHCR) announced to the world that it was considering invoking the cessation clause for Angolan and Rwandan refugees on 31st December, 2012. Due to unforeseen challenges however, the implementation was moved to 30th June, 2013 together with comprehensive solution strategies that would ensure that the former Angolan and Rwandan refugee caseload would be concluded. The implementation of the clause however, was met by delays in repatriations and as a result, the December 2014 deadline was extended several times with the new deadline set on December 31, 2017. The UNHCR estimates that there were approximately 20,000 Rwandan refugees in different African countries affected by the cessation clause, but who are reluctant to repatriate. While Zimbabwe and DR Congo vowed to invoke the clause, whereas, Uganda and Malawi vowed that they would not expel the refugees immediately. Uganda indicated that it would not expel the over 18,000 Rwandan refugees on its soil following the expiry of the deadline because some of them are asylum seekers. Rwandan refugees in Zambia, Malawi, Tanzania, Kenya and Uganda also pleaded to the UN not to be repatriated forcefully because their security is not guaranteed. However Zimbabwe and DR Congo declared that Rwandan refugees who had not formalized their status needed leave immediately or risked being repatriated forcefully. Kanamugire (2018) laments that, Zambia, Kenya, Tanzania, Uganda, Malawi have had challenges to implement the cessation clause as per 1951 Refugee Convention, which allows countries to declare that the reasons that led to people fleeing the country no longer

exist, and that all those who fled should be able to return or risk losing their refugee status, which was declared for Rwandan refugees by the United Nations High Commissioner for Refugee (UNHCR) on June 30, 2013.

Consequence of Statelessness

Individuals in Communities: Statelessness creates abject disempowerment among the affect society. Stateless individuals lack access to three categorized goods thus; privileges, security and voice. The stateless former Angolan and Rwandese refugees have no any rights enjoyed by the citizens or nationals of Zambia. They cannot claim public position, access elevation for social advancement, cannot claim diplomatic protection abroad. Moreover, they are individuals whose daily lives are lived under the shadow of possible expulsion from the State (Edwards & Waas, 2014). Statelessness can exacerbate Psychological trauma and stress experienced by refugees, particularly if they have faced violence, displacement, or family separation. As stateless people are not considered as citizens, they are not included in the development process of the State.

Ms Isabel Antonio (not real name) narrates; I was beaten and assaulted by two small Zambian girls in full view of security guilds. I took the matter to police, they asked me for my identity card which I did not have because I was born in Zambia from my Angolan parents both Dad and Mum. However, Dad died long time ago and Mum got married to Zambian in Solwezi, but us children we have failed to get any document. Now when I told Police Officer that I don't have any document, he asked me how police can prove that am Zambian or Angolan. Sure! Sure! The girls were left scot free and am now nursing my injuries, without any protection. How are we going to be protected in this Country sure, God help us, I wish my Dad was alive.

The case of nicknamed Antonio is not isolated, a number of times former Angolan and Rwandese refugees have faced prosecution in most of the countries including Zambia were they sought asylum before the invocation of the cessation clause but they decided to remain and have not acquired any documentation to ascertain their status. They were being arrested by Immigrations authorities' day in, day out. Moreover, arbitrary denial of citizenship of a group of people in some cases associated with forced displacement from the originating country to another causes regional or international tension and instability. Meeting the immediate needs of refugees is one thing, but if governments fail to recognize the long-term impacts of statelessness, a new generation could grow up in limbo. In many cases, the miseries of stateless people are subsided because stateless people are often remained unseen and unheard due to unwillingness of the concerned government to highlight the issue. But this largely invisible issue of statelessness could have long-term consequences for the states. For instance, a scholar had purposively met a highly educated former Rwandese refugee still living in Zambia on temporal resident permit which expired six (6) years ago and government is in dilemma whether to according him another one or permanent resident, especially that its now twelve (12) years even since he got his first resident permit. The respondent narrated his odd of limbo status;

I am a medical doctor who has been in Zambia for over 27 years. I have done a lot of specialization courses that in SADC and Africa as whole am rated very high but the problem is each time am even invited to make presentation outside Zambia, am always barred by lack of passport because I cannot get Rwandan passport in fear of persecution while Zambia cannot give me a passport because am not naturalised. In April, 2023 I managed to persuade some international funders to build a Doctor's Hospital in Zambia at a Cost of about US \$90,000, 000 but the funders demanded for a project that would cost US \$250,000 000 and we agreed to meet in Dubai. Arising from that I decided to obtain UN Readable Convention Travel Document (CTD) passport and acquired a Dubai visa to travel to Dubai for a round table discussion. However, upon arriving at Dubai International Airport I was denied entry by the Immigration Authorities of that Country, arguing that they don't allow CTDs. I tried to engage the Zambian Immigration Attache in Dubai who stated that he could only assist me with a document to travel back to Zambia. At this point a cried and saw the challenges of being stateless. I forthwith returned and to date those business partners who want to bring US \$250,000,000 to Zambia are still waiting.

Statelessness has socio-economic implications also. There are a number of highly qualified former Rwandan refugees but owing to their limbo status in term of nationality they are not utilized. When large number of people are deprived of any job opportunities or denied operating a business for earning their living, they cannot contribute to the economy rather become a challenge for the society. Stateless persons are often excluded from the development process. Due to extreme poverty, in some cases, stateless parents become bound to sell their children. Without any citizenship documents, stateless persons often don't have the basic rights that enjoyed by the citizens. Moreover, they don't have the right to vote, obtain a passport, travel, entering another country with valid visa, participate in public affairs, own property, or even access to health care facilities. They become a social inertia with unlimited uncertainty. Stateless people are also deprived of social welfare, housing, freedom of movement, and freedom from arbitrary detention. Feeling of deprivation of any kind and feeling of being alienated and excluded from the society can create resentment among the members of the excluded communities. Statelessness due to discriminatory action by state, may lead the deprived groups engage in subversive activities. Statelessness among former Angolan and Rwandan refugees can have a significant impact on communities in several ways. Stateless individuals may face social exclusion in terms of discrimination, marginalization, and exclusion from social services, education, and employment opportunities, leading to social isolation and poverty.

A randomly selected son of the former Rwandan refugees' parents narrates;

I was born in Mwinilunga of North Western Province and did my primary as well as my secondary school levels in that area. How I realized that if I remained in Mwinilunga my life will be doomed. So I migrated to Lusaka where I met a certain bishop of a named Church who felt pit for and decided to sponsor me to do nursing. Unfortunate whilst still at College the Bishop died. I struggled to complete the college. Now wherever I go to look for employment they ask me for a work permit. I try to explain to them that I was born in Zambia and my parents are

in 70s and poor to afford me money for the permit, but they always insist that I am a former refugee and can only offered employment once I acquire a permit. I am really suffering and I don't know where I can ...

Stateless poses danger of economic challenges. Without legal status, stateless individuals may struggle to access formal employment, start businesses, or access financial services, hindering economic growth and development. Besides, stateless persons are political disenfranchisement. Stateless individuals are often unable to vote, participate in political processes, or hold public office, undermining democratic representation and accountability.

Statelessness can create divisions within communities, as some individuals may be granted citizenship or legal status while others are left behind. Stateless individuals may face barriers in accessing healthcare, education, and other essential services, perpetuating health and education disparities. Individuals may be more susceptible to human trafficking, exploitation, and abuse, as they lack legal protection and recourse. Statelessness can affect entire families, perpetuating cycles of poverty, marginalization, and social exclusion across generations.

Consequences of Statelessness to the Nation: Statelessness is a major challenge for many States where a large number of people are affected by statelessness. Losing all the rights of citizens, they also lose their habitat, in many cases, are displaced from the country where they were born and brought up. When an individual become statelessness on any ground, usually effect is limited to the individual and his/her family only. But when communities become stateless, this can lead to conflict and cause displacement, spread terrorism or even contribute to war. When statelessness causes forced displacement of communities, their movement to neighboring country results in regional as well as international tension. Palestinians constitute the largest community of stateless people in the world living as refugees for four generations since 1948. "Today more than half of the eight million or so Palestinians are considered to be de jure stateless persons." They are not recognized in any other countries. Palestinians were expelled from Kuwait in 1991 and from Libya in 1995 and some are living as refugees in Lebanon and Egypt and Saudi Arabia where they cannot apply for naturalization.

In 2017, denial of citizenship, forced labor, killing, rape, arson and arbitrary confiscation of property compelled the Rohingyas in Myanmar to flee and take shelter in neighbouring country, Bangladesh. According to the UNHCR, the exodus of Rohingyas began on 25 August 2017 when violence broke out in Myanmar's Rakhine State, driving more than 723,000 to seek refuge in Bangladesh. They were displaced without anything, without any national document. Plight of Rohingyas is not a new phenomenon. They have been facing persecution for long time. "Thousands of Rohingya fled to what is now Bangladesh in four main periods: the late 1700s and early 1800s, the 1940s, 1978 and, most recently, in 1991 and 1992." Since the early 1990s over a million Rohingyas fled Myanmar due to forced labor, rape and religious persecution at the hands of the Burmese army.

Consequences of statelessness of Angolan and Rwandan former refugees to the region: The statelessness of former Angolan and Rwandan refugees has significant effects on African states, including straining of resources.

Hosting stateless populations puts pressure on local resources, infrastructure, and social services, particularly in countries with already limited capacities. Example: In Zambia, the influx of Angolan refugees in the 1990s led to increased demand for healthcare, education, and water services, straining local resources. The national security is always of concern. Stateless individuals may be vulnerable to recruitment by criminal or terrorist organizations, posing security risks to host countries. Example: In the Democratic Republic of Congo, stateless Rwandan refugees have been recruited by armed groups, contributing to regional instability. There are fears of Political tensions. Statelessness can create political tensions between host countries and countries of origin, particularly if repatriation efforts are unsuccessful. For instance Tanzania and Rwanda have experienced diplomatic tensions over the repatriation of Rwandan refugees, with Tanzania accusing Rwanda of not doing enough to reintegrate its citizens.

Hosting stateless population culminate into economic burden. Supporting stateless populations can be a significant economic burden, particularly if they are unable to access formal employment or contribute to the economy. In South Africa, stateless Angolan and Rwandan refugees often rely on informal employment or illegal activities, contributing to economic in formalization and tax evasion. Meanwhile, in some instances, social tensions can rise. Statelessness can lead to social tensions between host communities and refugee populations, particularly if there are perceived cultural or economic differences. In Namibia, tensions have arisen between local communities and Angolan refugees over access to land, resources, and employment opportunities. Humanitarian challenges are another effect of the phenomenon. Stateless populations often require ongoing humanitarian assistance, which can be challenging for host countries to sustain. In Uganda, the statelessness of Rwandan refugees has led to ongoing humanitarian needs, including shelter, food, and healthcare.

Sometimes, there is limited regional integration. Statelessness can hinder regional integration efforts, as countries may be reluctant to grant citizenship or legal status to individuals with unclear nationality. The East African Community's efforts to promote regional citizenship and free movement have been complicated by the statelessness of Rwandan and Burundian refugees in member states. Therefore, addressing statelessness requires a regional and international response, including legal reform, advocacy, and support services to ensure that all individuals have access to their basic human rights and can fully contribute to their communities.

Legal Framework to curb statelessness: Forcibly displaced stateless people find crossing international borders difficult or impossible as there is no globally agreed legal or orderly arrangement for safe migration of a stateless person. For instance, many stateless Syrian Kurds tried to enter European countries by illegal ways and still this trend continues. They often take risk of their life, face administrative detention, and deportation. To prevent illegal infiltration, tightened policies are applied during immigration. However, without any place to which to be deported, the detention time for the stateless prolongs for indefinite time. In case of Muslims in Assam, India, the undocumented Muslims, according to news reports are likely to face deportation. In recent years however, a significant push has been made to solve this wholly solvable issues of *de jure* statelessness and *de facto* statelessness.

Though both render a person without an effective nationality, the distinction of the two has both theoretical and practical implications for the level of protection provided for those found to be stateless under either category. In order to explore these implications it is necessary to consider the legal frameworks for the protection of stateless persons, the phenomenon of statelessness, the distinction between the categories of statelessness, and the effects which the distinctions may or may not have. Finally I shall assess solutions to statelessness as an international problem. With an endeavor to address statelessness, international community has concluded some international agreements. Adoption of 1948 Universal Declaration on Human Rights was the first to recognise right to nationality as fundamental right. Article 15 of the 1948 Universal Declaration of Human Rights provides:

“1) Everyone has the right to a nationality; 2) No one shall be arbitrarily deprived of his nationality or denied the right to change his nationality.”

Since the adoption of 1948 Universal Declaration of Human Rights, right to a nationality has been reiterated in every subsequent universal and regional human rights treaties. But still there are thousands of people around the world who lack the security and protection that a citizen can have. The 1954 Convention relating to the Status of Stateless Persons has been the foundation of the international protection regime for stateless persons providing the definition of a stateless person. The 1954 Convention was designed to regulate the treatment of *de jure* stateless people. It establishes minimum standards of treatment for stateless people with respect to the right to education, employment and housing and guarantees stateless person various rights including right to identity, travel documents and administrative assistance. The 1961 Convention on the Reduction of Statelessness was intended to prevent the new cases of statelessness by addressing the problem occurring at birth or later in life. It also sets out important safeguards to prevent statelessness due to loss or renunciation of nationality or state succession.

International instruments such as the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Convention on the Rights of Persons with Disabilities (CRPS) also contain provisions relating to the right to nationality and contribute to the protection of stateless persons and the prevention of statelessness. Nonetheless, some obligatory frameworks have been stipulated by State parties at regional level that complement the international statelessness conventions. For instances, 1969 American Convention on Human Rights, Commonwealth of Independent States Convention on Human Rights, Fundamental Freedoms of 1995, the ASEAN Human Rights Declaration of 18 November 2012, and the European Convention on Nationality of 1997 recognise the right to nationality of every person.

Remedial measures to the statelessness of former Angolan and Rwandan refugees in Africa: Lasting solutions for stateless Angolan and Rwandan refugees in Africa include may be achieved through naturalization and citizenship.

Host countries granting citizenship to refugees, allowing them to fully integrate and access rights. They can be locally integrated into host communities, accessing education, employment, and healthcare. Meanwhile those former refugees who feel safe to return to their countries apply for voluntary repatriation. They can be facilitated for safe return to their home countries, with support for reintegration and rehabilitation. The solution of resettlement is also a remedial measure. The former refugee of security concern can be considered for permanent relocation to a third country, providing a durable solution and access to rights and services. The civil registrations like Birth Registration need to be enhanced. The host government should ensure that all refugee children are registered at birth, preventing statelessness and ensuring access to rights. Furthermore, Nationality Laws need reform. Reforming nationality laws to prevent statelessness and ensure equal access to citizenship. Raising awareness about statelessness and advocating for refugee rights, promoting inclusive policies and practices. Supporting refugees to rebuild their lives, reconcile with their past, and reintegrate into their communities. These solutions require a comprehensive approach, involving governments, international organizations, civil society, and refugees themselves, to ensure stateless Angolan and Rwandan refugees in Africa can rebuild their lives with dignity and access to their basic human rights.

CONCLUSION

The plight of stateless individuals, particularly Angolan and Rwandan former refugees in contemporary Africa, underscores the urgent need for more concerted international and regional efforts to address this silent crisis. Through an examination of historical context, current challenges, and potential pathways towards resolution, this article has highlighted the multifaceted nature of statelessness and the profound impact it has on individuals and communities. Despite the progress made through various legal frameworks and initiatives, significant gaps remain, particularly in the implementation and enforcement of policies designed to protect and integrate stateless persons. Ensuring that former refugees are granted nationality or legal residency is crucial not only for their personal well-being and human rights but also for regional stability and development. The conclusions drawn from this study advocate for a reinvigorated approach that includes stronger political will enhanced international cooperation, and more robust grassroots advocacy. Addressing statelessness among former refugees in Africa requires a comprehensive strategy that not only rectifies legal statuses but also fosters social inclusion, economic opportunities, and human dignity. Moving forward, it is imperative that stakeholders at all levels from local communities to international bodies— collaborate effectively to eradicate statelessness and build a more just and equitable future for all

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