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12/VN/25

INTERNATIONAL
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3548 AROlsen (Walded)

THE PROBLEM OF STATELESSNESS

As the war draws to a close, it is becoming increasingly important to visualise the problems of the post-war world in their proper perspective. Amongst these, the fate of the "unprotected persons"—the refugees and stateless—is of particular intricacy and urgency. Hundreds of thousands of people have been deprived of their nationality and have been rendered stateless. The difficult problem of statelessness, already in existence before the war, has thus become one of the acute tasks calling for solution.

Jewry is deeply concerned in this question because the Jewish proportion of stateless persons is particularly high and has been increased by the fact that Nazi Germany and some of her satellites use denationalisation as one of their weapons in the conduct of their brutal war against the Jews.

The Legal Section of the Research Committee of the World Jewish Congress (British Section) has considered it its duty to analyse the problem and to clarify its intricacies. Two international lawyers with expert knowledge of the subject were invited to examine and report on the problem to the British Section. Their reports are contained in the following pages. Dr. P. Weis considers the problem in its entirety and makes suggestions for its legal solution. Dr. R. Graupner deals with one special cause of statelessness—as a consequence of territorial changes after the last war. This is of particular significance in view of the similar problems which are likely to arise after the present war.

In view of the controversial character of the political problems involved, it should be emphasised that the publication of these reports does not necessarily mean that the World Jewish Congress (British Section) identifies itself with all the conclusions arrived at by the authors. The purpose of this publication is to depict the situation for all those who are directly affected by the problem, for the many thousands of refugees and stateless persons in this and other free countries and for the many hundreds who, in an official capacity or as voluntary social workers, are concerned with this important question.

It is now almost a generally accepted doctrine that statelessness is undesirable. A reform of nationality law is called for as a major change in the post-war world, in order that every individual may have a nationality and statelessness may be eliminated. This demand is subject, however, to this important reservation: every legal solution must also be a human solution. Abolition of statelessness can only be a humanely satisfactory remedy if nationality warrants the enjoyment of fundamental human rights by all nationals.