



CENTRE FOR
LATIN AMERICAN AND
CARIBBEAN STUDIES

SCHOOL OF
ADVANCED STUDY
UNIVERSITY
OF LONDON



Institute on
Statelessness and
Inclusion

VIRTUAL CONFERENCE:

(Re)Imagining Belonging in Latin America and Beyond: Access to Citizenship, Digital Identity and Rights

**Centre for Latin American and Caribbean Studies (CLACS)
in collaboration with the Institute on Statelessness and Inclusion (ISI)**

Wednesday 23rd June 2021, 12.00 - 18.30 BST

Thursday 24th June 2021, 12.00 – 19:00 BST¹

Keynote Speaker: Wendy Hunter

Professor of Government at the University of Texas–Austin

Speaker Abstracts and Bios

Lifecycle Myths and the Magic of the State in Digital Identification

Laura Bingham

“So that, as rational metaphysics teaches that man becomes all things by understanding them, this imaginative metaphysics shows that man becomes all things by not understanding them; perhaps the latter proposition is truer than the former, for when man understands he extends his mind and takes in the things, but when he does not understand he makes the things out of himself and becomes them by transforming himself into them.”

Giambattista Vico, *The New Science*

This paper explores the cultural and political effects of digital identification in a theoretical and comparative perspective, taking as its starting point the concept of a lifecycle in population statistics and its distorted application in the construction of digital identification systems as public infrastructure. While digital identification can encompass a wide range of technologies and applications, my focus is state-backed national digital identification systems employing biometrics. In population statistics, the lifecycle begins at birth and ends with death. For the systems that purport to house or integrate this data using digital identification methods, the lifecycle entails a set of loosely defined phases of creation and immortal persistence thereafter. The paper then examines the reality of immortal persistence of identification systems in everyday life, tracing the imaginative dynamic they trigger between what Veena Das has termed the rational and the magical presence of the state (Das & Poole, 2004). In doing so, the study will shed light on what is obscured by the performative behavior associated with the “birth” or “rise” of this emerging technology: its real consequences for the rule of law and in particular the already teeming expansion of administrative states in possession of the power to “govern wrongly” (Shapiro, 1981). The paper, in sum, rejects the notion that digital identification systems should be taken as rational extensions of the state, and presents a case for radical reconsideration of administrative power in the face of rampant deployment of this technology across all domains of public administration.

Laura Bingham is the senior managing legal officer for equality and inclusion in the Open Society Justice Initiative. She leads the programme’s work on equality and non-discrimination, focusing on access to effective

¹ Please note, these timings are to ensure that our international colleagues can join us at this global two-day conference



remedies for structural discrimination in Europe, and on the right to nationality and access to documentation of identity, comprising litigation, legal empowerment, research, and advocacy worldwide. She has worked to achieve important judgments on arbitrary deprivation of nationality in Africa and challenges to segregated education and forced evictions in Europe.

Imagined Communities, Religious Revivals, and emerging crypto Jewish Identities among Evangelicals: the case of the Judaizing Evangelicals in Brazil

Manoela Carpenedo

Often ignored in debates about identity and belonging in Latin America, religion is a relevant category for understanding Latin American realities. Based on an ethnography conducted between 2013–2015 among the largest Judaizing Evangelical community in Brazil, this paper explores how a group of Charismatic Evangelicals in Brazil are gradually developing an approximation to Judaism - adopting a set of rules and ethos inspired by Orthodox Judaism - as well as cultivating Jewish identity claims. An important aspect of the Judaizing Evangelical movement lies in their claims of Jewish descent originating from the *Bnei Anussim*, who were Jews from Iberian Europe forced to convert to Christianity because of Inquisitorial persecution and who emigrated to the Americas at the turn of the 17th century. While I contend that the community's approximation to Judaism is a restorative reaction against of Neo-Pentecostal elements found in Brazilian Charismatic Evangelicalism, I also argue that the invocation of a hidden/crypto Jewish heritage and the idea of being part of an 'imaginary Jewish community' provides the symbolic and cultural foundations for their identification with Judaism. I suggest that this ethnic identification with Jews is linked with the dismantlement of 'mestizaje' unifying ethnic discourses in Brazil. In a society previously viewed as homogeneously miscegenated, Brazilians are now actively seeking to rescue their ethnic identities, thus 'finding an ethnic locus' became important. Therefore, the emergence of multicultural discourses celebrating ethnic diversity promoted a discursive shift, contributing to religious-ethnic revivalist movements such as the 'Judaizing Evangelical' one to emerge.

Manoela Carpenedo is fellow of the Centre for Latin American and Caribbean Studies, School of Advanced Study, University of London. She is a social scientist and ethnographer. Her research interests focus on topics related to religious dynamics in Latin America, the anthropology of Christianity, sociology of religion and geopolitics of faith. Born and raised in Brazil, she holds a Mphil and PhD in Sociology from the University of Cambridge. Manoela recently completed her book: 'Becoming Jewish believing in Jesus' under contract with Oxford University Press (New York). Building on her ethnographic work in Brazil, the monograph explores the reasons why former Charismatic Evangelicals (with no Jewish background) are now embracing Orthodox Jewish tenets and lifestyles.

Amal de Chickera (conference chair) is co-founder and co-director of the Institute on Statelessness and Inclusion. Amal is particularly interested in the nexus between statelessness and discrimination and its implications on access to other rights. Before co-founding ISI, Amal provided the lead on the Equal Rights Trust's statelessness work. He was also one of the co-founders of the European Network on Statelessness, and is a founding member of Stages – a Sri Lankan theatre group. A human rights lawyer and member of the Sri Lankan Bar, Amal holds an LLM (Distinction) from University College London and an LLB (Hons) from the University of Colombo

From Citizens to Stateless: Crisis, Othering, Persecution and the Complex Realities in India's National Register of Citizens

Debasreeta Deb

The citizenship stripping exercise in India unleashed by the National Register of Citizens (NRC) has unpacked enormous human suffering and chaos. The exercise aimed at mapping, marking and classifying the population



as ‘citizens’ and ‘illegal immigrants’ using personal data of people living in the country present a new face of statelessness illustrating the complexities that arise around who is allowed to formally belong to the body politic, ‘the state’. The NRC is a citizenship deprivation tool wielded by the Indian state of Assam promising the protection of cultural homogeneity and on grounds of national security threat from ‘infiltrators’, where millions, mostly Bengali Muslim minorities who have historically faced widespread racial discrimination, weaponized identity and ‘othering’ and have been existing on the fringes of the state, have been thrown to a citizenship limbo due to the citizenship revocation of 1.9 million people who were unable to prove their citizenship credentials beyond reasonable doubt of the state, therefore causing a transition of individuals’ position from that of a citizen to a ‘non-citizen’, a stateless person, which has changed their lives as well as that of their families dramatically. This state directed stripping of rights have rendered citizens illegitimate, alien and their voices inaudible and using primary data collected through ethnography in the state of Assam this paper shall demonstrate the impact of citizenship stripping on the everyday lived experiences of the victims, their psyche, their ability to enjoy human rights and how the racial othering has contributed to the citizenship stripping of the victims.

Debasreeta Deb hails from Assam in India. She completed her Graduation and Post Graduation in Political Science from Presidency University in Kolkata. She also holds a Master of Philosophy (M.Phil) Degree in International Relations and Political Science from Jadavpur University in Kolkata. Her M.Phil Dissertation examined the humanitarian crisis created by the National Register of Citizens in Assam. She is enrolled as a Doctoral Researcher in the Department of Politics, University of Otago, New Zealand researching on the application of statelessness in the Indian Federation. She takes interest in topics relating to South Asia, statelessness, citizenship and has presented her works in several international conferences like International Political Science Association (IPSA) Colloquium on “Disruption, Crisis and Opportunity: Whither Democratic Governance?”, 25th Annual World Convention of the Association for the Study of Nationalities (ASN) and ASEN Conference on Nationalism and Crisis.

To be, or not to be Indigenous, that is the Brazilian question

Rayanne de Sales Lima

In the late 1970s, dictatorial Brazil tried to implement its colonization project in the Amazon. In order to carry out the exploitation of these territories, the State needed to deal with its inhabitants and, as a result, the state's interest in “to be or not to be” indigenous was configured as a framework for the exclusion of rights. The Brazilian dictatorship intensified policies to remove the ethnic identity of indigenous peoples and gave anthropological reports the power to determine the ethnic identity. In the re-democratization of Brazil in 1988, indigenous people were considered citizens. From then on, the resurgence of communities that had had their identity “canceled” by the Brazilian State gained strength. Many communities started to claim an indigenous identity. But even after Brazil's ratification of ILO Convention 169 in 2004, indigenous communities have encountered obstacles to access constitutionally guaranteed rights. The Brazilian State has not established ways to respond to demands for ethnic recognition. The Brazilian Federal Agency for Indigenous Policy (Funai), until 2020, understood the declaration of ethnic conscience was enough to have access to specific policies. But, Funai did not do any relevant manifestations to assist the communities that are claiming rights from the request for recognition. In 2021, Funai published an act that, in practice, reaffirms the state's power to determine the identity of a people. The denial of civil documents and non demarcation of indigenous territories, are examples of situations resulting from this problem.

Rayanne de Sales Lima is a Master's student at the Department of Political Science at the Federal University of Minas Gerais, Brazil, and works at the Brazilian Federal Agency for Indigenous Policy (Fundação Nacional do Índio – Funai).



Drawing Borders in Blood: DNA Testing, Citizenship, and Statelessness Prevention in Thailand

Amanda Flaim

Despite its authoritarian commitments, the Thai government is regularly lauded by UNHCR for its statelessness prevention and eradication efforts. Photographs of happy “hill tribe” youth receiving their national ID cards are widely circulated by both the Thai government and human rights advocates, and are often invoked as examples of “best practices” for statelessness prevention. A relatively recent hallmark of this highly celebrated agenda is DNA testing. How is this test performed and adjudicated, and what logics underlie a program that promotes citizenship verification via interrogation of blood? More importantly, what are the political and theoretical implications for pursuing these logics in citizenship adjudication? Drawing on extensive ethnographic and survey research, I argue that DNA testing, while “verifying” the citizenship claims of thousands of individuals on case-by-case bases, also produces an increasingly powerful and expansive infrastructure of body/border drawing, maintenance, and surveillance. Moreover, the research indicates that even as state and humanitarian advocates applaud the “objectivity” of DNA tests in adjudication of citizenship claims, the DNA test is carried out in connection with a range of highly contingent, subjective, and uneven practices at individual, local, and bureaucratic levels. Ultimately, the logics that underlie the DNA test are those of ever-expanding, yet ever-incomplete territorialization—a project that seeks complete, but ultimately unattainable, knowledge of, authority over, and reconciliation between individuals to territory.

Amanda Flaim is a political sociologist who uses ethnographic, participatory, and survey methods to understand problems and paradoxes in human rights policy and development programs in mainland Southeast Asia. Her research agenda attends to political tensions in statelessness eradication programs at local and international scales, and the effects of precarious status on health outcomes, educational attainment, (un)safe migration, and land-use/land claims among indigenous and ethnic minority communities in upland Thailand, in particular. In a new initiative supported by the Luce Foundation, Dr. Flaim is collaborating with artists, activists, leading faculty partners in Thailand and Cambodia, and UNESCO to interrogate and imagine inclusive ecological futures along the imperiled Mekong River and its tributaries. Dr. Flaim is an Assistant Professor at Michigan State University’s James Madison College of Public Affairs, and the Department of Sociology; and, she is affiliate faculty of the Asian Studies Center and the Center for Gender in Global Context.

The Recognition of Gender Identity and Non-Binary Identities in Peru

Augustin Grandes Marino & Lucía Santos

Despite the advances on the recognition of gender identity in the jurisprudence of the Constitutional Court of Peru, there has been little progress in the protection and recognition of gender identity at the legislative and administrative levels. Transgender people are forced to initiate judicial process to be able to change the sex and names in their identity documents, judicial processes that could take over three years all while having to face the opposition of public institutions that decide to litigate against these demands. The efforts to recognize gender identity in Peruvian legislation have not been successful and the legislative initiatives have forgotten to include non-binary identities, such as intersex people and transgender migrants.

In the subject of intersex people, there has not been a significant advance on the protection of these identities. In 2018, the Legal Clinic in Identity Rights initiated a strategic litigation procedure to change the name and sex of an intersex person. Although the Clinic won the case, it was appealed by the public office of civil registration (RENIEC). The appeal did not consider the jurisprudence of the Constitutional Court and the international jurisprudence of the Interamerican Court of Justice, which is an evidence of the challenges that gender identity and non-binary identities face to be recognized by public institutions.



Agustín Grández is a lawyer from the Pontificia Universidad Católica del Perú with a Master of Laws degree from Duke Law (Duke University). He is professor of the Facultad de Derecho of the Pontificia Universidad Católica del Perú since 2012 and in 2013 created the Legal Clinic in Identity Rights that has worked in topics such as access to the Right of Identity, Gender Identity and Right to a Name. From 2017 to 2021 he has worked in the Peruvian Congress as a legal advisor.

Lucía Santos holds a Bachelor of Laws and Master's in Human Rights by the Pontificia Universidad Católica del Perú. Since 2014 she has been the Assistant Professor of Legal Clinic in Identity Rights of the Pontificia Universidad Católica del Perú, the Legal Clinic focus on topics including the Right to an Identity, Gender Identity and Right to a Name. From 2016 to 2021 Lucia has worked as an independent consultant specializing in gender and indigenous Peoples Law

Digital Divide v Access to Citizen Rights: Comparative Studies of Digital ID Systems in Australia, Brazil and China in the Context of COVID-19

Dr George Tian, Dr Vivianny Galvão and Dr Sanzhuan (Sandra) Guo

With the wide application of digital technology, obtaining a digital identity has become a precondition to enjoy the fundamental rights of a citizen. As one example, Australian citizens who lost their job during the pandemic need to have a digital ID in order to apply for social benefits such as JobSeeker payments. In order to use the COVID Safe Check-in function, which is used to trace locations of local citizens, citizens have to install into their Smartphone a state government app, which is directly linked to their digital driver's licence. Without some basic digital knowledge, many citizenship rights become difficult to access – this is the 'digital divide'. The current pandemic arguably makes the impact of the 'digital divide' more serious.

This paper discusses the impacts of digital ID systems on citizen rights through three case studies: Australia, Brazil and China in the context of COVID 19. First, it introduces the key features of the digital ID systems in these three countries. Second, it identifies major technological and legal risks of each Digital ID system under the current pandemic and big data environment. Third, it explores possible technological and legal means of minimizing the risks of the 'digital divide', and promoting the protection of citizen rights, including the feasibility of using blockchain-related regulatory technology – RegTech and the Internet co-regulation approach. In doing so, in a small way, the establishment of a 'knowledge equilibrium international society' - an equilibrium between digital society and civil society - might be promoted.

George Yijun Tian is a Senior Lecturer at the Faculty of Law, University of Technology Sydney (UTS), Australia. George has published extensively in intellectual property, cross border commercial transactions, competition law, and international trade law in Australia, China, United Kingdom, and the United States. He is the author of the book *Re-thinking Intellectual Property: The Political Economy of Copyright Protection in the Digital Era* (Routledge, UK, 2009), and a co-author of the book *Australian Commercial Law* (Cambridge University Press, 2nd edition, 2020). George is also a current UDRP Neutral (domain name arbitrator) appointed by World Intellectual Property Organization (WIPO) (since 2010). George previously served as a Consultant of the International Labour Organization (2007), a Project Coordinator of the Clayton Utz (2006), a Visiting Scholar of Berkman Centre at Harvard Law School (Summer 2005), and a Visiting Research Fellow of Oxford IP Research Centre, Faculty of Law, University of Oxford (Michaelmas 2011). (150 words)

Vivianny Galvão holds a PhD in Legal Sciences from the Federal University of Paraíba (UFPB); Professor of International Law and Human Rights at Tiradentes University Center; Full Professor I of the Postgraduate Program in Society, Technologies and Public Policies (Master and Doctorate) (SOTEPP) of the Tiradentes University Center; Member of ILA / Brazil - International Law Association (2020-); Participant in the Center for Studies and Research on International Law and International Relations at the Academy of International Law in The Hague / Netherlands (2016); Member of the Special Committee on Sexual Diversity and Gender of OAB-



AL (2018); Scholar of ILA (International Law Association) at the Kyoto / Japan Conference in 2020. She is author of books and scientific articles on human rights.

Sanzhuan (Sandra) Guo is a Lecturer in Law and Socio Legal Studies at Flinders University, Australia. She is a human rights scholar and an international lawyer with a PhD from Peking University Law School (China), a JD from Melbourne Law School (Australia) and an LLM from Northwestern University School of Law (USA). She has been admitted to practise law in three distinct jurisdictions: China, Australia (Victoria and South Australia) and USA (New York). She has been an accredited immigration law specialist in Australia since October 2016. Her recent publications on citizenship include a book chapter (2018) on advantages and disadvantages of dual citizenship under the research project of The Hague Academy of International Law – Citizenship in International Law, a co-authored book chapter on Stateless Rohingyas in Bangladesh (Routledge, 2018), and a working paper on decentralisation and access to Chinese citizenship with the European University Institute (January 2021)

Uneven Citizenship: Gender Bias, Birth Registration, and Patterns of Political Inclusion in Mexico Imke Harbers.

In modern societies the ability to prove one's legal identity is crucial for claiming nationality, exercising the right to vote, and accessing equal protections under the law. Birth registration constitutes the basis for citizenship rights and is a pre-condition for social inclusion (Hunter, 2018). Globally, about one billion people lack the ability to document their legal identity. Such "undocumented citizens" often face discrimination in the countries of which they are citizens. Women systematically lag behind men with regard to ID coverage, and are thus particularly likely to be excluded from benefits and entitlements, such as inheritance, pensions, and retirement (UNICEF, 2013; Bhatia, Ferreira, Barros, & Victora, 2017). This paper explores how the gender gap in documentation also affects political inclusion.

We use a unique dataset to uncover the relationship between birth registration and political inclusion in Mexico, a federal country. Despite a 1928 law mandating birth registrations and recent policies designed to encourage vital registration, quantitative data from 1985 to 2014 show a significant gender gap in birth registration (Harbers, 2020). Girl-births are more likely to remain unregistered than boy-births, and if girls obtain documents, registration is often substantially delayed. The gender gap persists nationally, but its size varies significantly by state. Similarly, Mexico has made significant efforts to eliminate women's political exclusion, but with varying effects at the subnational level. As part of its transformation from a one-party state into a competitive electoral democracy—a transition that began in the 1980s and concluded only recently—Mexico adopted a 30 percent gender quota law in 1996. The quota law evolved into a gender parity law for the federal and state congresses, adopted in 2014. Between 1996 and 2014, Mexican states implemented gender quota reforms with more or less alacrity. Does resisting reforms designed to promote women's inclusion correspond with under-registering girl births?

This paper leverages a subnational comparative design to examine the relationship between birth registration and political inclusion in Mexico from 1985 to 2014. We combine an original dataset on birth registration with data marking advancements in women's political rights, including the adoption of subnational gender quotas, the election of specific thresholds of women to the state legislatures, and the achievement of gender parity in candidacies. We examine state-level patterns: in cases where the gender gap in birth registries corresponds to lagging benchmarks in political inclusion, is the explanation institutional (e.g., states with less capacity), sociocultural (e.g., states in rural areas), or both? Our paper covers an important period in Mexico's political development, one in which democratic rights were gradually extended to citizens across the territory. We explore how women's incorporation as "documented citizens" corresponds to their exercise of political rights. This relationship matters for understanding the coverage, quality, and symbolic meaning of democracy during Mexico's multi-decade political transition.



Imke Harbers is Associate Professor of Political Science at the University of Amsterdam. She holds a PhD from Leiden University and has been a visiting fellow at the Center for US-Mexican Studies at the University of California, San Diego. Her research focuses on subnational political institutions, state capacity, citizenship and democracy. She is also interested in multi-method research, and specifically in developing new approaches for integrating geo-spatial analysis and qualitative methods. In 2020, she received an ERC Starting Grant for CitizenGap, a project that analyzes the politics of birth registration. She is one of the editors of the journal *Regional and Federal Studies*.

Dominican or not Dominican? Citizens and their Experiences of Legal Identity Measures

Eve Hayes de Kalaf

This talk provides an overview of my new book 'Legal Identity, Race and Belonging in the Dominican Republic: From Citizen to Foreigner' which connects tensions in social policy over the use of social protection mechanisms promoting legal identity measures with disputes over race, national identity and belonging. The book illustrates how, while keen to follow the World Bank's lead in promoting a legal identity for all – not least to continue benefiting from external funding and support – the Dominican Republic balked at pressure to recognise the national status of persons of Haitian ancestry. It used social policy programmes and international donor funding to trace and register the national origins of persons of non-Dominican ancestry. This culminated in the now notorious 2013 Constitutional Tribunal ruling that retroactively stripped tens of thousands of persons of Haitian descent of their Dominican citizenship. Significantly, these measures not only affected undocumented or stateless populations – persons living at the fringes of citizenship – but also had a major impact on documented citizens already in possession of a state-issued birth certificate, national identity card and/or passport as Dominicans. I will share some of the experiences of documented citizens of registrations to illustrate how state architectures can be used to challenge, disrupt and destabilise our understandings of our right to belong as citizens.

Eve Hayes de Kalaf is the organiser of this conference and fellow of the Centre for Latin American and Caribbean Studies, School of Advanced Study, University of London. She has an extensive academic and professional background working in Latin America and the Caribbean. She obtained a distinction in a PGDip in Human Development with the United Nations in 2010 and a Master's degree at the Institute for the Study of the Americas, University of London in 2011. She completed her PhD in Latin American Studies from the University of Aberdeen in 2018 whilst teaching at the School of Social and Political Science, University of Edinburgh. Eve then moved to the School of Law and Social Justice and subsequently the Department of Modern Languages and Cultures, University of Liverpool where she is an Honorary Fellow. She has been an elected member of the Society for Latin American Studies (SLAS) since 2019. Eve's research offers some uncomfortable insights into the use and abuse of modern-day identity-based development 'solutions' that aim to provide all people, everywhere with a legal identity. Importantly, her doctoral research in the Dominican Republic was the first to identify a link between the promulgation of ID practices by international organisations such as the World Bank and the United Nations with arbitrary measures that retroactively stripped hundreds of thousands of native-born (largely) Haitian-descended citizens of their Dominican citizenship.

Wendy Hunter (keynote speaker), Professor of Government at the University of Texas–Austin, studies Comparative Politics, with an emphasis on Latin American affairs. She has done in-depth work on the military in Brazil and the Southern Cone, as well as research on social policy issues in Brazil and Latin America more generally. Professor Hunter currently works on issues concerning identity documentation and citizenship in the developing world. She is the author of *Eroding Military Influence in Brazil: Politicians against Soldiers* (University of North Carolina Press, 1997); *The Transformation of the Workers' Party in Brazil, 1989-2009* (Cambridge University Press 2010); and *Undocumented Nationals: Between Statelessness and Citizenship* (Cambridge University Press Elements Series, 2019). She also co-edited (with Kurt Weyland and



Raúl L. Madrid) *Leftist Governments in Latin America: Successes and Shortcomings* (Cambridge University Press, 2010). Wendy Hunter earned a B.A. at Cornell University and a Ph.D. at the University of California-Berkeley.

Shodona Kettle (conference chair) has worked and travelled throughout the Americas and is an Adjunct Lecturer at the Universidad San Francisco de Quito. Shodona is a PhD student at the Institute of the Americas, University College London researching reparations for people of African descent in Latin America and the Caribbean.

Nation-building, Race and Immigration in the Evolution of Post-Colonial Nationality Regimes in Hispanic-America: The Case of Colombia

Shirley Llain Arenilla

Colombia has a conditional *ius soli* regime for attribution of nationality by birth. This made Colombia atypical because despite having the same colonial heritage and nation-building process of all Hispanic-American countries, it does not follow the principle of unconditional *ius soli*, which is a feature of the region. Currently, Colombia is the major recipient of Venezuelan immigration in the Americas. This situation revealed the exclusionary character of the Colombian nationality regime, giving rise to discussions about the concept of domicile as a requirement for acquisition of nationality and the related risks of statelessness. The aim of this paper is to examine the connection between nation-building, race, and immigration from a historical approach and how these factors determined the evolution of the post-colonial nationality regime of Colombia. This review shows that, in Colombia, the imagined community was tied to the idea of a racially homogenous population, which led Colombian leaders to promote European immigration with the aim of “whitening” the population and “civilizing” the country. The idea that the Nation could only achieve progress and a cohesive national identity through European immigration is reflected in the development of a nationality regime designed to attract and retain European immigrants. By tracing factors that determined how the nationality regime evolved, this paper offers a perspective of how race and international migration in the context of nation-building reconfirm or transform conceptions about nationality.

Shirley Llain Arenilla is a Distance Learning PhD student in the School of Law at the University of Leicester. She holds a master’s degree in International Law from Stetson University College of Law (USA). She received her bachelor’s degree in law from Universidad del Norte (Colombia) where she currently works as an assistant professor of international law. She also opened the Clinic on Migrants, Refugees and Human Trafficking of Universidad del Norte. The clinic is dedicated to strategic litigation in favour of those groups. Her research focuses on the relationship between international migration and nationality from a historical and comparative perspective. She is a member of the Colombian Academy of International Law and the Research Group of Law and Political Science of Universidad del Norte.

Challenges for the Identification of the Citizen during the Social Protection Response to COVID-19s pandemic in Brazil

Claudio Machado, Analúcia Alonso, Letícia Bartholo & Natasha Hornink

The Covid-19 pandemic has affected Brazil severely, with significant impact in the most vulnerable group of population, furthermore this group has a high risk of exposure to contagion by the virus and has suffered a considerable loss of income. The economic activity break has a notable impact on informal workers because they didn’t have access to social protection grants and were not eligible for cash transfer to combat poverty, such as the Bolsa Familia Program. The creation of Emergencial Aid was the main measure implemented to minimize the social and economic effects of the measures taken to control the economic impacts of the pandemic over the vulnerable population.



The Emergencial Aid was structured by using two administrative records. The first is the Cadastro Único Program, the Social registry unified since 2014 use as the main database of the solution. A complimentary record was created for citizens not yet registered at Cadastro Único to enroll themselves by using a mobile app. The eligibility's verification criteria were checked by cross-checking of data with existing national database records. The payment of the financial aid was made exclusively through the banking system. The Cadastro da Pessoa Física (CPF) – national individual number - has become a key element for a quick access to the population data that was not registered in the Cadastro Unico records. This decision was essential for accelerated implementation but shows us the limit of using CPF as a key of individual identity. The CPF is not the official ID number, however, it has in fact fully feeling this function in the public policies. The paper analyses the limits and the possibilities of adoption of the CPF as a unique individual number of identification by social public policies with acknowledgment of the Emergency Aid implementation.

Claudio Machado is an Independent Consultant in Social Identification

Analúcia Alonso is a Social Protection Policy Consultant at the World Bank

Letícia Bartholo is Public Manager of the Federal Government and Researcher in Social Protection Policies

Natasha Hornink is a Research Assistant in Public Policies, University of Coimbra

Bronwen Manby (conference chair) is an independent consultant and visiting senior fellow at the London School of Economics Firoz Lalji Centre for Africa. She previously worked a decade each for the Open Society Foundations and Human Rights Watch, as well as for Lawyers for Human Rights, South Africa. She has written extensively on statelessness and the right to a nationality, including [Citizenship in Africa: The Law of Belonging](#), published in 2018. Recently, she has been writing on questions of identification more broadly, including articles on the implications of the SDG target to provide 'legal identity' in [World Development](#) and the [Statelessness and Citizenship Review](#).

Ainhoa Montoya is Director of the Centre for Latin American and Caribbean Studies (CLACS). She is currently a co-editor of the Bulletin of Latin American Research, the journal of the Society for Latin American Studies, and a co-convenor of the London-based Latin American Anthropology seminar.

Documenting 'In-Transit' in the Dominican Republic

Megan Jeanette Myers & Rosa Iris Diendomi Álvarez

In the years directly following TC 0168—the 2013 decision of the Dominican Constitutional Court to strip the citizenship of Dominicans of Haitian descent born after 1929—two documentaries highlighting the issues surrounding birthright citizenship in the Dominican Republic premiered. These films, *Stateless* (2020) and *Down to the Root* (2017), depict female protagonists affected by the 2013 ruling. This panel puts both *Stateless* and *Down to the Root* in dialogue with contemporary literary representations of Haitian-Dominican relations and considers how they offer points of contact with film, literature, and art depicting the 1937 Haitian Massacre. Panelist Megan Jeanette Myers offers an analysis of the documentaries and also considers how both works explore the intertwined history of Haiti and the Dominican Republic. Panelist Rosa Iris Diendomi Álvarez, the protagonist of *Stateless*, discusses the portrayal of denationalization in the documentary and her own experience with the aftermath of the 2013 ruling.

Megan Jeanette Myers is Associate Professor of Spanish at Iowa State University. Myers is the author of *Mapping Hispaniola: Third Space in Dominican and Haitian Literature* (University of Virginia Press, 2019) and has recently published in journals such as *CARIBE*, *Hispania*, and *Latino Studies*. Myers is a co-founder and organizer of Border of Lights ([borderoflights.org](#)) and in 2021 published an anthology, co-edited with Edward Paulino, titled *The Border of Lights Reader: Bearing Witness to Genocide in the Dominican Republic*.



Rosa Iris Diendomi Álvarez is a human rights attorney and activist in the Dominican Republic. She has campaigned fiercely for the rights of Haitian-descended populations to a Dominican nationality. Her work is featured in the recent award-winning documentary 'Stateless' by the director Michèle Stephenson.

Indigenous and Afro-Mexicans of Guerrero, Mexico: Political Struggles, Similarities and Differences América Nichte-Ha López Chávez

Indigenous peoples established the ideological and political organization bases for Afrodescendants in Latin America, Mexico and Guerrero. Moreover, as subordinate subjects, they share political claims, have a similar, but not identical, socio-economic situation, both are politically excluded, situate on the margins of the Mexican state, and suffer from racism and discrimination. They are part of Mexico's cultural diversity, thus, have been seen as identical. Therefore, it is often believed that their identity, political actions and contestations are and should be the same. But they, as cultures, are not identical, thus, their political advances, how they self recognize and how they are politically organized are different.

This paper highlights the fact that Indigenous and Afro-Mexicans are different cultures, diverse, complex and heterogeneous. However, at some point they do encounter, dialogue, accompany each other, and their identities intertwine. First, it explores how they were incorporated to the Mexican state and how both were negatively racialized but in different ways; second, it mentions the culture specificities of each group and locate their geographical space of settlement, this is important to understand the feeling of belonging or not belonging to the Nation state; thirdly, it analyses their political struggle trajectory (where they have encountered and their identities have intertwined), points out some milestone achievements, limitations, and explores how identity has been a key political tool for them as it has been re imagined, re constructed and re interpreted but it has also been a two-edged sword.

América Nichte-Ha López Chávez is a postdoctoral researcher in the Sociology Department at Cambridge University. She has always been interested in conducting research focused on equality, social justice and social welfare. She dedicated her postgraduate studies to researching the presence, invisibility, emergence, and contributions of African and Afro-descendant populations in Mexico. She is also interested in situating the Afro-Mexican ethno-political mobilization within the broader context of the Afro-Latin American social movements.

As a result, she has been concerned with studying the mechanisms, practices and motives that have kept Indigenous peoples and Afro-descendants in a marginalized position since colonial times, and with understanding how racism and racialized social structures generate structural violence such as poverty and high migration flows. She is currently developing a postdoctoral research that explores racism as the origin of structural violence in the Mexican southeastern state of Guerrero, where indigenous and afrodescendants are impoverished and pushed to migrate as privileges, access to resources and advantages are unfairly distributed.

Mobility as resistance – challenging the legal definition of a refugee through “the migrant caravans” from Central America

Veronica Overlid

Between 2018 and 2019, “migrant caravans” moving from Central America towards the US attracted vast political and media attention. Relatively small compared to the around 400,000 people that yearly attempt to cross the Mexico-US border, the caravans challenged a number of core tensions in international refugee law (IRL), especially regarding the legal definition and identity of a refugee.

Operating mostly as reactive rather than preventative, IRL rarely engages with issues of poverty and instability that lie at the root of most displacement. Militarized borders, inadequate development aid, and US pressure



upon Mexico to deport those moving north leaves people contained in states with fewer resources for providing protection. International organizations mandated to protect displaced people maintain the status quo, forced to balance the needs of target groups with the largely unwelcoming attitude of donors, mostly states from the Global North. The individualist conception of a refugee in IRL, including the migrant-refugee dichotomy, plays an important role in this regard, rendering the social, economic and political context of displacement less visible.

In this paper I examine how framings of the caravans challenged or reinforced individualist conceptions of a refugee as encompassed in relevant international legal instruments. I consider the responses by the United Nations High Commissioner for Refugees and the International Organization for Migration, the two main UN agencies working with people on the move, and ask how they mobilized and engaged with international refugee law's definition of a refugee when addressing this phenomenon, as well as its implications for refugee protection and legal status and identity.

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Birth Registration as Bordering Practice in the Dominico-Haitian Borderlands

Allison Petrozziello

The figure of a pregnant Haitian migrant crossing the border into the Dominican Republic to give birth has been mobilized to militarize maternity wards and justify restricting access to reproductive healthcare. Whether or not she crossed a border is immaterial, as borders can attach themselves to racialized women's bodies as they traverse borderlands (Anzaldúa 1987). When she attempts to register the birth of her Dominican-born child, that border materializes through discriminatory administrative practices she encounters in hospitals and civil registrar offices well within territorial borders. Sub-national sovereigns down to the local registrar are thus engaged in the State's deployment of biopower, ostensibly to craft the citizenry they have the political will to protect. Babies born to racialized feminized 'Others' are cast outside the body politic leading to the intergenerational transmission of statelessness along the matrilineal line (Petrozziello 2019). This research casts an intersectional feminist lens on the ways birth registration continues to be obstructed for Afrodescendants of Haitian ancestry in the DR, despite governmental efforts to regularize migrants and naturalize their descendants. Drawing on recent fieldwork in borderland *batey* communities, the paper centres the lived experiences of parents attempting to sort decades-long documentation issues in order to document the existence of their descendants, access citizenship, and claim rights. Their encounters with State institutions reveal birth registration to be a bordering practice which perpetuates longer histories of bureaucratic sorting of bodies on the basis of gender, race, and ethnicity. For inclusion to be realized, campaigns to promote universal birth registration must address the messy politics preventing the multiply marginalized from proving their identity.

Allison Petrozziello is a feminist migration researcher and human rights advocate who is pursuing a PhD in Global Governance at the Balsillie School of International Affairs, a joint program run by Wilfrid Laurier University and the University of Waterloo (Canada). A specialist in gender, migration, human rights, and development, Ms. Petrozziello has over 15 years of experience in applied research and international development work in Central America and the Caribbean with stakeholders ranging from grassroots NGOs to the United Nations. *Gender on the Move*, a training manual she wrote for UN Women, has been published in four languages and used around the world to shift thinking and action on migration and development from a gender and rights-based perspective. Her academic work has been published in *International Migration*, *Gender & Development*, and *The Statelessness and Citizenship Review*. Ms. Petrozziello is an Ontario Trillium scholar who is affiliated with Laurier's International Migration Research Centre, the International Development Research Centre (doctoral fellow), and the Caribbean Migrants Observatory (OBMICA,



Dominican Republic). She holds a BA in Women's Studies from Smith College and an MA in International Development & Social Change from Clark University.

Manufacturing Foreigners: The Law and Politics of Transforming Citizens into Migrants

This paper considers the law and politics of migration through a unique lens, namely the increasingly prevalent practice of states declaring citizen minority populations within their state to be 'migrants' and rendering them stateless accordingly. Through examining examples of this practice in the National Register of Citizens in the state of Assam in India and the treatment of nationals of Haitian origin in the Dominican Republic, this chapter explores the role of law and, in particular, of courts in making people stateless; the political motivations behind these processes and the political rhetoric engaged; and the consequences of these processes for the nature and value of citizenship. It concludes by outlining two areas of uncertainty in international human rights law that reduce its capacity to constrain state discretion in matters of citizenship.

Jade Roberts (BA/LLB, University of Western Australia; Master in International Law, Graduate Institute of International and Development Studies) is a PhD candidate in the Peter McMullin Centre on Statelessness at the University of Melbourne and a teaching fellow at Melbourne Law School. Her doctoral research explores alternative approaches to statelessness in international law. She has previously worked in research roles with the Office of the High Commissioner for Human Rights, the Internal Displacement Monitoring Centre, and the Global Migration Centre in Geneva. She is co-managing editor of the Statelessness and Citizenship Review.

From Saviour Citizens to Traitors: An Exploration of National Identity and Belonging through Cuban Healthcare Professionals

Olga Lidia Saavedra Montes de Oca

The Cuban health system and its medical achievements have contributed to shaping Cuba's national and global identity. It has given Cuba both national and international reputations, while also shaping the social and political identities of its healthcare practitioners. The nation proudly participates in the national programme and international missions which send healthcare professionals worldwide to countries which lack medical personnel, or need assistance during natural disaster. In line with this, the identities of Cuban healthcare professionals also reflect their political ideologies. So those healthcare workers who '*desert*' their missions or take a critical stand towards Cuba's health system become a threat to nationhood and *must be 'disciplined' in order to save the nation*. It means their rights to belong are contested and often removed.

Focussing on the experiences of Cuban healthcare workers in Cuba, Nicaragua, Venezuela, and Brazil, this paper analyses how national identity and citizenship are conditioned by political and ideological power. And is citizenship awareness changed by the new contexts of social media and also of COVID 19? Why, despite recent changes and transformations in Cuban political, economic and social spheres, health care remains central to Cuban national identity. It gives insights into the ideological conditioning of all aspects of a Cuban's life, and how this affects health practitioners' notions of belonging and of their social rights.

Olga Lidia Saavedra Montes de Oca is an associate researcher at the School of Media, Film and Music, University of Sussex and a current fellow of the Centre for Latin American and Caribbean Studies, School of Advanced Study, University of London. She has a PhD in Creative and Critical Practice, University of Sussex and an MA in Photography and Urban Culture from Goldsmiths, University of London. Her PhD research: "Opening other Closets: A Visual Ethnography of Gender Roles and Social Change among Transgender People and their Families in Cuba," offers an insight into family attitudes towards transgender experience in Cuba. In addition to working on developing this thesis into a monograph, her current research project is entitled 'Accepting the new normal: Cuban families, concealment and queering'. It intends to explore how photography and oral



history can be used as combined methodological tools to queering transgender narratives not only in the backdrop of contemporary Cuba, but also more widely in Latin American studies. For the past four years she has taught undergraduate students in Media Practice in the Department of Media and Communications at the University of Sussex.

Mobile phones for Civil Registration: *Reculer pour mieux sauter*? A review of Ghana's m-birth evaluation, and beyond

Jaap van der Straaten

Mobile phones have been suggested as a possible solution to overcome the accessibility constraints in civil registration in developing countries for, about, the past fifteen years or so, with mobile phone penetration in, e.g., Sub-Saharan Africa increasing from 2/100 in 2000 to 53/100 in 2011 and 87/100 in 2019. Affordability of the device for government use preceded the uptake by the general public still. Civil registration, predominantly of births and deaths, suffers from numerous ills in low-resource settings, but accessibility of the service, or, for the service, accessibility to the population, is a key constraint. Birth registration and death registration (both "vital events") only happen once in a person's lifetime. If Ghana would have civil registration offices that never were more than 5 km away for the users, it would need 3,000 of them, and each of them would register just one birth or death on average per workday. Such offices could neither be made to be adequately functional nor could they be financially sustainable. In well-resourced countries, local government can include civil registration in its work. In developing countries, however, local government is often too weak to conduct the task. This is where the mobile telephone has been thought to offer an escape out of the conundrum. The mobile phone, arguably, could overcome the accessibility constraint and make a rational office network possible in the same swoop. In Ghana the Birth and Deaths Registry introduced the mobile phone with support from UNICEF and mobile phone network operator TIGO (Millicom). The case of Ghana is one among about a dozen similar projects in Bolivia, Burkina Faso, Côte d'Ivoire, Kenya, Liberia, Nigeria, Pakistan, Senegal, Tanzania, Uganda and Vanuatu, and the project is among two only that have been evaluated. Our review of the Ghana assessment shows that Ghana's "m-birth" project conducted from 2013 had, by 2018, led to no improvement of birth registration coverage (which remained at 70%, while in 2013 an increase to 90% by end of 2016 was envisioned). The issuance of birth certificates actually declined. In this paper we also look at Ghana's identity management issues more broadly. And we broaden out this review also to the mobile phone projects elsewhere, the majority of which were carried out with support from UNICEF, mobile network operators and, inter alia, the Canadian government and the European Union. We suggest in this paper that the outcomes in Ghana and beyond should not lead to a dismissal of the potential of mobile gadgets for civil registration. Rather, a thorough meta evaluation study should be commissioned to assess what actually can be learned from these projects and what might be the way to avoid the pitfalls that projects thus far have not navigated successfully.

Jaap van der Straaten has been the CEO of the Civil Registration Centre for Development (CRC4D) from 2010. CRC4D has extended consultancy services to UNICEF, the World Bank, UNECA, Plan International, UNHCR and the European Union. He is the lead author of UNICEF's *A passport to protection, A guide for birth registration programming* (2013). Earlier, while serving as Plan's Head of International Grants Management from 2001 through 2010 he pioneered birth registration advocacy and -programming at Plan from 1997, at first in Asia and from 2001 globally. Jaap holds a Masters in Economics and Development Economics from Rotterdam Erasmus University where he was a student of professor Jan Tinbergen, the first Economics Nobel Prize laureate, and of Jan Pronk, longtime Dutch minister of development cooperation and UN Special Envoy for Darfur, Sudan. Jaap also holds a Masters in Business Administration from the University of Rochester, New York (Honors).



Peter Wade (conference chair) is Professor of Social Anthropology at the University of Manchester. His research interests include issues of race, ethnicity and nation in Latin America, with special reference to Afro-descendant groups and to Colombia.

Expulsion through the Database?: Datafied Citizenship and Biometric Management in Kenya

Keren Weitzberg

As the case of twenty-first century Kenya attests, the biometric database has increasingly become the preeminent means by which citizenship itself is automated and assessed. A recent example is the denial of tens of thousands of Kenyan citizens a national ID due to their inclusion in the government and UNHCR's biometric refugee systems. Recent advancements in biometrics and growing interoperability have enabled the National Registration Bureau of Kenya to run the fingerprints of anyone who applies for a national ID through its refugee database, ensnaring those who blur the line between refugee and citizen in legal liminality. This presentation will discuss the implications of datafied and biometric management on Kenya's fraught political debates about the boundaries of citizenship and belonging. To what extent is digitization, biometrics, and interoperability changing the way in which citizenship itself is understood and fought over?

Keren Weitzberg is Lecturer (Teaching) at UCL History and a Visiting Research Fellow at the UCL Institute of Advanced Studies. Keren received her PhD in History from Stanford University. Her research interests include the confluence of science and technology studies (STS), critical race studies, and migration studies. She examines problematics related to biometrics, mobility, and national inclusion. In 2017 she published the book *We Do Not Have Borders: Greater Somalia and the Predicaments of Belonging in Kenya* with Ohio University Press.

Birth registrations and the right to an identity as conceptualised within international development policy

Cornelius Williams

Children have a right to be registered at birth (Article 7 CRC) and have a legal identity (SDG 16.9). They also have a right to preserve their identity, including name, nationality and family relations (Article 8 CRC). Birth registration by the civil registrar, coupled with the issuance of a birth certificate as proof of legal identity, is key to preventing statelessness. A birth certificate documents the birth of the child and the facts of a child's birth – such as date, place of birth and parents – which in turn determine which nationality rules apply and therefore which nationality the child receives. Yet, globally, the births of 166 million children under-five have never been recorded and 237 million children do not have a birth certificate.

UNICEF co-chairs the UN Legal Identity Agenda which promotes a holistic approach to vital registration, vital statistics and identity management and co-leads with UNHCR the Coalition on Every Child's Right to a Nationality. The paper will review key policy and programme strategies to achieve universal birth registration, close the legal identity gap by 2030 and reduce the risk of statelessness including: policies and laws that promote free and universal birth registration, efforts to eliminate gender discrimination in nationality and civil registration laws; progress in enhancing civil registration through linkages with other systems as contact-points for identifying and registering children; investments in safe and innovative approaches and technologies to facilitate birth registration; and community engagement to demand registration for every child. The paper will focus on UNICEF's Global experience including the impact of Covid-19 and highlight experiences from Latin America and the Caribbean Region.

Cornelius Williams is Associate Director and Global Chief of Child Protection for UNICEF's Programme Division. For over 30 years, Cornelius has managed child protection programmes with UNICEF and Save the Children. He has been involved in advocacy that led to improved protection of children from sexual exploitation and



abuse in humanitarian settings, reduced recruitment and use of children by armed forces and increased access of children to identity documents/birth certificate and social assistance. Cornelius represents UNICEF on the Advisory Boards of the WePROTECT Global Alliance to End Child Sexual Exploitation Online, ID4Africa, CPC Learning Network and Changing the Way We Care. Mr. Williams is a national of Sierra Leone and holds a Masters from the University of East Anglia, UK.

Diasporic Citizenship(s) and Contested Identities in the Anglophone and Francophone Caribbean: From Windrush to the BUMIDOM

Antonia Wimbush

22 June 2018 marked the seventieth anniversary of the arrival of the *Empire Windrush* ship which brought some 500 people from Jamaica to Tilbury Docks, and it was the first national Windrush Day. Yet these celebrations were eclipsed by the so-called 'Windrush scandal', in which people from the Caribbean Commonwealth, who arrived in Britain as 'citizens of the UK and Colonies' after the British Nationality Act 1948 was passed, were forced to prove they had right to remain, or risked being deported to countries they had left decades ago.

This paper examines debates on migration and citizenship, comparing the situation of Caribbean communities currently residing in Britain and in France. Like Britain, France encouraged workers from the Caribbean to migrate to the metropole to plug the labour and rebuild infrastructure which been damaged in World War Two. People migrating from the Francophone Caribbean islands of Guadeloupe and Martinique, were, and remain to this day, French citizens. In March 1946, these colonies were converted into French overseas departments, meaning that citizens in these locations had the same rights as those living in mainland France, including being able to move freely within the extended borders of France's territory. Strictly speaking, people arriving from the Caribbean were not immigrants but French citizens. Engaging with the concept of 'diasporic citizenship', this paper demonstrates how people of Caribbean origin have been continuously attributed a migrant identity in France and in Britain, as they were refused the rights that their citizenship should have granted them.

Antonia Wimbush is a Leverhulme Early Career Fellow in the Department of Modern Languages and Cultures at the University of Liverpool. Her current project analyses cultural responses to post-war migration from the French Caribbean to metropolitan France. Her first monograph, *Autofiction: A Female Francophone Aesthetic of Exile*, will be published by Liverpool University Press in August 2021. She is also co-editor of *Queer(y)ing Bodily Norms in Francophone Culture* (Peter Lang, 2021) and a special issue of *L'Esprit Créateur* (Summer 2020), entitled 'Challenging Normative Spaces and Gazes: The Body in 20th- and 21st-Century Francophone Culture.

The entanglement of biometrics with the COVID-19 response in the Dominican Republic: Who does not get in?

Bridget Wooding

It is a commonplace that the pandemic has exacerbated pre-existing inequalities, especially for groups of "non-recognised citizens" (Gibney 2014) or migrants with an irregular migration status. The last UNDP global *Human Development Report 2020* underlines that the Dominican Republic has descended 21 points on its human development ranking because of increased inequalities. Levels of social inequality in the country increase the vulnerability of certain groups of persons, not only because of uneven income, but also due to differentiated access to basic services, health and social protection. Immigrants and their descendants lose out, especially those who have an irregular migration status or lack documentation to accredit their nationality. This paper looks at those excluded from official aid under the pandemic who do not figure on the Dominican social register. While filling in the gaps left by state relief efforts has occurred, albeit not comprehensively, by



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international humanitarian organisations in association with local NGO, less attention has been given to redressing the differential documentation status which leads to these exclusions failing to reach unworthy (to state eyes) populations. However, the situation is not monolithic and discrepancies occur between central and local government, where community responses contest an authoritarian, anti-migrant discourse. In consequence, I focus on creative strategies on the southern border of the Dominican Republic (derived from a research project carried out there in October 2020) intended to gain inclusion and examine how these have developed in pandemic times, not least in response to the national vaccine campaign underway in 2021.

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