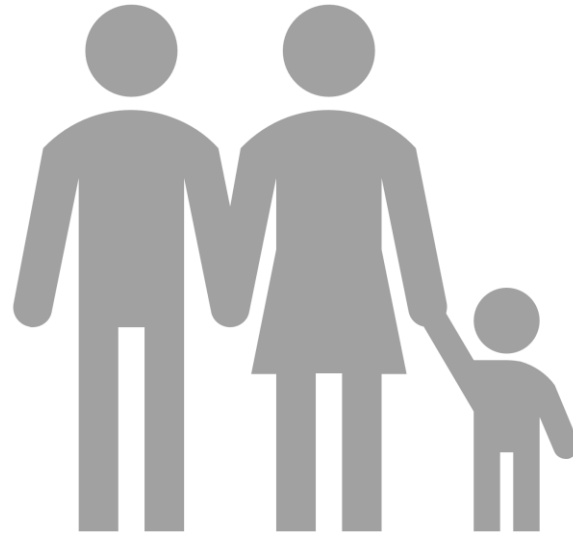


# POPULATION



Marta Statkiewicz

Department of International and European Law

Faculty of Law, Administration and Economics

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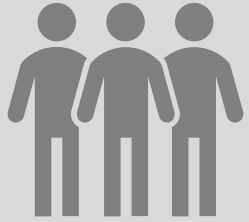
STATEHOOD

# ELEMENTS OF STATEHOOD

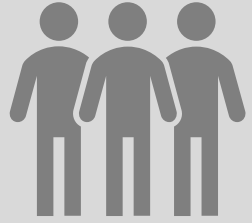
## **Art. 1 of the Montevideo Convention on the Rights and Duties of the States, 1933**

The state as a person of international law should possess the following qualifications:

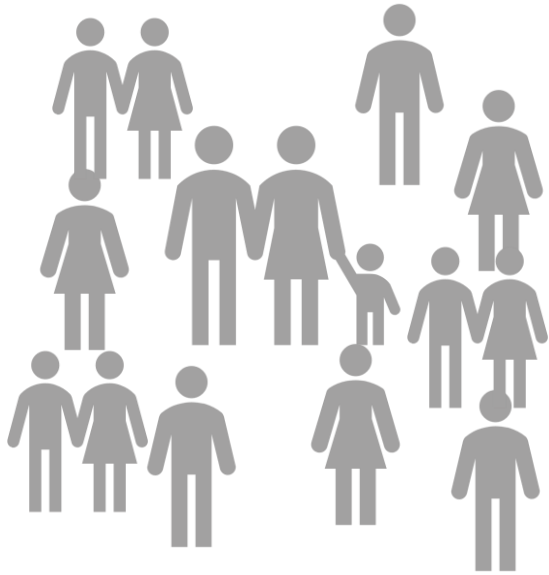
- a) a permanent population;
- b) a defined territory;
- c) government;
- d) capacity to enter into relations with the other states.

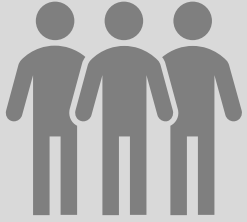


POPULATION



# POPULATION



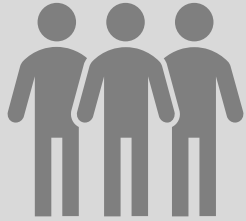


# POPULATION

citizens

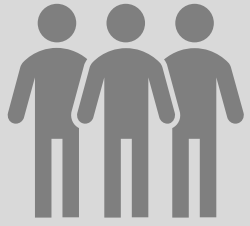
people under  
jurisdiction of  
a State

foreign  
diplomatic  
staff



POPULATION

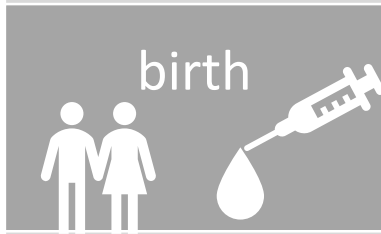
CITIZENSHIP



# POPULATION

## WAY OF ACQUISITION AND LOSS OF CITIZENSHIP

### ACQUISITION



birth

adoption

marriage

reintegration

option

naturalization

repatriation

### LOSS

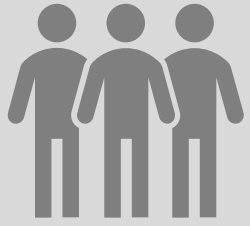
decision

the end of  
the State

fusion of  
States

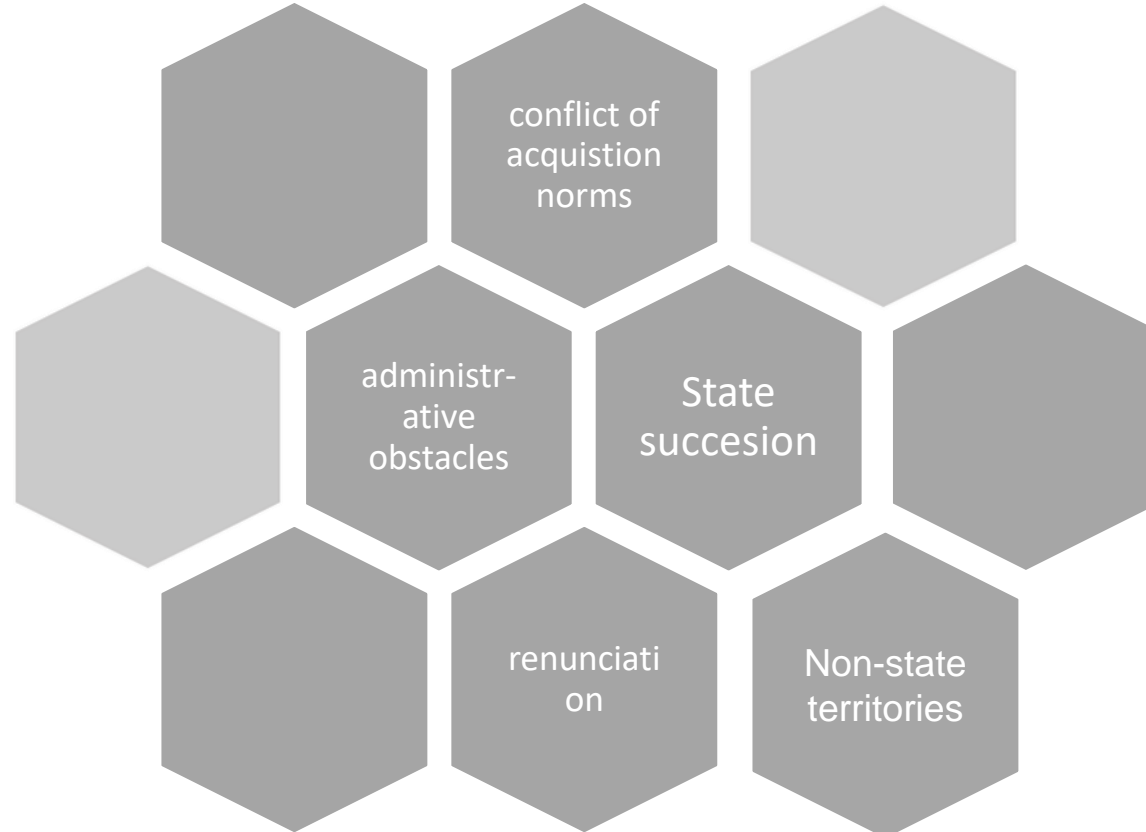
deprivation

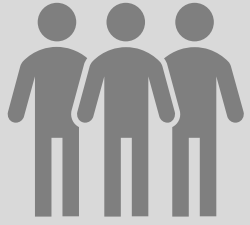




# POPULATION

## STATELESSNESS

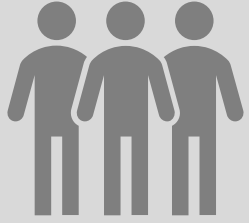




# POPULATION

## European Convention on Nationality 1997

1. nor marriage nor its dissolution between domestic citizen and an alien nor the change of the citizenship by one of the spouses at the time of the marriage, does not have and influence automatically on a citizenship of other spouse
2. domestic provisions concerned the citizenship cannot contain distinguishes or exclusive proceural methods which can be undertstood as a discrimination due to sex, religion, race, skin colour or national or ethnic origin
3. each State should proceed with non-discrimination principles between their citizens no matter the fact that they are citizens by born or they acquired their citizenship later



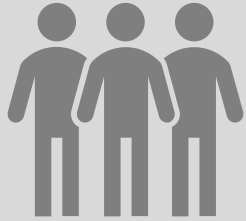
# POPULATION

## CITIZENSHIP

EFFECTIVE  
CITIZENSHIP

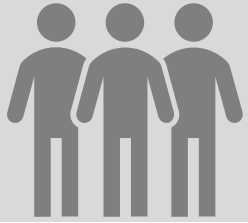
*Nottebohm Case*

CITIZENSHIP OF  
THE EUROPEAN  
UNION



POPULATION

EXTRADITION



# POPULATION

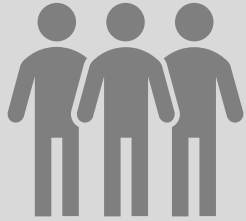
## EXTRADITION

**a lawful method of securing return of an alleged offender to stand trial when he is on the territory other than that of the State seeking to exercise jurisdiction**

bilateral  
agreements

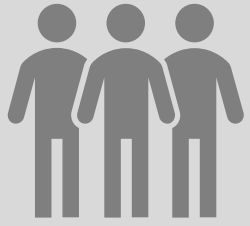
right a State to  
deny  
extradition

European  
Arrest Warrant



POPULATION

ASYLUM

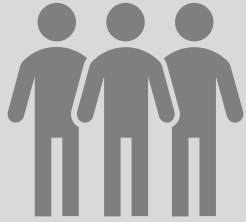


# POPULATION

## ASYLUM

territorial  
(political)

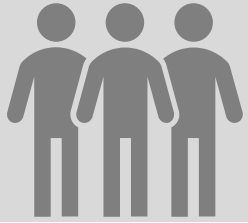
diplomatic



POPULATION

REFUGEE





# POPULATION

## REFUGEE

person who owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

**The Convention Relating to the Status of Refugees, 1951**

**86,562**