

DIASPORA STATUS AND CITIZENSHIP RIGHTS

*A comparative-legal analysis of the
quasi-citizenship schemes of China,
India and Suriname*

Ngo Chun Luk



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ISBN: 9789462404571

 Wolf Legal Publishers (WLP)

P.O. Box 313

5060 AH Oisterwijk

The Netherlands

www.wolfpublishers.com

E-Mail: sales@wolfpublishers.nl

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DISSERTATION

to obtain the degree of Doctor at the Maastricht University,
on the authority of the Rector Magnificus,
Prof. Dr Rianne M. Letschert
in accordance with the decision of the Board of Deans,
to be defended in public
on Thursday 14 December 2017, at 16.00 hours

by

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The research conducted for this dissertation is part of the Transnational Migration, Citizenship and the Circulation of Rights and Responsibilities (TRANSMIC) project, funded by the European Union under the FP7-PEOPLE-2013-ITN call and is part of the Marie Curie Actions — Initial Training Networks funding scheme (Project number – 608417).

Acknowledgements

A wise person once told me that the path towards obtaining a PhD is a long, arduous, and solitary one. I am extremely grateful to the countless persons who have been able to transform this process into an exciting, challenging, and stimulating one, many of whom I am grateful to in various capacities.

First and foremost, I would like to thank my supervisors. The opportunity for me to complete my research within three years in a stimulating environment such as CEPS is something for which I will always be grateful. I would like to express my gratitude to Sergio Carrera, who has always been ready to provide me with the guidance I needed to overcome the many hurdles in my way. I am also extremely grateful for the many opportunities he provided for me to engage with the everyday work at CEPS, while ensuring that I did not become overwhelmed by other activities. I look forward to working, learning, and developing at CEPS. I would further like to thank René de Groot. I first met René when I was studying at the University of Aruba. He was always been there to guide me and foster my academic interests and development, from my time in Aruba and my “detour” in Maastricht to my PhD-path. His wealth of experience and knowledge, and his kindness in sharing them with me has undoubtedly contributed to my successful arrival at the destination of my doctoral research, as well as to my academic and personal development. I am extremely privileged to have met such a wonderful person, and I hope to be able to continue learning from him.

I would also like to thank the members of my assessment committee, Bruno de Witte, Rainer Bauböck, Patrick Wautelet, and Maarten Vink, for agreeing to read my manuscript and to provide insightful comments, as well as for their insightful feedback at other academic conferences at which I have had the privilege to receive their comments.

I have also benefitted greatly from the many conferences, workshops, and seminars at which I have been able to receive valuable feedback. I would like to thank my fellow “TRANSMICers” and the various senior academics in the TRANSMIC project, who have helped me from the early stages of my research up to its completion. My gratitude further extends to, among others, David de Groot and Guayasén Marrero Gonzalez, for the valuable discussions we have had, both informally and at academic events. I am also grateful to everyone who have assisted me in my various research visits and secondment.

There are many wonderful colleagues and friends who have helped me along my journey as well, all of whom I would like to thank. I would like to thank all my colleagues at CEPS, in particular Marco Stefan, Raluca Radescu, and Lina Vosyliute, who have ensured that my PhD-life has constantly remained interesting. I am extremely grateful to Leonhard den Hertog, as a fellow TRANSMICer and CEPS colleague. My sincerest thanks go to the various flatmates I have had the privilege of meeting during my stay in Brussels, for ensuring that my PhD life was not “all work and no play”. Special thanks go to Silke Froyen, who further graciously proofread the Dutch summary.

ACKNOWLEDGEMENTS

I would also like to thank my two paranymphs for graciously accepting this responsibility. To Pauline Melin, who has helped me not only as a paranymph, but also as a fellow TRANSMICer with her valuable feedback. And to Sophia de Groot, both for helping me as a paranymph and for designing the wonderful book cover.

Last, but certainly not least, my sincerest gratitude goes to my family. To my brother Shun, and his partner Jess, for being there for me whenever I went up “north”. And to my parents, without whom none of this would have been possible.

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LIST OF ABBREVIATIONS

ABTC	APEC Business Travel Card
ACHPR	African Charter on Human and Peoples' Rights
ACHR	American Convention on Human Rights
ACIT	Access to citizenship and its impact on immigrant integration project
anor./a.o.	and another/ others
APEC	Asia-Pacific Economic Cooperation
Art.	Article
BDTC	British Dependant Territories Citizenship
BIICL	British Institute of International and Comparative Law
BIT(s)	Bilateral Investment Treaty/Treaties
BNO	British National (Overseas)
BOTC	British Overseas Territories citizenship
CARICOM	Caribbean Community
CCJ	Caribbean Court of Justice
CESCR	Committee on Economic, Social and Cultural Rights
cf.	<i>confer</i> (compare)
CITLAW	Citizenship Law Indicators
CJ	Chief Justice
CSME	CARICOM Single Market and Economy
e.g.	<i>exempli gratia</i> (for example)
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ed./eds.	editor(s)
ESC	European Social Charter
et al.	<i>et alii</i> (and others)
EU	European Union
EUDO (Citizenship)	European Union Democracy Observatory (on Citizenship)
FAO	Food and Agriculture Organization of the United Nations
FEMA	(India:) Foreign Management Exchange Act, 1999
FRRO	Foreigners Regional Registration Officer(s)

LIST OF ABBREVIATIONS

HKSAR	Hong Kong Special Administrative Region
i.e.	<i>id est</i> (that is)
ibid.	<i>ibidem</i> (in the same place)
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICJ	International Court of Justice
ICRMW	International Convention on the Protection of the Rights of All Migration Workers and Members of their Families
ILC	International Law Commission
ILO	International Labour Organization
IOM	International Organization for Migration
MEA	(Indian) Ministry of External Affairs
MHA	(Indian) Ministry of Home Affairs
MLA	Member(s) of the Legislative Assembly
MOIA	(Indian) Ministry of Overseas Indian Affairs
MPI	Migration Policy Institute
MSAR	Macau Special Administrative Region
n.n.	<i>nomen nescio</i> ("I do not know the name")
No.	issue (for references to journals) / number
NPCSC	Standing Committee of the National People's Congress
NRI	Non-Resident Indian
OCI	Overseas Citizenship of India
OCIC	Overseas Citizen of India Card(holder)
OECD	Organisation for Economic Co-operation and Development
op. cit.	<i>opere citato</i> (in the work cited)
p./pp.	page(s)
para./paras.	paragraph(s)
PIO	Person of Indian Origin
PRC	People's Republic of China
PSA	<i>persoon/personen van Surinaamse afkomst</i> (person(s) of Surinamese origin)
PSB	Public Security Bureau (of the PRC)
RMB	renminbi
RWN	(Netherlands) <i>Rijkswet op het Nederlanderschap</i>

s./ss.	section(s)
SAARC	South Asian Association for Regional Cooperation
TFEU	Treaty on the Functioning of the European Union
TK	(Netherlands) <i>Tweede Kamer (der Staten-Generaal)</i>
TOS	<i>Toescheidingsovereenkomst inzake nationaliteiten tussen het Koninkrijk der Nederlanden en de Republiek Suriname</i>
UAE	United Arab Emirates
UDHR	Universal Declaration on Human Rights
UK	United Kingdom (of Great Britain and Northern Ireland)
UN	United Nations
UN DESA	United Nations Department of Economic and Social Affairs
US\$	United States dollar
US/USA	United States (of America)
USSR	Union of Soviet Socialist Republics (Soviet Union)
VCCR	Vienna Convention on Consular Relations
Vol.	volume
WNI	(Netherlands): <i>Wet op het Nederlanderschap en het ingezetenschap</i>
WSI	(Suriname:) <i>Wet op het Surinamerschap en het ingezetenschap</i>

LIST OF LATIN EXPRESSIONS

<i>a priori</i>	Beforehand (literally: from the former)
<i>ad hoc</i>	Created for a particular purpose (literally: for this)
<i>conditio sine qua non</i>	Literally: condition without which [cause] not
<i>de facto</i>	in fact
<i>dies ad quem</i>	Literally: day it is to be
<i>ex lege</i>	by operation of law
<i>ex post</i>	after the event
<i>in absentia</i>	while not present/while absent
<i>inter alia</i>	among other things
<i>ius cogens</i>	Peremptory norm (literally: compelling law)
<i>ius/iure sanguinis</i>	Literally: (by) law of the blood <i>Refers to the acquisition of the nationality at birth from one's parents</i>
<i>ius/iure sanguinis a patre</i>	<i>Refers to the acquisition of the nationality at birth from one's father</i>
<i>ius/iure soli</i>	Literally: (by) law of the soil <i>Refers to the acquisition of the nationality at birth from one's country of birth</i>
<i>ne bis in idem</i>	Double jeopardy (literally: not twice for the same)
<i>opinio iuris</i>	from <i>opinio iuris sive necessitates</i> (literally: opinion of law but of necessity)
<i>prima facie</i>	At first sight (literally: at the first appearance)
<i>sic</i>	thus (in full: <i>sic erat scriptum</i> , "thus was it written")
<i>tertium comparationis</i>	Literally: the third [part] of the comparison

Chapter 1. Introduction

"We have amidst us today entrepreneurs, scientists, economists, scholars, writers, social workers, public figures and national leaders. The Indian diaspora has made a distinctive impact on everyone [*sic*] of the countries in which they live by virtue of their loyalty, dedication, hard work and success. Each one of you who has maintained and at the same time is maintaining your commitment to Bharatiyata or Indianness has done India proud. Every one of you here is an achiever in your own right and as you succeed, India succeeds with you."¹

Yashwant Sinha, Minister for External Affairs of India

The preceding quote from the former Indian Minister of External Affairs, Mr Yashwant Sinha, during the Inaugural Address of the first *Pravasi Bharatiya Divas* in 2003 indicates the importance of the Indian Diaspora vis-à-vis the Indian State. Diaspora or emigrant population is a substantial phenomenon. According to the Migration Policy Institute (based on data from the United Nations), the international migration population has tripled in the last five decades, from around 77 million persons in 1960 to around 230 million persons in 2013.² In the European Union alone, there are an estimated 33.5 million foreign-born persons residing in the EU in 2013.³ This substantial foreign-born population in the world is only part of the larger Diaspora, if one considers subsequent (e.g., second) generations of emigrant offspring, i.e., those persons born in the country of residence from migrant parents.

In their countries of residence, these Diasporas retain a certain level of uncertainty insofar as they have not obtained the nationality of this "host State". This uncertainty may consist of a level of "incomplete integration", lack of full access to the labour market, fear of expulsion (including withdrawal or non-renewal of residence titles) and fear of being unable to return after leaving the country of residence.

Full integration, in the form of naturalisation, may lead to the rupture of the nationality link with the migrants' "countries of origin". This is due to two factors. First, some States (still) require aspiring *naturalisandi* to renounce their foreign nationalities. Second, some States, contrary to the global trends, still attach the loss

¹ Y. Sinha (2003), 'Address at the Inaugural Session', *Pravasi Bharatiya Divas 2003*, New Delhi, 9 January 2003 (<http://indiandiaspora.nic.in/ch2.pdf>).

² See MPI (2013), 'International Migrants by Country of Destination, 1960-2013', *Migration Policy Institute* (www.migrationpolicy.org/programs/data-hub/charts/international-migrants-country-destination-1960-2013). It should be noted that the term 'international migrants' used here is defined by the MPI and the UN Population Division as "foreign born, i.e. people born outside of the country of current residence", or where this data is not collected by the national statistical offices, as non-citizens. See *Ibid.*; see also UN Population Division (2015), 'Trends in International Migrant Stock: Migrants by Destination and Origin', POP/DB/MIG/Stock/Rev.2015, United Nations Department of Economic and Social Affairs, New York City, December.

³ See Eurostat (2017), 'Migration and migrant population statistics', *Statistics Explained* (http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics).

of their nationality to the voluntary acquisition of any other nationalities. These two factors, either separately or in combination, place migrants in a difficult situation. They may forego the process of naturalisation, which entails the “acceptance” of the risks associated with incomplete integration; alternatively, they may proceed with obtaining the nationality of their countries of residence, resulting in the loss (or renunciation) of their former nationality. Second-generation migrants may also face this situation, when they lose or do not obtain the nationality of their parents’ countries “of origin”.

This loss of the nationality of this “State of origin” leads to a surprising legal conclusion: these first (and second) generation migrants will thenceforth be considered as *foreign nationals* in their “own” country! The effects of the loss of their “original” nationality and (subsequent) treatment as foreign nationals can have far-reaching consequences. Being foreign nationals, these migrants would fall under the regular migration law regime, requiring them to obtain visas and permits to enter, reside, and work in their “country of origin”. Furthermore, some countries prohibit the ownership of (real) property by foreign nationals.⁴ Losing their “original” nationality may therefore result in the loss of any property that they may hold.

It is not difficult to imagine that the loss of these rights by these migrants in their “countries of origin” may have consequences for their decision as to whether or not to return, either temporarily or permanently, to their “own” country. If returning migrants do not have the rights and benefits necessary to achieve their goals for returning, one can seriously question whether they would choose to do so. This would be detrimental not only to the migrants themselves, but also to these countries of “origin”, especially given the global trend whereby states endeavour to retain ties with their diaspora.⁵ States may have many reasons to engage with their diaspora. Remittances play an ever-increasing role in this decision.⁶ For many

⁴ See *inter alia* S. Hodgson, C. Cullinan and K. Campbell (1999), ‘Land Ownership and Foreigners: A Comparative Analysis of Regulatory Approaches to the Acquisition and Use of Land by Foreigners’, FAO Legal Papers Online #6, Food and Agricultural Organization of the United Nations, Rome, December.

⁵ See *inter alia* F. Bovenkerk (1974), *The Sociology of Return Migration: A Bibliographic Essay*, The Hague; Martinus Nijhoff; J.-P. Cassarino (2004), ‘Theorising Return Migration: The Conceptual Approach to Return Migrants Revisited’, *International Journal on Multicultural Societies*, Vol. 6, No. 2, pp. 253–279; J.-C. Dumont and G. Spielvogel (2008), ‘Return Migration: A New Perspective’, in, *International Migration Outlook 2008*, Paris: Organisation for Economic Co-operation and Development, pp. 161–222; J. Gibson and D. McKenzie (2011), ‘The Microeconomic Determinants of Emigration and Return Migration of the Best and Brightest: Evidence from the Pacific’, *Journal of Development Economics*, Vol. 95, No. 1, pp. 18–29; G. Gmelch (1980), ‘Return Migration’, *Annual Reviews of Anthropology*, Vol. 9, pp. 135–159; M. Ip (2006), ‘Returnees and Transnationals: Evolving Identities of Chinese (PRC) Immigrants in New Zealand’, *人口學刊*, No. 33, pp. 62–102; K. Jonkers (2008), ‘A Comparative Study of Return Migration Policies Targeting the Highly Skilled in Four Major Sending Countries’, Migration de Retour au Maghreb Analytical Report MIREM-AR 2008/05, European University Institute, Florence; A. Wiesbrock (2008), ‘Return Migration as a Tool for Economic Development in China and India’, International Migration and Diaspora Studies Project (IMDS) Working Paper Series No. 3, Jawaharlal Nehru University, New Delhi.

⁶ See *inter alia* S. Castles, H. de Haas and M.J. Miller (eds.) (2014), *The Age of Migration: International Population Movements in the Modern World*, Basingstoke: Palgrave Macmillan, pp. 143–144; A.

developing countries, this source of capital inflow may represent a substantial sum,⁷ and the loss of ties with these migrants may have disastrous economic and other consequences. States may also want to benefit from the human capital at their disposal in their Diasporic populations.⁸

Many “sending” States that recognise the importance of their diaspora have turned towards alternative means of encouraging return, even if they cannot yet fully accept dual nationality. This may range from economic incentives for returning migrants – particularly for highly skilled migrant and investors – to facilitated access to residence permits and citizenship, from retention of social security rights to less cumbersome tools to remit.⁹ One particular tool employed by a growing number of sending countries is creating a privileged legal status for diaspora. This intermediate status accords its holder with more rights than a non-citizen resident may have, while still not going as far as offering them the option of (dual) nationality. It is these “privileged” statuses for the Diaspora that forms the focus of this publication.

1.1. Remarks on the use of the term “quasi-citizenship”

At this juncture, it is important to find a suitable term for these privileged diaspora statuses. From the outset, the link to full nationality/citizenship is immediately noticeable in some of these statuses. For example, the Indian scheme for the Indian Diaspora is officially called the “Overseas Citizen of India Card” scheme.¹⁰ This link to full nationality/citizenship will need to be adequately reflected in whichever term is

Chander (2006), ‘Homeward Bound’, *New York University Law Review*, Vol. 81, No. 1, pp. 60–89; A. Gamlen (2006), ‘Diaspora Engagement Policies: What are they, and what kinds of states use them?’, COMPAS Working Paper No. 32, Centre on Migration, Policy and Society, Oxford, pp. 14–17; A. Gamlen (2008), ‘Why Engage Diaspora?’, COMPAS Working Paper No. 63, Centre on Migration, Policy and Society, Oxford; B. Khadria (2009), ‘Adversary Analysis and the Quest for Global Development. Optimizing the Dynamic Conflict of Interest in Transnational Migration’, *Social Analysis*, Vol. 53, No. 3, pp. 106–122.

⁷ Cf. K. Barry (2006), ‘Home and Away: The Construction of Citizenship in an Emigration Context’, *New York University Law Review*, Vol. 81, No. 1, pp. 28–31; C. Încalțărău, S.-Ș. Maha and L.-G. Maha (2011), ‘A Broader Look on Migration: A Two-Way Interaction between Development and Migration in the Country of Origin’, *Review of Economic & Business Studies*, Vol. 4, No. 2, pp. 288–289; P. Martin (2007), ‘Migration and Development: Toward Sustainable Solutions’, *Willamette Journal of International Law and Dispute Resolution*, Vol. 15, No. 2, pp. 199–206; H. Rapoport and F. Docquier (2005), ‘The Economics of Migrants’ Remittances’, IZA Discussion Paper No. 1531, Institute for the Study of Labor (IZA), Bonn, pp. 5–6; J.E. Taylor (1999), ‘The New Economics of Labour Migration and the Role of Remittances in the Migration Process’, *International Migration*, Vol. 37, No. 1, pp. 67–71.

⁸ Cf. Chander (2006), ‘Homeward Bound’, op. cit., p. 75; Wiesbrock (2008), ‘Return Migration as a Tool for Economic Development in China and India’, op. cit.

⁹ See for example Chander (2006), ‘Homeward Bound’, op. cit.; Jonkers (2008), ‘A Comparative Study of Return Migration Policies Targeting the Highly Skilled in Four Major Sending Countries’, op. cit.; K. Lum (2012), ‘India’s Engagement with its Diaspora in Comparative Perspective with China’, CARIM-India Analytical and Synthetic Note 2012/01, Migration Policy Centre, Florence; Wiesbrock (2008), ‘Return Migration as a Tool for Economic Development in China and India’, op. cit.

¹⁰ L.R. Fischer and R. Shah (2015), ‘The Right to Belong: An Overview of Historical and Recent Developments in Indian Citizenship Laws’, *Journal of Immigration, Asylum and Nationality Law*, Vol. 29, No. 3, pp. 256–272.

employed as the “overarching” term.

One could potentially look towards well-established concepts in the migration and citizenship literature. An often-cited term denoting a status granted to foreign nationals which grants them rights that do not completely equate with full nationality/citizenship is the term “denizenship”. In the migration literature, the first usage of this term is attributed to Tomas Hammar’s writing in 1989,¹¹ referring to the status of “long-term residents with many of the rights of citizenship, but not the right to vote”.¹² “Denizenship” as a concept is unsuitable to cover the schemes examined in this publication, however, and this is so for a number of reasons. First, “denizenship”, as defined above, begins from the perspective of the State of residence of the “denizen”. This contrasts with the schemes that are to be examined, which start from the perspective of the State “of origin”. Related to this, “denizenship” as defined, is inextricably linked to permanent residence or settlement in the country of residence. Essential for the schemes examined in this publication, however, is often the lack of residence in the State(s) concerned. Third, the status of “denizen” is almost exclusively determined by residence. On the other hand, the titles granted to the Diaspora under review in this publication are – as will be demonstrated – generally determined by factors of “diasporicness” or “origin”.

A more suitable term has been coined by *inter alia* Groenendijk. In a study examining the statuses of long-term migrants in Europe, Groenendijk identified a category of persons who

“[...] are granted a status that is almost similar but not completely identical to citizenship. The alien residents are granted the same rights as the citizens of the host state in almost all fields of social life. Only a few rights are exclusively reserved for citizens.”¹³

Owing to the resemblance to citizenship, Groenendijk called these statuses “quasi-citizenship”.¹⁴ This term seems more appropriate. First, the connotation of approximation to full nationality/citizenship covers the purported aim of many of the statuses examined in this publication. Furthermore, the link between “quasi-citizenship” and full nationality/citizenship also indicates the optimal method for the

¹¹ See references to T. Hammar (1989), ‘State, Nation, and Dual Citizenship’, in: W.R. Brubaker (ed.), *Immigration and the Politics of Citizenship in Europe and North America*, Lanham: University Press of America, pp. 83–84 in *inter alia* M. Benton (2010), ‘A Theory of Denizenship’, Thesis submitted for the degree of PhD in Political Science at the Department for Political Science, London, p. 13 (<http://discovery.ucl.ac.uk/624490/1/624490.pdf>); C.A. Groenendijk (1996), ‘The Legal Status of Long-Term Migrants in Europe’, European Committee on Migration (CoE) Paper CDMG (96) 27, Council of Europe, Strasbourg, September, p. 9; C.A. Groenendijk (2006), ‘The status of quasi-citizenship in EU member states: Why some states have “almost-citizens”’, in: R. Bauböck et al. (eds.), *Acquisition and Loss of Nationality. Policies and Trends in 15 European States. Volume 1: Comparative Analyses*, Amsterdam: Amsterdam University Press, pp. 385–386; A. Kraler (2006), ‘The legal status of immigrants and their access to nationality’, in: R. Bauböck (ed.), *Migration and Citizenship: Legal Status, Rights and Political Participation*, Amsterdam: Amsterdam University Press, p. 33.

¹² Benton (2010), ‘A Theory of Denizenship’, op. cit., pp. 13–14.

¹³ Groenendijk (1996), ‘The Legal Status of Long-Term Migrants in Europe’, op. cit., p. 8.

¹⁴ Ibid.

analysis and comparison of quasi-citizenship schemes, namely in terms of (the presence or absence of) citizenship rights.

This publication will therefore borrow the term "quasi-citizenship", with one caveat. As briefly indicated above, the statuses under examination in this research concern the granting of special statuses to Diasporas. This connection to a non-resident "population" is more restrictive than the coverage of "quasi-citizenship" as was coined by Groenendijk.¹⁵ For the purposes of this publication, "quasi-citizenship" will therefore exclusively refer to *external* forms of quasi-citizenship, i.e., forms of quasi-citizenship where the target group is resident *outside* of the State of issuance.

1.2. Research question, scope, method(ology) and limitations

This publication will examine and compare a number of quasi-citizenship statuses. The aim is to examine the relationship between quasi-citizenship and full nationality/citizenship. Other concepts related to these analyses are dual nationality (as many of these quasi-citizenship statuses are created in a context in which dual nationality is not possible) and return migration/mobility/circularity (given that these quasi-citizenship statuses aim to maintain a link with the Diaspora, possibly with a view to unlocking the potential financial and human capital benefits).

At this point, it is important to consider which quasi-citizenship statuses to examine. This choice is determined by several factors, including the number of existing statuses falling within the scope of "quasi-citizenship", the size and importance of the Diaspora for the States/countries chosen, and other considerations related to comparability. This publication will focus on three countries, namely China, India, and Suriname.

As one of the first countries to introduce a "diaspora" status in 1999, India is an appropriate first choice. Examining the developments of the quasi-citizenship status(es) of India¹⁶ will provide valuable insight into the considerations which may be(come) relevant for States intending to introduce a comparable scheme. Furthermore, India has one of the largest Diasporas in the world, with around 17.8 million persons of "Indian origin" currently located throughout the world.¹⁷

In terms of comparability, an interesting comparison is to examine a recently introduced "quasi-citizenship" status. For this reason, Suriname's quasi-citizenship scheme is appropriate.¹⁸ Furthermore, the Surinamese Diaspora, though restrictive in absolute terms, is equal to half of the Surinamese resident population. Furthermore, the Surinamese Diaspora is almost exclusively concentrated in one

¹⁵ One of the examples of quasi-citizenship used by Groenendijk that covers persons *residing* in the country of 'quasi-citizenship' is the status of Moluccans in the Netherlands; see *ibid*.

¹⁶ These statuses are the Person of Indian Origin (PIO) Card scheme (1999) and the Overseas Citizenship of India (OCI) scheme (2003/2005), both of which were merged into the Overseas Citizen of India Cardholder (OCIC) scheme in 2015.

¹⁷ MEA Overseas Indian Affairs Division (2016), 'Population of Overseas Indians', *Official Website of the Ministry of External Affairs* (http://mea.gov.in/images/attach/NRIs-and-PIOs_1.pdf).

¹⁸ The Surinamese quasi-citizenship scheme (the *persoon van Surinaamse afkomst* [Person of Surinamese Origin] or PSA) was introduced in 2014.

“host State”, namely the Netherlands. This dynamic may prove interesting when compared to the Indian (and Chinese) quasi-citizenship scheme.

The final choice, namely China, is partly based on the size of its Diaspora and its importance as a global economic power. More interestingly, however, is the nature of the Chinese scheme examined in this publication. From a quick glance at the Chinese “Green Card” scheme, one would not consider this as a status targeting the Diaspora. As will be shown in the forthcoming analysis, however, the Chinese Green Card has become a *de facto* status for overseas Chinese. This repurposing of the Chinese Green Card as a *de facto* quasi-citizenship presents an interesting comparison.

The main research question of this publication is the following: which of the quasi-citizenship schemes of China, India, and Suriname best approximates full (or dual) nationality as concerns the rights and duties for individuals? This thesis will therefore describe the different forms of quasi-citizenship, in order to explore to what extent these schemes, in sending countries, have created a legal framework with rights that best approximate the rights granted by full nationality/citizenship. The underlying context, as highlighted in the introduction, is the removal of legal-institutional barriers to return migration, particularly where dual nationality/citizenship cannot be achieved. The focus will be on three quasi-citizenship schemes, namely the Chinese “Green Card” scheme, the “Overseas Citizenship of India” scheme, and the Surinamese “Person of Surinamese Origin” scheme.

The principal method chosen for approaching this main research question is a *comparative legal method*.¹⁹ For this comparative legal analysis, two aspects need to be clarified, namely the *legal systems* to be compared, as well as the objects of comparison (i.e., *tertium comparationis*). In respect of the legal systems to be compared, the examination will exclusively focus on the highest national/municipal legal system within China, India, and Suriname. The exclusive focus on the national level of China, India, and Suriname’s legal systems can be justified as follows. First, one can easily note that the principal legislative document forming the legal bases for the quasi-citizenship schemes of China, India, and Suriname, have been adopted by national legislative or executive authorities. This also entails that, minor differences in its implementation notwithstanding, the general rules concerning the acquisition and loss of the quasi-citizenship statuses, as well as the substance of these statuses – i.e., rights, benefits and duties – are determined at the national level of the States’ legal systems.

The objects of comparison in the comparative legal analyses chosen are “citizenship

¹⁹ There are numerous recent publications about what this comparative *legal method* actually entails. The comparative legal research in this publication is primarily premised on the *functional* method of comparative legal research (see G. Samuel (2014), *An Introduction to Comparative Law Theory and Method*, Oxford: Hart Publishing, in particular Chapter 4), in that the comparison consists of an examination of how the legal systems of China, India and Suriname (to the extent these can be considered as legal systems) resolve the problem of a lack of citizenship rights by members of its Diaspora due to the lack of the nationality of the respective States.

Diasporas who have not obtained the nationality of their State of residence retain a certain level of uncertainty. On the other hand, naturalisation may lead to the loss of the nationality of their "countries of origin". Do they forego naturalisation, thereby "accepting" the risks associated with incomplete integration? Or do they naturalise and thereby lose (or renounce) their former nationality? Second-generation migrants may also face this situation, where they lose or do not obtain the nationality of their parents' countries "of origin". If they lose the nationality of their "State of origin", they will be considered as foreign nationals in their "own" country.

Many "sending" States that recognise the importance of their Diaspora have turned towards alternative means of retaining a bond with their Diaspora, even if they cannot yet fully accept dual nationality. One particular tool employed by a growing number of sending countries is to create a privileged legal status for their Diaspora. This intermediate status grants them more rights than a non-citizen resident may have, while still not going as far as offering them the option of (dual) nationality. It is these "privileged" statuses for the Diaspora that forms the focus of this publication.

The research in this publication examines three existing forms of external quasi-citizenship schemes, namely the Chinese "Green Card" scheme, the Indian "Overseas Citizen of India Cardholder" scheme, and the Surinamese "Person of Surinamese Origin" scheme. The research question, namely "which of the quasi-citizenship schemes of China, India, and Suriname best approximate full or dual nationality as concerns the rights and duties of individuals", is approached from a comparative legal method. By employing an analytical framework, based on the selection and examination of a number of "citizenship rights and duties", this publication examines the extent to which these forms of external quasi-citizenship schemes approximate the rights and duties of the Diaspora in comparison to full nationality.