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4.13 Statelessness in the asylum context

Stateless persons and beneficiaries of international protection are two distinct categories in international law, but a person can be both a beneficiary of international protection and stateless. In the context of asylum, statelessness may affect the determination process for an application for international protection and the procedural safeguards. A number of EU+ countries took steps toward addressing statelessness in 2020, including acceding to relevant international legal instruments, establishing dedicated statelessness determination procedures, providing access to citizenship at birth, facilitating access to naturalisation, speeding up the statelessness determination process and updating guidance on processing applications by stateless persons.

Nevertheless, challenges faced by stateless persons in different stages of the asylum procedure seemed to persist, including a lack of awareness of issues related to statelessness in the asylum procedure, the absence of statelessness determination processes in some EU+ countries and the increased risk of arbitrary, immigration-related detention of stateless persons.

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