Please cite as: EUAA, '4.13.4. Improving the situation of stateless persons' in *Asylum Report 2023*, Maggio 2023.

4.13.4. Improving the situation of stateless persons

4.13.4. Improving the situation of stateless persons

icon presenting improving the situation of stateless persons

In 2022, the ENS continued to organise the Stateless Journeys Campaign, an initiative which has developed different tools to support people working with stateless persons, such as guidelines to encourage frontline practitioners to “recognise, record, refer and read up”. Guidelines are currently available on several topics, including children’s right to a nationality, asylum registration and screening, detention and return, family reunification and integration.1046

In Belgium, the NGO NANSEN produced several reports to inform stateless persons and their legal representatives. The reports are available in French on their website and cover topics such as: the treatment of Palestinians in Gaza and the need to grant them international protection, 1047 the right to Belgian nationality for children of Palestinian origin,1048 statelessness among members of the Bidoun community in Kuwait and their need for protection,1049 and how to prevent the children of Ukrainian refugees in Belgium from becoming stateless.1050

In Bulgaria, the Foundation for Access to Rights organised an online webinar entitled “Palestinian Refugees Seeking Protection in Bulgaria: Practical issues and recent case law” in September 2022. The organisation also produced a report on practical problems in the international protection system in Bulgaria and the application of Article 1(D) of the 1951 Convention.1051

In the Netherlands, Asylos implemented a project to address information gaps for stateless persons. The organisation also worked on the production of a COI report on the situation of stateless Palestinians in Lebanon and a principles document for conducting COI research on statelessness.1052

In France, OFPRA updated the welcome booklet in November 2022 aimed at newly-recognised stateless persons.1053 In Malta, the aditus foundation published a document with a number of proposals in view of the upcoming 2022 national elections. These included recommendations for a new stateless determination procedure.1054

In March 2022, the UN Committee on Economic, Social and Cultural Rights issued concluding observations on the third periodic report on Czechia. The committee expressed its concern that,

under the Aliens Act, the scope of the statelessness determination procedure is limited and it does not provide sufficient legal security for stateless persons. It was also concerned that such persons face difficulties in obtaining permanent residence, and under the Citizenship Act, children who would otherwise be stateless would only acquire nationality if both parents are stateless and at least one of them has a residence permit (Article 2(2)).1055 Following up on the committee's recommendations, relevant legislative amendments were prepared to the Aliens Act, which are expected to come into force in the second half of 2023.

In May 2022, the UN Committee on the Elimination of Racial Discrimination issued its concluding observations on the combined eighteenth to twentieth periodic reports on Luxembourg. The committee noted the absence of specific legislation on statelessness, including on the statelessness determination procedure, and recommended that the authorities consider the adoption of specific legislation.1056 The UNHRC issued its concluding observations on the fourth periodic report on Luxembourg and encouraged the government to adopt legislation regulating the procedure to determine the status of statelessness and that clearly guarantees the right to stay for applicants with a statelessness status and that this right is automatically granted after obtaining the stateless status.1057

- 1046European Network on Statelessness. (2022, December 5). Stateless Journeys: Europe's duty to protect stateless refugees. https://statelessjourneys.org/
- 1047NANSEN, the Belgian refugee council. (2022, August 2). Apartheid à Gaza ? Le besoin de protection internationale des Palestiniens de Gaza [Apartheid in Gaza ? The need to provide international protection to people from Gaza]. https://nansen-refugee.be/2022/08/02/apartheid-a-gaza-le-besoin-de-protection-internationale-des-palestiniens-de-gaza/
- 1048NANSEN, the Belgian refugee council. (2022, April 19). Nationalité belge et enfants d'origine palestinienne [Belgian Nationality and children of Palestinian origin]. https://nansen-refugee.be/2022/04/19/intervision-le-5-mai-nationalite-belge-et-enfants-dorigine-palestinienne/
- 1049NANSEN, the Belgian refugee council. (2022, June 15). Reconnaissance du besoin de protection des Bidoun du Koweit [Recognising the need to protect Bidouns from Kuwait]. https://nansen-refugee.be/2022/06/15/reconnaissance-du-besoin-de-protection-des-bidoun-du-koweit/
- 1050NANSEN, the Belgian refugee council. (2022, April 14). Enfants de réfugiés ukrainiens en Belgique : prévention de l'apatridie [Children of Ukrainian Refugees in Belgium: preventing statelessness]. https://nansen-refugee.be/2022/04/14/enfants-de-refugies-ukrainiens-en-belgique-prevention-de-lapatridie/
- 1051Foundation for Access to Rights | Фондацията за достъп до права (2022, September 13). Практически проблеми в системата на международната закрила в България и приложението на член 1D от Конвенцията от 1951г [Practical problems in the system of international protection in Bulgaria and the application of Article 1D of the 1951 Convention]. https://farbg.eu/bg/publications/palestinian_refugees_article_1D
- 1052Asylos. (2023). Input to the Asylum Report 2023. https://euaa.europa.eu/sites/default/files/2023-02/asylos.pdf
- 1053French Office for the Protection of Refugees and Stateless Persons | Office français de protection des réfugiés et apatrides. (November 2022). Livret d'accueil pour les personnes

reconnues apatrides [Welcome Booklet for persons recognised as stateless]. https://www.ofpra.gouv.fr/libraries/pdf.js/web/viewer.html?file=/sites/default/files/2022-12/Livret%20d%27accueil%20apatridie%20%281%29.pdf
- 1054aditus foundation (2022, February 23). Elections 2022: Creating a More Just Society. https://aditus.org.mt/elections-2022-creating-a-more-just-society/#.Y7_bVP7MJaR
- 1055United Nations Committee on Economic, Social and Cultural Rights. (2022, March 28). Concluding observations on the third periodic report of Czechia. https://uhri.ohchr.org/Document/File/8e7b781d-018d-4e99-91ae-9ba5f48ab6fd/092B7BA9-53B4-4FEF-864D-01CF2CC46E0E
- 1056United Nations Committee on the Elimination of Racial Discrimination. (2022, May 16). Concluding observations on the combined eighteenth to twentieth periodic reports of Luxembourg. https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d/PPRiCAqhKb7yhsiRxZSMs
- 1057United Nations, Human Rights Committee. (2022, September 14). Concluding observations on the fourth periodic report of Luxembourg [CCPR/C/LUX/CO/4]. https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsgdIm

© European Union Agency for Asylum 2026 | Email: info@euaa.europa.eu