



**STATELESS
IN EUROPE**
ORDINARY PEOPLE IN
EXTRAORDINARY CIRCUMSTANCES



“ I am sure that I will have a country of my own someday. And I will be able to say, “I’m coming home.” And I’ll have the chance to build my future. ”

Railya, in 2014. After 24 years of statelessness, she acquired nationality in 2015

TO BE STATELESS MEANS THAT YOU ARE NOT CONSIDERED AS A NATIONAL BY ANY STATE UNDER THE OPERATION OF ITS LAW. While you and I do not think about our nationality on a daily basis, for stateless persons, the lack of a nationality is an ever-present concern. Possession of nationality often serves as a key to enjoying many rights, such as access to education, health care, employment, and the right to marry and to enjoy a family life. As a result, stateless persons are some of the most vulnerable people in Europe and in the world.

The terms “**CITIZENSHIP**” and “**NATIONALITY**” are used interchangeably in this brochure.



Did you know?

- ...that **ILONA**, a young Roma woman living in Ukraine cannot officially get married to Igor, a Ukrainian citizen, because she does not have any documents to prove her nationality?
- ...that **STERA** and **MOHAMMED**, born in Malta to a Syrian mother and a stateless father, are stateless?
- ...that **MICHAEL**, living in the former Yugoslav Republic of Macedonia, cannot be mentioned as the father on the birth certificate of his son Stefan, because Michael is stateless and has no documents to prove his identity?
- ...that **TETYANA, OLENA AND VERONIKA**, three sisters who moved from Moldova to Ukraine in 1989, have been stateless since the dissolution of the Soviet Union and have now passed on their statelessness to their children?
- ...that **SARAH** who lived in the Netherlands for the last twelve years cannot naturalize because she cannot prove she is stateless?
- ...that **ASIYA**, who was born in Kazakhstan when it still formed part of the Soviet Union and is now a recognized stateless person in France, has to get a visa to see her parents in Kazakhstan?
- ...that **KARIM**, born in Montenegro to stateless parents, cannot go to school because his birth could not be registered?
- ...that **ALEXANDER**, a former Soviet citizen, who came to Slovakia more than twenty years ago, has been detained more than twenty times there, because he is stateless and is not allowed to stay in the country?
- ...that **MARIA**, who was abandoned at birth and raised in Poland, was stateless and could only obtain Polish citizenship 17 years later?
- ...that **ROMAN** could not receive an official burial because he was stateless?



WHERE are the stateless people in Europe?

- There are **HUNDREDS OF THOUSANDS OF PERSONS IN EUROPE** who are stateless or whose nationality is undetermined.
- The **BIGGEST POPULATIONS OF STATELESS** persons in Europe are in the countries that were impacted by the **DISSOLUTION OF THE SOVIET UNION**.
- Statelessness is a concern in South Eastern Europe where the **DISSOLUTION OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA**, the effects of the conflicts and the displacement in the region, as well as the lack of access to civil registration left mainly members of ethnic minority groups without a nationality.
- Although statelessness remains a hidden problem in many countries, stateless persons are found everywhere in Europe, from **SCANDINAVIA** to the **MEDITERRANEAN COUNTRIES**.



This is Stanoje from Croatia with the mother of his child whom he cannot marry because he is stateless.
© UNHCR / D. Klasnic

“I cannot get married, recognize paternity of my children, visit my family. I cannot work legally, receive social welfare assistance or register for health insurance. To be without documents and a nationality is as if you never existed in this world.”

Isa, a stateless person in South Eastern Europe (European Network on Statelessness)





- ◀ “My name is Nino, I am 19 and all my life I have lived in Georgia, but unfortunately I cannot say that I am a Georgian citizen...I am stateless. I hope that someday the window of my future will open up and I will have all the opportunities to build my life. One of the things I dream of is to return to the conservatory and continue to play the trombone. I have been playing this instrument for years, but because I am stateless, I couldn't continue my studies at the conservatory to have a profession that I dream of. The only job which I can have with my current status is being a babysitter. Now I have to work to support my foster parents, who adopted me when I was 8 years old, after my mother passed away. It is so sad and difficult to be stateless in your country, but I know that someday I will become a citizen and I know, as I look out of that window the world is waiting for me and I am so desperate to see it.” © UNHCR / Ika Pirveli



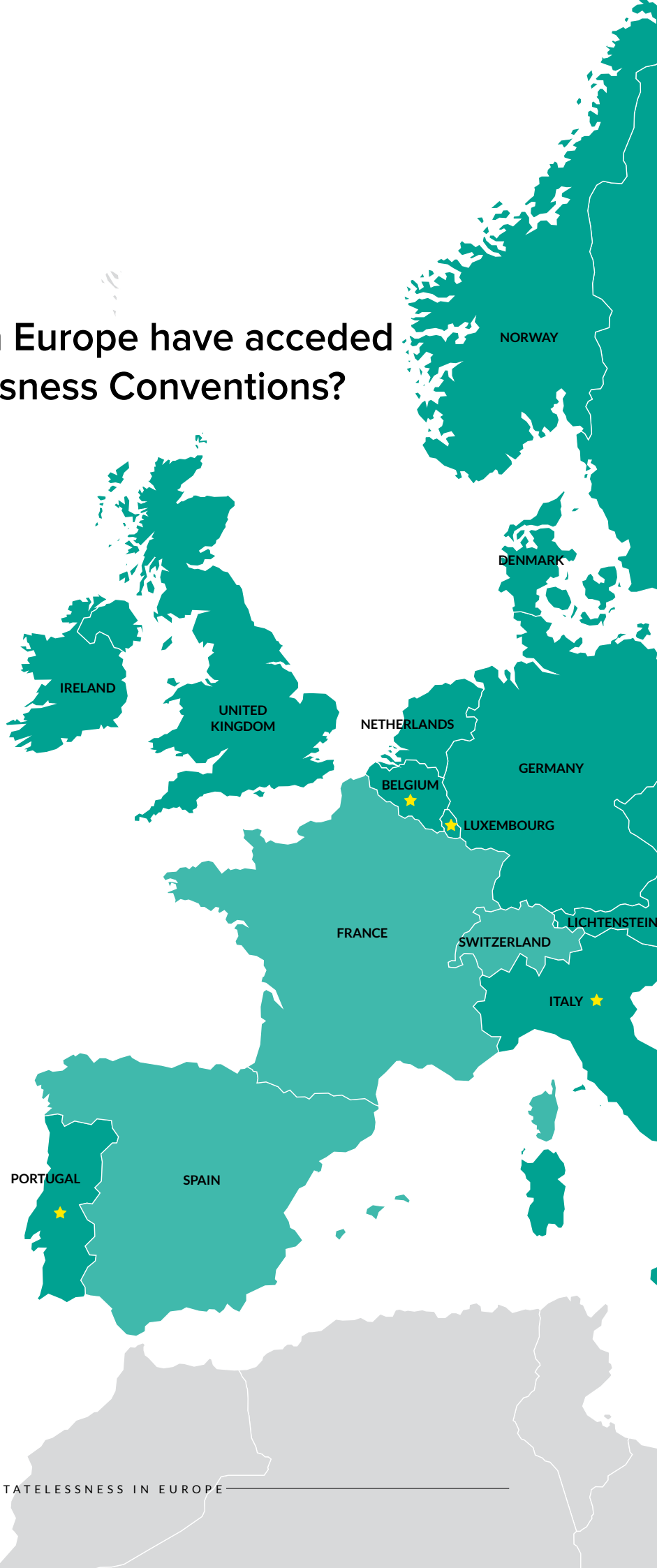
ICELAND

Stateless

Which countries in Europe have acceded to the UN Statelessness Conventions?

-  PARTIES TO BOTH THE 1954 AND 1961 CONVENTIONS
-  PARTIES TO THE 1954 CONVENTION ONLY
-  PARTIES TO THE 1961 CONVENTION ONLY
-  STATES THAT ARE NOT PARTIES TO ANY OF THE TWO CONVENTIONS

★ STATES WHICH HAVE ACCEDED TO ONE OF THE UN STATELESSNESS CONVENTIONS SINCE THE LAUNCH OF UNHCR'S ACCESSION CAMPAIGN IN OCTOBER 2010



* Serbia (and Kosovo (S/RES/1244 (1999)))

Source: UN Treaty Collection

The boundaries and names used on this map do not imply official endorsement or acceptance by the United Nations.



WHY are people stateless in Europe?

STATELESSNESS IN EUROPE MAY OCCUR FOR A VARIETY OF REASONS. A large number of people became stateless after the dissolution of the Soviet Union and more than twenty years later, statelessness remains a concern in that part of Europe. In addition, in the states that once made up Yugoslavia, groups of people fell through the cracks created by new nationality laws and became stateless. Though many have managed to establish their nationality, members of minority groups, especially Roma, continue to face difficulties accessing the civil registration documents necessary to acquire or confirm nationality, such as birth certificates. In addition, throughout Europe, gaps in nationality legislation continue to create statelessness at birth and later in life. Although the majority of stateless persons in Europe were born in the region and are stateless in the only country they have ever known, there are also stateless migrants and refugees who have come from outside of Europe. They were either stateless before leaving their country of origin or have since become stateless.

State succession

THIS IS RAILYA. She is of Tatar origin and became stateless after the break-up of the Soviet Union. She ended up in France where she was granted legal status as a stateless person under France's statelessness determination procedure. Railya acquired French nationality in 2015 after 24 years of statelessness. To learn more about Railya's story, please see www.unhcr.org/railya and <https://goo.gl/cvoHj6>.



© UNHCR/Benjamin Loyseau. On 7 November 2015, Railya Abulkhanova, stateless for 24 years, attends an honorary ceremony at the Villeneuve d'Ascq City Hall following her acquisition of French citizenship.

Problems in civil registration

THIS IS RAMAN. He has been living in a Roma community in Serbia in a legal limbo for years. He was born in 1987 in the then Socialist Federal Republic of Yugoslavia, but his birth was never registered. He fled the war with his family and ended up in Serbia. Without any documentation proving their nationality, the family had difficulties accessing basic rights, such as education and health care. Raman faced harassment and had trouble both travelling and finding work. Following the adoption of a new procedure for establishing the time and place of birth, Raman was finally able to register his birth in 2013. Despite this, he has not yet been able to obtain an identity card proving his nationality. To learn more about Raman, please see www.unhcr.org/53c7d0756.html.



From the video "Here I Am - Legally Invisible" by Praxis in Serbia.

Children are born stateless

THIS IS STERA AND HER YOUNGER BROTHER, MOHAMMED. They were born stateless in Malta. Their father, Quis, is a Syrian Kurd, one of many hundreds of thousands stripped of citizenship during the 1960s and 1970s. His wife Nessrin is also Kurdish, but she is a Syrian citizen. However, under Syrian law, Nessrin cannot confer her citizenship to her spouse or her children. Maltese law entitles children born stateless in Malta to Maltese citizenship after 5 years of residence in the country. To learn more about Stera and Mohammed, please see <http://goo.gl/RJpOHZ>.



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Born stateless

Where in Europe are children born stateless?



NORWAY



IRELAND

UNITED KINGDOM

NETHERLANDS

DENMARK

GERMANY

BELGIUM

LUXEMBOURG



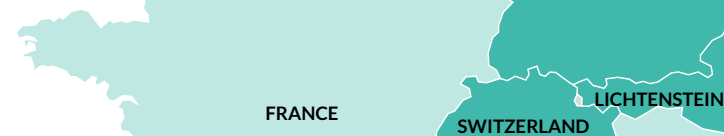
STATES WITHOUT SAFEGUARDS AGAINST STATELESSNESS AT BIRTH



STATES WITH SOME SAFEGUARDS IN PLACE, BUT CHILDREN CAN STILL BE BORN STATELESS



STATES WHERE A CHILD BORN STATELESS GETS THE NATIONALITY OF THE COUNTRY AT BIRTH



FRANCE

SWITZERLAND

LICHTENSTEIN



PORTUGAL

SPAIN

ITALY

* Serbia (and Kosovo (S/RES/1244 (1999)))

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SWEDEN

FINLAND

ESTONIA

LATVIA

LITHUANIA

BELARUS

RUSSIAN FEDERATION

POLAND

UKRAINE

CZECH REPUBLIC

SLOVAKIA

AUSTRIA

REPUBLIC OF MOLDOVA

HUNGARY

ROMANIA

SLOVENIA

CROATIA

BOSNIA AND HERZEGOVINA

SERBIA*

MONTENEGRO

BULGARIA

GEORGIA

ALBANIA

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

AZERBAIJAN

GREECE

TURKEY

ARMENIA

MALTA

CYPRUS

HOW to end statelessness in Europe?

THE ULTIMATE SOLUTION TO STATELESSNESS IS THE GRANT OF NATIONALITY. Until this is achieved, it is important that stateless people enjoy their basic human rights, allowing them to live a life in dignity. States also need to make sure not to create new cases of statelessness.

Acquisition of a nationality

THIS IS THAI HA. She has lived in the Netherlands since she was a child and she considers the country to be her home. To naturalize, she needs to present a Vietnamese passport. Despite her Vietnamese parentage, the Vietnamese Embassy has refused to issue one as they do not consider her a national, because she was not born in Vietnam. In the Netherlands, stateless persons do not have to present a passport in order to naturalize, but Thai Ha has not been recognized as a stateless person because there is no procedure in place to determine statelessness. Until Thai Ha is recognized as stateless she cannot naturalize and remains in limbo. To learn more about Thai Ha please see <https://youtu.be/o9EhPr3ETXw>.



© UNHCR / Tilburg University

THIS IS NINA. She lives in Russia. She became stateless after the dissolution of the Soviet Union. She is holding her Russian Federation passport which she obtained after naturalizing with the help of a legal aid organization. The dissolution of the Soviet Union left millions of people stateless across the region. Some of the former Soviet Republics amended their citizenship laws to facilitate the acquisition of citizenship while others conducted specific campaigns to reach out to stateless persons or persons at risk of statelessness. The Russian Federation adopted its new law on citizenship in 2002 and amended it on multiple occasions throughout the years, including the latest amendments in 2016. Between 2003 and 2016, some 680,000 stateless former Soviet citizens acquired Russian citizenship.



© A.Kostenkova / Faith, Hope and Love

Protection status as a pathway to citizenship

THIS IS VICTORIA. She was officially recognized as a stateless person in France in 2015. France is the country with the oldest statelessness determination procedure in place globally. Since the moment it was established in 1953, stateless persons have been able to obtain a residence permit and exercise a range of rights, and subsequently apply for citizenship. Victoria dreams of travelling the world without worrying about her status. She also dreams of acquiring French citizenship: “when you do not belong to any country you cannot feel complete [...] you feel as if you are rejected from society”. To learn more about Victoria, please see <http://goo.gl/fASpo6>.



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Prevention of statelessness

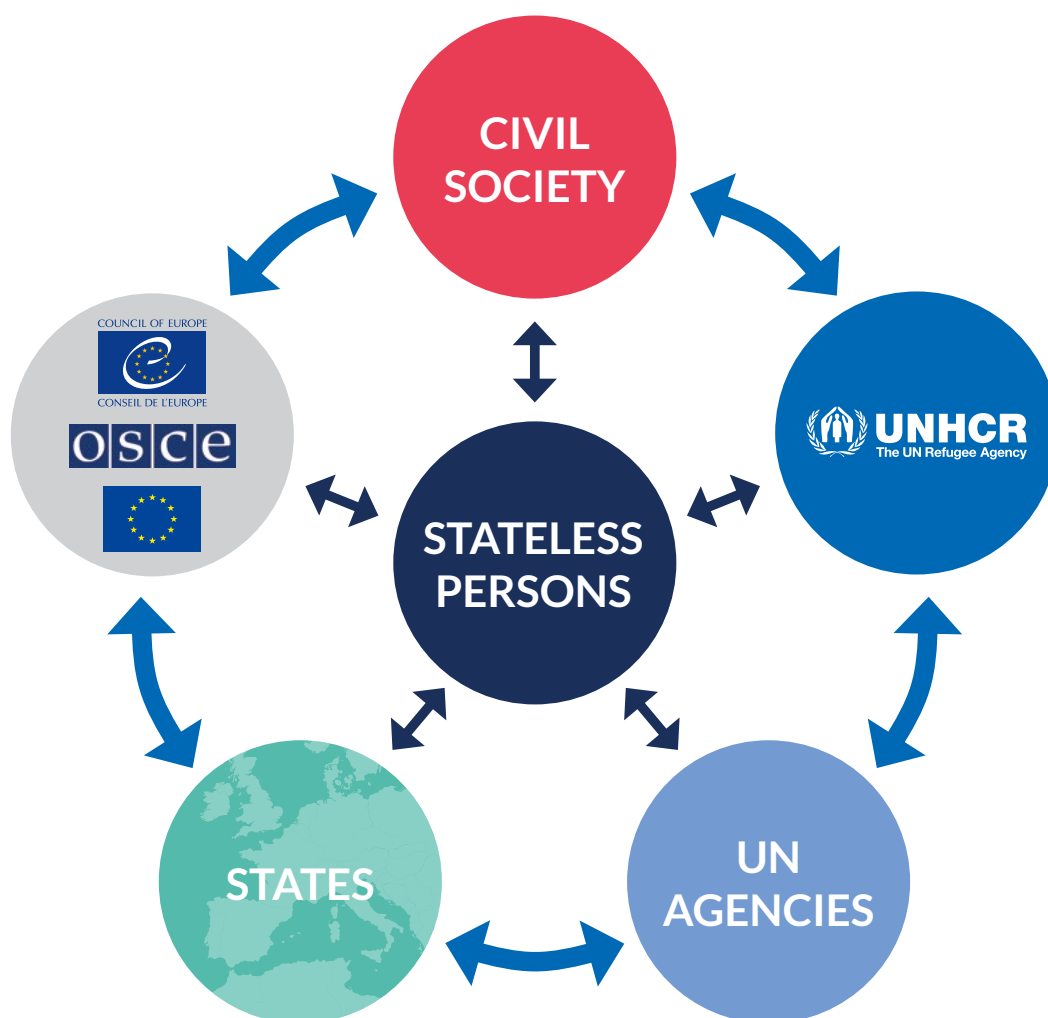
THIS IS MARIA. She is one of over 212,000 persons who received Moldovan identity cards during a Government campaign in 2013-2014 to replace for free all expired Soviet passports. During the campaign, mobile teams were deployed to visit elderly persons or the disabled who may have needed help at their homes. Now Maria, among others, can have her pension back and pass on her property to her daughter. To learn more about Maria please see <http://www.unhcr.org/ibelong/2674/>.



© UNHCR / Roland Schönbauer

Cooperation

COOPERATION BETWEEN DIFFERENT ACTORS IN EUROPE IS NECESSARY TO END STATELESSNESS. Stateless persons have a key role to play, letting their voices be heard across Europe. In addition, States, regional institutions, civil society and UNHCR should join forces in order to find effective solutions.



1954

What is the 1954 Convention?

THE 1954 CONVENTION RELATING TO THE STATUS OF STATELESS PERSONS is the primary international instrument that regulates the status of stateless persons. It provides a framework for stateless persons to live their life in dignity by granting them a number of rights such as access to employment, public education and social security. It also provides for the issuance of an identity and travel document by the state to stateless persons on their territory and urges states to facilitate the naturalization of stateless persons.



Sabrija Zeciri, a displaced Roma from Kosovo (S/RES/1244 (1999)) with his mother and his four children. Sabrija's family has endured generations of statelessness. As a result of the efforts of the mobile team of the Kosovo authorities, his father has recently been registered in Kosovo, which will help enter Sabrija and his children in the birth and citizens' records. This will end the vicious circle of statelessness in his family. © UNHCR



'Cristina, born stateless in Italy but now entitled to Italian nationality because she has reached the age of 18, is physically and intellectually disabled. It is difficult for her to understand the concept of citizenship, let alone consent to acquiring Italian nationality or prepare a personal application. As a result, she has been denied the opportunity to submit an application for nationality and remains stateless.' © UNHCR / F. Martin

States

What can states do?

- **PREVENT AND REDUCE STATELESSNESS:** States such as the Russian Federation and Estonia have changed their laws in recent years to prevent statelessness at birth and to help stateless people acquire a nationality.
- **IDENTIFY AND PROTECT STATELESS PERSONS:** Ensure a life in dignity, security and stability for stateless persons. Only a few European states have a dedicated mechanism in place to identify and protect stateless persons. Among them are France, Georgia, Greece, Hungary, Italy, Latvia, Moldova, Spain, Switzerland, Turkey, United Kingdom, and most recently, Bulgaria.
- **ACCEDE TO THE STATELESSNESS CONVENTIONS:** Since 2011, six European states acceded to the 1954 Convention relating to the Status of Stateless Persons and eleven European states became parties to the 1961 Convention on the Reduction of Statelessness. Today, 38 European states are parties to the 1954 Convention and 30 European states are parties to the 1961 Convention.
- **ENSURE ACCESS FOR ALL TO CIVIL REGISTRATION AND DOCUMENTATION:** The Convention on the Rights of the Child says children shall be registered immediately after birth. Lack of birth registration increases the risk of statelessness. In Europe, this is a particular concern among Roma communities in the successor states of the former Yugoslavia, where legal, administrative and practical measures should be in place to ensure birth registration and documentation.

1961

What is the 1961 Convention?

THE 1961 CONVENTION ON THE REDUCTION OF STATELESSNESS is the primary international legal instrument that deals with the means to avoid statelessness. The Convention provides for acquisition of nationality for children who would otherwise be stateless and who have a link with the state through birth in the country or descent. It also contains safeguards against statelessness following loss, deprivation or renunciation of nationality as well as provisions to avoid statelessness in the context of state succession.

Regional Level

What can be done at the regional level?

- **ENSURE REGIONAL LEGAL INSTRUMENTS ARE IMPLEMENTED:** The Council of Europe has adopted legal instruments that contribute to the prevention and reduction of statelessness in the region. Its 1997 Convention on Nationality sets out safeguards against statelessness at birth and later in life. In 2006, the Council of Europe adopted the Convention on the Avoidance of Statelessness in relation to State Succession.
- **URGE STATES TO TAKE ACTION:** The Council of Europe's Parliamentary Assembly called on states to identify and protect stateless persons and to prevent statelessness. The Commissioner for Human Rights of the Council of Europe has declared statelessness among children to be one of his priorities and the OSCE High Commissioner on National Minorities addresses the rights of minorities in the OSCE region, some of whom are stateless. The EU institutions also have a role to play to end statelessness in the European Union and beyond. In December 2015, the Justice and Home Affairs Council of the European Union adopted the first EU Council Conclusions on Statelessness. The Conclusions encourage the European Commission to launch exchanges of good practices among Member States.
- **INVOLVE REGIONAL COURTS:** Despite the lack of explicit grounds in EU law and the European Convention on Human Rights, the European regional courts have started to look into questions of statelessness and nationality.

“Governments should stop foisting the blame on history, other states or on ‘irresponsible parents,’ but rather take the initiative to address statelessness and prioritise the best interests of the child.”

Nils Muižnieks, Council of Europe Commissioner for Human Rights

Civil Society

What can Civil Society do?



European
Network on
Statelessness

- **ASSIST STATELESS PERSONS:** NGOs play an essential role in providing legal assistance to persons in need of support to acquire or confirm nationality.
- **ADVOCATE FOR THE PLIGHT OF STATELESS PEOPLE:** Throughout Europe, NGOs advocate for change at the national level. Many of them are member organizations of the European Network on Statelessness (ENS). Created in 2012, the ENS is a civil society alliance of currently over 100 members in 40 European states committed to addressing statelessness in Europe, through technical support, awareness raising activities and capacity building.

UNHCR

What is UNHCR doing?

- **INCREASE UNDERSTANDING AND AWARENESS IN EUROPE:** Research on statelessness in many European countries, conducted by UNHCR, NGOs and academics, enhances knowledge about the causes and consequences of statelessness in the region. The stories of the impact of statelessness throughout Europe make the voices of stateless persons heard.
- **PROVIDE TECHNICAL SUPPORT:** UNHCR supports governments in addressing statelessness through legislative, administrative and practical steps, in line with international standards. The UNHCR Handbook on Protection of Stateless persons (2014) sets out guidance on interpretation and implementation of the provisions of the 1954 Convention. UNHCR has also published Guidelines and a number of Good Practices Papers on the Actions of the Global Action Plan, including on resolving existing major statelessness situations, on establishing statelessness determination procedures, and on the prevention of statelessness at birth.



UNHCR

The Campaign to End Statelessness by 2024

UNHCR calls on all actors to take action to tackle statelessness around the world. UNHCR's Global Action Plan sets out 10 Actions for states to end statelessness. What remains to be done in Europe?



JOIN UNHCR'S CAMPAIGN TO END STATELESSNESS!

WHAT NEEDS TO BE DONE IN EUROPE:

1. ENSURE THAT THE HUNDREDS OF THOUSANDS OF STATELESS PERSONS OR PERSONS WHOSE CITIZENSHIP IS UNDETERMINED IN EUROPE ACQUIRE OR CONFIRM THEIR CITIZENSHIP.
2. ENSURE THAT NO CHILD IS BORN STATELESS IN EUROPE: grant citizenship automatically at birth to all children born in Europe who are otherwise stateless.
3. ENSURE THAT ALL CHILDREN BORN IN EUROPE ARE REGISTERED AT BIRTH, regardless of their parents' nationality, documentation or legal status, so that every child's legal identity is established and the risk of statelessness is reduced.
4. IDENTIFY AND PROTECT STATELESS MIGRANTS AND FACILITATE THE NATURALIZATION OF STATELESS MIGRANTS AND REFUGEES.
5. ENSURE ALL EUROPEAN COUNTRIES ARE PARTIES TO BOTH UN STATELESSNESS CONVENTIONS.

Useful Resources

Useful resources on statelessness in Europe

- Refworld is the leading source of information related to refugee and statelessness issues: <http://www.refworld.org/statelessness.html>. You can find legislation on nationality in European countries, research papers on statelessness in Europe, from UNHCR or other sources, as well as the relevant international instruments.
- UNHCR Global Campaign to End Statelessness website: <http://ibelong.unhcr.org>.
- UNHCR e-learning course is an important tool of broader awareness-raising, which is a vital element for reaching the goal of ending statelessness. This course is free and open to everyone. First register here: <https://goo.gl/y2BFQb> and then access the course here: <https://goo.gl/D887Ct>.
- UNHCR, Nationality and Statelessness: Handbook for Parliamentarians N° 22, July 2014: <http://www.refworld.org/docid/53d0a0974.html>.
- UNHCR, Handbook on Protection of Stateless Persons, 30 June 2014: <http://www.refworld.org/docid/53b676aa4.html>.
- UNHCR, Guidelines on Statelessness N° 4: Ensuring Every Child's Right to Acquire a Nationality through Articles 1-4 of the 1961 Convention on the Reduction of Statelessness, 21 December 2012: <http://www.refworld.org/docid/50d460c72.html>.
- UNHCR, Good Practices Paper – Action 1: Resolving Existing Major Situations of Statelessness, 2015: <http://goo.gl/aABMeM>.
- UNHCR, Good Practices Paper – Action 2: Ensuring that No Child is Born Stateless, 2017: <http://www.refworld.org/docid/58cfab014.html>.
- UNHCR, Good Practices Paper – Action 6: Establishing Statelessness Determination Procedures to Protect Stateless Persons, 2016: <http://www.refworld.org/docid/57836cff4.html%20>.
- UNHCR, Good Practices Paper – Action 9: Acceding to the UN Statelessness Conventions, 2015: <http://goo.gl/fPkzfy>.
- UNHCR, OSCE, Handbook on Statelessness in the OSCE area: International Standards and Good Practices, 2017: <http://www.refworld.org/docid/58b81c404.html>.
- The UNHCR-EUDO database on citizenship laws gives an overview of nationality legislation in most European countries and their compliance with international standards on safeguards against statelessness: <http://eudo-citizenship.eu/databases>.
- European Network on Statelessness (ENS): <http://www.statelessness.eu>.



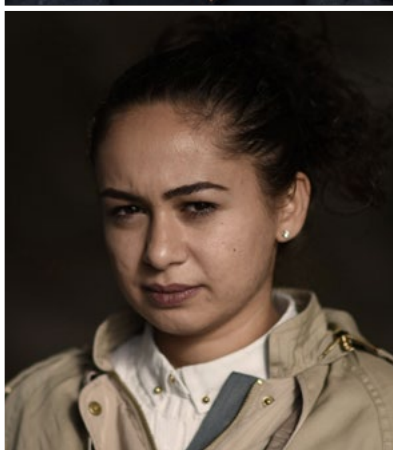
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Ending Statelessness by 2024



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PROTECTING REFUGEES
REBUILDING LIVES