

An update on statelessness in Europe



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Interview with Saskia Bricmont, MEP

Saskia Bricmont is a Greens/EFA Member of the European Parliament. She was elected in 2019 and is a member of the influential Civil Liberties, Justice and Home Affairs Committee and is the Co-Chair of the Intergroup on Children's Rights. We spoke about her work, the role of the European Union in ending statelessness and the challenges ahead.



"...seeing so many people, children and youth, and NGOs mobilised for a better future keeps me positive about the changes we can bring together."

- Saskia Bricmont, MEP

Since being elected as a member of European Parliament in 2019, you have championed children's rights and ensuring they are at the top of the political agenda. What motivates this interest and why is it so important to you?

The Intergroup is therefore fully committed to promoting and protecting the right of every child to a nationality, as enshrined in the UN Convention on the Rights of the Child, across relevant European Parliament law and policy. As your readers will know, children are continuing

I have always been guided in my work by the ideals of equality and solidarity, including in my previous roles as advisor in the Belgian federal Parliament, the Belgian Green Party, and as a local councillor in Ath, Belgium. When I became an MEP in 2019, I wanted to act as a relay for all those who work daily for the climate, social justice, democracy and human rights. This of course includes children's rights and ensuring a brighter future for younger generations, and I am motivated in my work as an MEP to make children's rights a reality rather than a principle. It is also why I am a member of the Committee on Civil Liberties, Justice and Home Affairs, where I am committed to defending an open society where fundamental rights and freedoms are non-negotiable.

Could you tell us about the work of the European Parliament Intergroup on Children's Rights and how childhood statelessness relates to the group's agenda?

Although children are affected by all legislation and policy adopted in the European Parliament, no Parliamentary committee has specific responsibility for children. The Child Rights Intergroup was founded in 2014 and is a permanent body responsible for promoting children's rights across all European Parliament policies and legislation. It is the first group in the Parliament, with a cross-party, cross-national representation of committed MEPs, that mainstreams children's rights, assesses and influences legislative and non-legislative work on children and makes sure that children's rights are on top of the EU agenda, working together with child-focused organisations.

to be born stateless in Europe because of a lack of legal safeguards to prevent statelessness and persisting barriers to birth registration. It is never in the best interest of the child to be stateless, and our aim as an Intergroup is to ensure that the best interest of the child is reflected in both internal and external EU action. That is why we have been working closely with ENS to raise awareness about this very important issue and to galvanise action at the European level to eradicate childhood statelessness.

You spoke at the ENS and Intergroup on Children's Rights [joint webinar](#) in May about the role of the EU in galvanising action to address barriers to birth registration and prevent childhood statelessness. What do you see are the opportunities ahead to push for effective reform on the issue?

The European Parliament has already committed to ending statelessness and to complying with our international obligations to protect the rights of children. For example, the November 2019 European Parliament Resolution on children's rights marking the 30th anniversary of the Convention on the Rights of the Child, explicitly calls for the promotion of universal access to birth registration and the child's right to acquire a nationality, with a view to ending the risk of statelessness. This commitment alone is not enough, and we need concrete action at regional level and among Member States to end childhood statelessness. Several EU legislative and policy initiatives provide opportunities to push for the action that is needed...

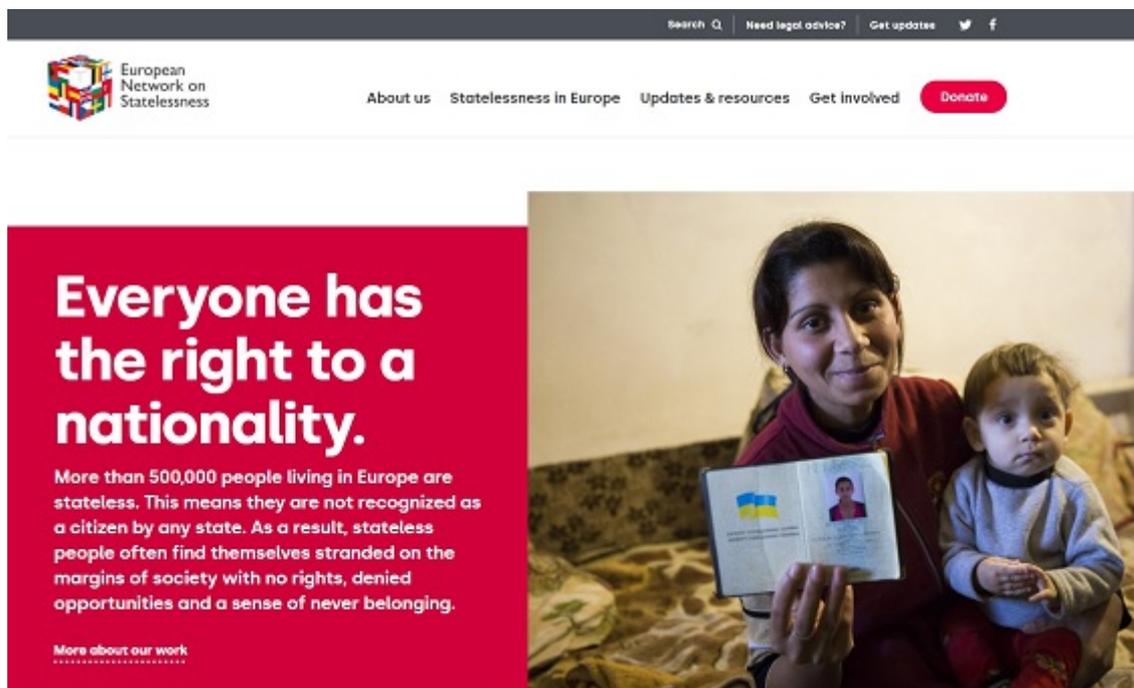
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READ THE FULL INTERVIEW >>

Spotlight

Strengthening our work as a network: Our first online Annual General Conference, our new website and engaging new audiences

On 5th November, we brought together over 35 members at our first Annual General Conference [held online](#). We had originally planned to hold the event in Alicante in May but had to postpone this due to the pandemic. The conference was an important opportunity to update and consult members on our upcoming plans as a network, including on our new research project on the nexus between statelessness and health rights in the context of COVID-19. We also discussed how we can work together to foster diverse and representative partnerships, ensuring stateless people and communities are included in the work we do.



European Network on Statelessness

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Everyone has the right to a nationality.

More than 500,000 people living in Europe are stateless. This means they are not recognized as a citizen by any state. As a result, stateless people often find themselves stranded on the margins of society with no rights, denied opportunities and a sense of never belonging.

More about our work

We also presented our new [website](#) and digital strategy. During the pandemic, digital communication has become even more important in helping us achieve our main objectives to drive change through increasing awareness, working together with stateless people and mobilising key audiences to act.

Through our new, completely redesigned website, you can find out about our work and our Europe-wide [membership](#), browsing their profiles by country and type of work they do. You can also help us to end stateless by exploring different ways you can [get involved](#) in our work, including by joining our network as a member, as well as supporting our network through a donation. For stateless people, our new site provides important information about where to find [legal advice and support](#), with the option to search through our members who provide legal advice by country.

No papers, no prospects? Mapping statelessness in the 21st Century

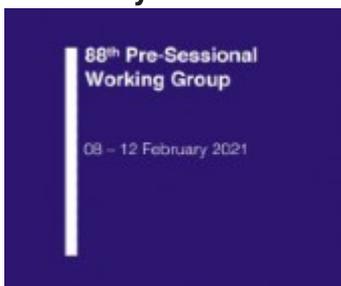
ENS Director Chris Nash was recently interviewed for a special statelessness edition of the

Rosa Luxemburg Foundation's Global Crisis – Global Solidarity series which discussed challenges and opportunities to end statelessness in Europe. He was joined by ENS members Christiana Bukalo and Thomas McGee, as well as long term ENS collaborator Catherine Harrington from the Global Campaign for Equal Nationality Rights. You can [watch the full interview on our website](#). Chris was also one of the contributing authors invited to speak at the [global launch](#) of the [Atlas of the Stateless](#), a major new publication launched by the [Rosa Luxemburg Foundation](#), with 25 contributions from across the globe, to raise awareness around the issue and the impact it has on people globally.



Latest updates

Joint efforts to address statelessness through international human rights advocacy



Together with the Institute on Statelessness and Inclusion (ISI), we have provided [submissions](#) to the 38th Universal Periodic Review for [Belgium](#) (also in partnership with our Belgian member NANSEN), [Denmark](#) and [Latvia](#), highlighting statelessness-related issues at national level and recommendations for action. We also provided a [UK-focused submission](#) to the 88th Pre-Sessional

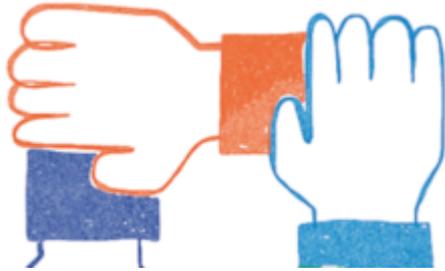
Addressing childhood statelessness through a new EU Strategy on the Rights of the Child



In early 2021, the European Commission will adopt and publish a new EU [Strategy on the Rights of the Child](#) for 2021-24, providing a framework for EU action on children's rights. ENS has been closely engaging with the development of the strategy, contributing to a [joint position paper](#) endorsed by 27 other organisations and UNICEF, and presenting at the [13th European Forum on the Rights of the Child](#) on behalf of the [Initiative for Children](#)

Working Group of the Committee on the Rights of the Child (CRC) in partnership with ISI and Liverpool Law Clinic. The submission was endorsed by ENS members British Rohingya Community, Bail for Immigration Detainees, Jesuit Refugee Service UK and the Kuwaiti Community Association.

ENS welcomes 12 new members



ENS is delighted to have welcomed 12 new members to the network since September. From the UK, Asylum Aid, Bhutanese Welfare Association and Cynthia Orchard joined the network, as well as the Bhutanese Community in the Netherlands and Reem Abbas from the Netherlands. We also welcomed the organisations NEEKA and Rights Georgia, as well as individual members Aleksejs Ivashuk, Denis Neselovskyi, Haqqi Bahram, Jaipreet Kaur and Nowras Rahhal.

ENS joins Croatia's statelessness coordination meeting



In October, ENS Director Chris Nash joined the second [coordination meeting](#) on statelessness in Croatia, held online and organised by ENS member [Civil Rights Project \(CRP\) Sisak](#). The meeting was also attended by representatives from the Office of the Ombudsman, UNHCR

[in Migration](#). We have submitted a [position paper](#) to the Commission's online public consultation on the strategy, laying out clear and targeted recommendations for action by the European Commission, other EU institutions and EU Member States, to effectively address childhood statelessness.

EU Roma Strategic Framework - A step forward to ending statelessness



In October, at a conference hosted with the German Presidency of the EU on Monday, the European Commission launched the new [EU Roma Strategic Framework for Equality, Inclusion and Participation](#). Positively, the framework explicitly calls for stateless Roma and those who face barriers to accessing civil documentation to be included in national action plans, and in its guidance, calls for states to end statelessness among Roma. Our [video](#) developed together with Romani members and activists about why ending statelessness is a priority for Roma equality in Europe was screened at the conference. The commitments made in the Framework are a positive step towards ensuring the right to a nationality for Romani people in Europe, but will require a strong focus on implementation, working closely with Roma civil society and communities. We're also working closely with the Regional Cooperation Council and other actors in the Western Balkans to support commitments made by Ministers in October to adopt roadmaps towards ending statelessness in the region under the Berlin Process and Poznan Declaration.

Croatia, and the Ministry of Interior, among others. Chris raised the importance of strategic litigation on statelessness, such as the [Hoti vs. Croatia](#) case, and the vital work of CRP Sisak in its provision of legal assistance to stateless people. He also highlighted work on Croatia's [Statelessness Index](#) country profile, which will be published in early 2021.

French National Assembly report assesses the situation of children without identity documents around the world



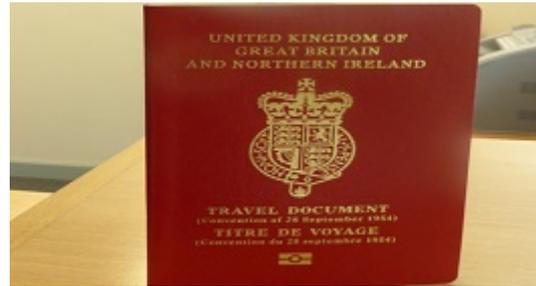
Through statistics, a [report](#) published by the French National Assembly in September 2020, describes the causes of children ending up without identity documents and its negative consequences on the fundamental rights of children. It also presents the situation in France and its overseas regions, in particular, French Guiana and Mayotte. The report makes a series of recommendations for strengthening birth and civil registration systems in these countries.

Updated and disaggregated data published on stateless persons in Spain



Until last year, annual data published by the Office of Asylum and Refuge (OAR)

Using Pro Bono Week to reflect on how lawyers can support statelessness work



In November, as part of a series of online conversations marking UK Pro Bono Week, ENS' Director Chris Nash and Legal Policy Officer Patricia Cabral joined [Akin Gump](#) together with [Asylum Aid](#) for a discussion on statelessness and how law firms can help make a difference in the work of charities addressing statelessness. Over the last few years, [Akin Gump](#) lawyers have been providing pro bono statelessness casework support to Asylum Aid, as well as supporting the development of a new ENS litigation database scheduled to be launched in 2021. In a [recent blog](#), Akin Gump lawyers reflected on the value and importance of such collaboration.

Russia's constitutional court decision helps to protect stateless detainees



In Russia, tens of thousands of stateless people are at risk of spending years in detention. This practice, however, was successfully appealed in the High Courts in the case of [Noé Mskhiladze v Russia](#) and legal change is on the way. In the summer of 2020, a draft version of the new procedural code of administrative offenses was published, stating that a

- the competent body for reviewing and processing stateless status applications in Spain - was very limited. For the first time, the OAR's report "Asilo en cifras 2019" includes six pages of disaggregated data on statelessness. The data includes the number of applications and outcomes of decisions made in 2019, as well as the sex, age, continent and country of origin of both stateless status applicants and those who received either positive outcomes or rejections.

third country national or stateless person can be placed in a special detention facility only on the basis of the court decision indicating a particular time period for the detention. The draft code also states that the time spent in detention cannot exceed 90 days and can only be prolonged by a court for another 90 days.

Recent publications

- [\(Chris Nash, Director of ENS\) Europe: Not yet a model for the world](#) - This article forms part of a wider collection of articles on statelessness from different experts across the world, collated by Rosa Luxemburg Stiftung in the [Atlas of the Stateless](#).
- [\(ENS\) EU Strategy on the Rights of the Child \(2021-24\): ENS Position Paper](#) - ENS has developed a position paper in response to the Commission's public consultation on its new child rights strategy, laying out recommendations for action to address childhood statelessness through the strategy.
- [\(ENS and the Institute on Statelessness and Inclusion\) Joint Submission to the Human Rights Council at the 38th Session of the Universal Periodic Review - Denmark](#) - This submission focuses on the right of every child to acquire a nationality and human rights challenges pertaining to childhood statelessness in Denmark.
- [\(ENS and the Institute on Statelessness and Inclusion\) Joint Submission to the Human Rights Council at the 38th Session of the Universal Periodic Review - Latvia](#) - This submission focuses on the human rights challenges regarding statelessness and the right to a nationality in Latvia.
- [\(ENS, the Institute on Statelessness and Inclusion and NANSSEN\) Joint Submission to the Human Rights Council at the 38th Session of the Universal Periodic Review - Belgium](#) - This submission focuses on statelessness determination and status, liberty and security of the person and arbitrary detention, and children's right to a nationality in Belgium.
- [\(ENS, the Institute on Statelessness and Inclusion and Liverpool Law Clinic\) Joint Submission to the Committee on the Rights of the Child at the 88th Pre-Sessional Working Group - United Kingdom](#) - This joint submission is also endorsed by the British Rohingya Community, Bail for Immigration Detainees, Jesuit Refugee Service UK and the Kuwaiti Community Association. It focuses on the right to acquire a nationality of children born stateless in the UK; access to protection for stateless migrant and refugee children; the right to birth registration; and child rights in the context of nationality deprivation.
- [\(UNHCR\) The Campaign to End Statelessness: July-September 2020 update](#) - This update includes legal and policy updates from Albania and the Russian Federation,

and covers ENS' joint webinar series with Fundación Cepaim on addressing statelessness in Europe and Spain, and our new and updated Statelessness Index country briefings

- ([UNICEF and the Institute on Statelessness and Inclusion](#)) [The Child's Right to a Nationality and Childhood Statelessness: Texts and Materials](#) - A course book on children's right to nationality and childhood statelessness, made up of relevant materials that have been carefully selected to introduce basic concepts and build the capacity of UNICEF staff members and civil society organisations.
- ([Peter McMullin Centre on Statelessness](#)) [Statelessness Factsheets](#) - A series of factsheets providing an introductory overview of statelessness, different statelessness-related issues, and international law.

Events and opportunities

- [Call for papers: Statelessness & Citizenship Review](#) – The Statelessness and Citizenship Review is now accepting submissions until 31st January 2021 for the next edition. It is an open call for submissions on statelessness. Details on how to submit a proposal can be found [here](#).



"Everyone has the right to a nationality"

European Network on Statelessness

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