

Spain: Information for stateless people and those at risk of statelessness fleeing Ukraine



European
Network on
Statelessness

ENS Focal Point: [Fundación CEPAIM](#) & [ACCEM](#)

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This briefing provides country-specific information for stateless people and those at risk of statelessness fleeing Ukraine. It is intended as a source of information for refugee response actors and affected individuals. The focus is on stateless people and people at risk of statelessness, including those who are undocumented. Links to more general information for refugees from Ukraine are provided throughout. We will endeavour to keep this information updated. Please contact Ukraine.crisis@statelessness.eu if you have relevant updates. Unless otherwise shown, the source of information provided is the ENS Focal Point.

1. ENTRY REQUIREMENTS & REGISTRATION

People fleeing Ukraine are generally allowed to enter Spain. The Ministry of Inclusion, Social Security and Migration set up four centres for initial reception, care and referral for people arriving from Ukraine (in Madrid, Barcelona, Alicante, and Malaga). There are also emergency centres across the country managed by Fundación CEPAIM (in Aragón, Andalucía, Valencia, Madrid, and Murcia) as well as information points in each of these centres. Legal assistance is provided to access temporary protection, as well as psychological assistance and assistance on accessing the reception system for those who do not have financial resources.

The [European Commission](#) confirms that a lack of travel documents or medical documents (certificate of vaccination, COVID-19 test) should not be an obstacle to entering the EU throughout the Ukraine crisis.

For more information on entry requirements, reception and assistance, see the Ministry of Inclusion, Social Security and Migration's page on [Information for displaced persons from Ukraine](#), and the Information Guide for displaced people (available in [Spanish](#), [English](#) and [Ukrainian](#)). Detailed information is also available in the National Legal Clinics Network's [Action for Ukraine](#).

Documents required	<ul style="list-style-type: none">● <u>Stateless persons</u>: people recognised as stateless in Ukraine should bring documents evidencing statelessness status and 'legal residence' in Ukraine; other stateless people without documentation will not be denied entry to Spain● <u>Undocumented persons</u>: birth certificate, or document showing identity and/or, if possible, any documentation showing residency in Ukraine before 24 February 2022● <u>Other adults</u>: national identity document or passport● <u>Children</u>: birth certificate showing family ties or relationship with guardian or individuals accompanying them
Entry and registration	<ul style="list-style-type: none">● <u>Applicants for international protection</u>: register intention to apply for asylum at the Asylum and Refugee Office (OAR)● <u>Applicants for temporary protection</u>: registered and biometric data collected● People not eligible for temporary protection, including <u>stateless and undocumented persons</u>: unclear● <u>Unaccompanied and separated children</u>: registered by the police as unaccompanied minors
Documents issued	<ul style="list-style-type: none">● <u>Persons eligible for temporary protection</u>: receipt of application <u>Asylum-seekers</u>: certificate of intention to apply for asylum upon registration ('<i>Manifestación de voluntad de presentar solicitud de protección internacional</i>'); certificate of application for international protection upon application ('<i>Resguardo de solicitud de protección internacional</i>')
Entry status	<ul style="list-style-type: none">● Beneficiary of Temporary Protection, asylum-seeker

2. ROUTES TO INTERNATIONAL PROTECTION

Spain offers three forms of protection: international protection (refugee status and subsidiary protection), exceptional protection for humanitarian reasons (humanitarian protection), and temporary protection in accordance with EU law. Stateless persons may apply for all forms of protection, subject to eligibility criteria. Temporary protection is the fastest route to protection as it is granted within 24 hours, although protection is granted for a shorter period of time compared to other forms of protection.

Stateless or undocumented people are advised to seek advice on the most appropriate route to protection for them (see below contact details of organisations providing specialist advice).

These routes to protection are summarised in the table below.

	Refugee status & subsidiary protection	Humanitarian protection	Temporary protection
What is it?	<p><u>Refugee Status</u>: Protection under the 1951 Convention Relating to the Status of Refugees</p> <p><u>Subsidiary Protection</u>: For persons who do not qualify as a refugee but who face a real risk of suffering serious harm in their country of origin</p>	Protection provided to individuals whose re-location to their country of origin involves a danger for their safety or the safety of their family members, or other humanitarian reasons	Temporary protection for eligible persons fleeing the war in Ukraine
Can stateless and/or undocumented persons apply?	Yes	Unclear	Yes, if they meet eligibility criteria (i.e., beneficiaries of international protection or equivalent national protection in Ukraine (including people recognised as stateless in Ukraine), and their family members, permanent or temporary ‘legal residence’ in Ukraine and cannot return to country of origin
Where to apply?	Application addressed to the Asylum and Refugee Office (<i>Oficina de Asilo y Refugio</i> , OAR) and filed with the municipal offices for foreigners, police stations (including those at the border), OAR, reception centres for foreigners, internment centres or prisons	Immigration Office (<i>Oficina de Extranjería</i>)	At the Reception, Assistance and Referral Centres (CREADE) of the Ministry of Inclusion, Social Security and Migration; and at designated police stations

<p>Procedure & rights</p>	<p>File a written request (including personal details, address for serving notices, reasons, and family ties); present identity or travel documents (or justify the lack of documentation); interview; decision within six months.</p> <p>Pending the application: right to remain in Spain; document confirming applicant's status; medical care; right to work if the decision is not issued within six months; free legal assistance if unable to pay; interpreter; right to have application communicated to UNHCR; right to access the content of the application file.</p>	<p>Official application form; provide ID (passport, travel documentation or registration document); certificate attesting absence of criminal record; documentation evidencing the exceptional circumstances which justify the request for protection; payment of relevant fees</p>	<p>File a request in person; present personal documents, travel documents, and any other supporting documentation; adults accompanying minors must present the request on behalf of the child</p>
<p>Rights upon recognition</p>	<p>Residence permit valid for five years; right to work; identification and travel documents; family reunification; education; healthcare; housing; welfare and social services; facilitated access to naturalisation (residence requirement reduced to five years)</p>	<p>Residence permit valid for one year; right to work upon request</p>	<p>Right to reside for one year (automatically renewed for one more year unless it ceases); right to work; travel documents if need to leave Spain; right to re-enter Spain from other EU countries; social assistance; family reunification</p>

For more information, see:

- Ministry of the Interior, [Information about Temporary Protection Ukraine](#), [Information for applicants of international protection in Spain: right to asylum and subsidiary protection](#), [Instructions for requesting an appointment to obtain a Foreigner's Identity Card \(Tarjeta de Identidad de Extranjero\)](#)
- Spanish Commission for Aid to Refugees (CEAR), [Guide on protection in Spain for people affected by war](#)
- Civil society organisations: [Diaconía](#), [Movimiento por la Paz](#), [La Merced Migraciones](#), [Rescate](#)
- Union of Workers (UGT) / contact: (+34) 915900580/81; (+34) 915897100; contacto@cec.ugt.org
- Workers' Commission Madrid (CC.OO.) (contact: (+34) 91 536 5320; cite.madrid@usmr.ccoo.es)
- European Council on Refugees and Exiles, [Information Sheet](#)
- EU Asylum Agency, [Who is Who in International Protection, Temporary Protection overview](#)
- EASO, [Guidance on reception conditions for unaccompanied children: operational standards and indicators](#)
- KIND & Child Circle, [Note on unaccompanied children fleeing Ukraine](#)
- Right to Protection, [Who are stateless persons who fled Ukraine after the Russian invasion on 24 of February, 2022](#)

3. STATELESSNESS DETERMINATION AND PROTECTION STATUS

For stateless people, it is important to determine both a claim for international protection and their statelessness. Each application should be assessed and both types of status should be explicitly recognised so that even if international protection ceases, the person remains entitled to protection as a stateless person. Statelessness determination should be conducted either in parallel with or following the refugee status determination, with due regard to the primacy of the asylum claim and the principle of confidentiality for refugees in statelessness determination procedures. For more information, see: [ENS briefing on statelessness determination & protection in Europe](#).

Spain has a dedicated Statelessness Determination Procedure and statelessness protection status. The procedure is summarised in the table below. For more information, see: [ENS Statelessness Index Spain](#).

	Statelessness Status
What is it?	Protection for a person who is not considered as a national by any State according to its laws
Can stateless and/or undocumented persons apply?	Yes
Where to apply?	At the Asylum and Refugee Office (OAR) in Madrid, or any police station or immigration office around the country; applications may not be submitted at the border nor from immigration detention centres
Procedure & rights	Submit the application form (only in Spanish); provide evidence of lack of nationality; individual interview only if deemed essential; interpreter; decision in writing with reasons within three months (often delayed); right to appeal; application reviewed by the OAR and decision from the Ministry of Interior; applicants do not have the right to stay in Spain, nor the right to work and are not explicitly protected against deportation; may be granted temporary residence, an identity card ('green card'), and receive support under the asylum reception system; access to free legal aid, psychologists, accommodation, and financial support
Rights upon recognition	Permission to stay and indefinite right to reside; foreigner's identity card (<i>Tarjeta de Identidad de Extranjero</i>) and travel document must be renewed every five years; right to family reunification; work; education; social security; healthcare; no right to facilitated naturalisation (must reside in Spain for 10 years with continuous and legal residence)

4. REQUIREMENTS FOR ONWARD TRAVEL TO THIRD COUNTRIES

Beneficiaries of international protection, humanitarian protection, and temporary protection with a travel document, as well as recognised stateless persons in Spain, may travel to third countries. Beneficiaries of temporary protection will be issued a travel document if they give evidence of the need to travel and have no passport or other documentation, or if their existing documentation has expired. If not granted access to any other EU Member State, they will be entitled to return to Spain.

5. OTHER RELEVANT INFORMATION

Refugee Reception Centres (CAR) provide accommodation, food, and urgent and primary psychosocial assistance, as well as other social services aimed at facilitating the integration of asylum-seekers in Spain and supporting those applying for refugee or displaced person status who lack financial means. For more information, see [Refugee Reception Centres, Service Charter](#).

6. ORGANISATIONS ASSISTING STATELESS PEOPLE

<p>Asylum and Refugee Office (OAR - Oficina de Asilo y Refugio) http://www.interior.gob.es/web/servicios-al-ciudadano/oficina-de-asilo-y-refugio (+34) 91 537 21 70</p>	<p>UNHCR Spain (ACNUR – Alto Comisionado de las Naciones Unidas para los Refugiados) https://www.acnur.org/es-es/ (+34) 91 556 36 49 / 35 03</p>
<p>CEAR (Spanish Commission for Aid to Refugees (Comisión Española de Ayuda al Refugiado)) www.cear.es (+34) 91 555 06 98 / 29 08</p>	<p>COMRADE (Spanish Committee for the Defence of Refugees and Asylum-Seekers (Comité de Defensa de los Refugiados y Asilados de España)) http://comrade.es/ (+34) 91 446 46 08</p>
<p>Cruz Roja Española (Spanish Red Cross) https://www2.cruzroja.es/ (+34) 91 532 55 55 900 22 11 22 informa@cruzroja.es</p>	<p>Accem www.accem.es (+34) 91 532 74 78 / 79</p>
<p>Fundación–CEPAIM - Acción Integral con Migrantes http://cepaim.org/ acogida@cepaim.org</p>	<p>Comissió Catalana d’Ajuda al Refugiati (CCAR) (Catalan Commission for Aid to Refugees) https://www.ccar.cat/ (+34) 933012539 ccar@ccar-cear.org</p>
<p>Ilustre Colegio de la Abogacía de Madrid (Madrid Bar Association) https://web.icam.es/ayuda-a-ucrania/ (+34) 91 435 78 10 ayuda.ucrania@icam.madrid</p>	<p>Red Acoge https://redacoge.org/ (+34) 91 563 37 79 acoge@redacoge.org</p>
<p>Servicio Jesuita a Migrantes España (SJME) (Jesuit Migrants Service) http://sjme.org/ (+34) 91 733 54 49 info@sjme.org</p>	