ADDRESSING STATELESSNESS IN EUROPE:

CLOSING PROTECTION GAPS AND REALISING EVERYONE’S RIGHT TO A NATIONALITY

University of Alicante, Spain
6-8 May 2020
### PROGRAMME

*Please note the programme is subject to change*

#### WEDNESDAY 6 MAY

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<th>Time</th>
<th>Event</th>
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<tr>
<td>19.00 – 21.00</td>
<td><strong>Cocktail Reception at the Casa Mediterráneo</strong></td>
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<td>Including a guest address by the 2019 Nansen Award winner</td>
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<td><strong>Azizbek Ashurov</strong>, Director, Ferghana Valley Lawyers Without Borders</td>
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#### THURSDAY 7 MAY

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<th>Time</th>
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<tr>
<td>8.30 – 9.00</td>
<td><strong>Registration</strong></td>
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<tr>
<td>9.00 – 9.30</td>
<td><strong>Welcome and Introduction</strong></td>
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<tr>
<td>9.30 – 11.00</td>
<td><strong>Opening Panel: Understanding and Addressing Statelessness as a Major Human Rights Issue in Europe – Achieving an Integrated and Holistic Response</strong></td>
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<td><em>Moderated by Chris Nash</em>, Director, European Network on Statelessness</td>
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<td><em>Juan Fernando López Aguilar MEP</em>, Chair of European Parliament’s Committee on Civil Liberties, Justice and Home Affairs (LIBE)</td>
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<td><em>Christophe Poirel</em>, Director for Human Rights, Council of Europe</td>
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<td><em>Hana Jalloul Muro</em>, Secretary of State for Migrations, Ministry of Inclusion, Social Security and Migration</td>
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<td><em>Katarzyna Gardapkhadze</em>, First Deputy Director, OSCE Office for Democratic Institutions and Human Rights</td>
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<td><em>Aleksandra Semeriak</em>, Individual ENS Member and formerly stateless person</td>
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<td>11.00 – 11.30</td>
<td><strong>Coffee break</strong></td>
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<td>11.30 – 13.00</td>
<td><strong>Identification and Protection of Stateless People – Current Gaps and Good Practice</strong></td>
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<td><em>Moderated by Ignacio Hernández</em>, Fundación Cepaim</td>
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<td><em>Nina Murray</em>, Head of Policy &amp; Research, European Network on Statelessness</td>
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<td><em>Gábor Gyulai</em>, Refugee Programme Director, Hungarian Helsinki Committee</td>
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<td><em>Ksenija Turković</em>, Judge, European Court of Human Rights</td>
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<td>13.00 – 14.00</td>
<td><strong>Lunch</strong></td>
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14.00 – 16.00 Choice of parallel sessions in English and Spanish (no interpreting)

Further details of parallel sessions overleaf

English sessions

SESSION 1: Preventing statelessness: Birth registration barriers and good practice in Europe
SESSION 2: Promoting the voices of stateless communities in Europe
SESSION 3: Syria’s Changing Statelessness Landscape: Implications for Europe
SESSION 4: The Right to Nationality in the Age of Counter-Terrorism: A Year of Action Against Citizenship Stripping
SESSION 5: International protection as a solution to statelessness?

Spanish sessions

SESSION A: What is the state of play and how do we address current challenges in the Spanish statelessness system?

16.00 – 16.30 Coffee break

16.30 – 18.00 From Arrival through the Asylum Journey – Understanding and Addressing Statelessness in Europe’s Refugee Response

Moderated by Nina Murray, Head of Policy & Research, European Network on Statelessness
Tamás Molnár, Legal Officer, Fundamental Rights Agency
Yonous Muhammadi, President & Coordinator, Greek Forum of Refugees
Jadwiga Maczynska, Head of Information & Analysis Sector, European Asylum Support Office
Blanka Hruba, Policy Officer, European Commission Directorate-General for Migration and Home Affairs (DG HOME)
FRIDAY 8 MAY

9.00 – 11.00 Choice of parallel sessions in English and Spanish (no interpreting)

Further details of parallel sessions overleaf

**English sessions**

SESSION 6: Developing fair and efficient statelessness determination procedures

SESSION 7: Discrimination as a cause and consequence of statelessness

SESSION 8: Realising Every Child’s Right to a Nationality

SESSION 9: Addressing Statelessness in Europe: the role of National Human Rights Institutions (NHRIs) and NGOs

SESSION 10: The point of no return: Protecting stateless people from arbitrary detention in Europe

**Spanish sessions**

SESSION B: Reflecting on new situations creating a risk of statelessness in Spain

SESSION C: Communities affected by statelessness in Spain: jurisprudence, statelessness and activism

11.00 – 11.30 Coffee break

11.30 – 13.00 Closing Panel: Conference Reflections and Developing a Pan-Regional Strategy on Solving Statelessness in Europe

Moderated by Jean Lambert, ENS Trustee and former Member of the European Parliament

Chris Nash, Director, European Network on Statelessness

Professor Ángeles Solanes Corella, Professor of Philosophy of Law, University of Valencia

Amal de Chickera, Co-Director, Institute on Statelessness and Inclusion

Christiana Bukalo, Individual ENS member

13.00 Conference close
Preventing statelessness: Birth registration barriers and good practice in Europe

CONTRIBUTORS

Nina Murray, European Network on Statelessness + Ivanka Kostic, Praxis + Rabea Niggemeyer, individual expert + Arpi Avetisyan, ILGA Europe + Yulia Nosenko, Tenth of April

Birth registration and acquiring a birth certificate are critical to establishing a child’s nationality. Yet legislation, policies and practices in some European countries mean that children continue to face barriers to birth registration, increasing the risk that they grow up without a nationality. This workshop will provide an overview of key barriers to birth registration in Europe with some case studies, and will explore examples of good practices, as well as solutions to ensuring every child in Europe can access free, immediate birth registration.

Promoting the voices of stateless communities in Europe

CONTRIBUTORS

Anila Noor, New Women Connectors + Syed Hasnain, Italian National Union for Refugees; and Exiles + Nijam Uddin Mohammed, British Rohingya Community UK + Heather Alexander, United Stateless + Jehna Al-Moushahidi, Swedish Organisation Against Statelessness + Greek Forum for Refugees (tbc) + Hajra Daly, Comic Relief

Stateless people are often given little opportunity to inform and influence the debates and decisions which affect them. This workshop will focus on the voices of communities affected by statelessness, exploring some of the particular barriers and challenges they face, examples of how stateless people can organise and self-advocate, and how wider civil society can support and build partnerships with communities. It will provide an interactive discussion on the importance of meaningful participation and representation of stateless people in efforts to address statelessness in Europe.
Syria’s Changing Statelessness Landscape: Implications for Europe

**CONTRIBUTORS**

Thomas McGee, Peter McMullin Centre on Statelessness + Malak Benslama, Queen Mary University of London + Liz Williams, Asylum Research Centre

Syria is a country with several historic statelessness problems. Alongside the deprivation of citizenship from some 300,000 Kurds, discriminatory legal provisions and practices that mean mothers cannot pass their nationality to their children on an equal basis with fathers create further cases (and risks) of statelessness. This session unpicks the impacts of the nexus between statelessness and displacement upon Syrians, and also examines how Syria has become a ‘laboratory’ site for the statelessness of persons of European origin in the case of foreign fighters and ISIS relatives as European states increasingly employ citizenship-stripping policies.

The Right to Nationality in the Age of Counter-Terrorism: A Year of Action Against Citizenship Stripping

**CONTRIBUTORS**

Amal De Chickera, Institute on Statelessness and Inclusion + Caia Vlieks, Institute on Statelessness and Inclusion + Louise Pyne-Jones, International Observatory on Human Rights + Jawad Fairooz, Salam for Democracy and Human Rights

This session – as part of the Year of Action Against Citizenship Stripping – considers deprivation of nationality from different perspectives, focusing in particular on the counterterrorism context. The session will draw on the Principles on Deprivation of Nationality as a National Security Measure and ISI’s World’s Stateless Report to clarify international standards, identify protection gaps and explore tools to address them. The session includes a case study of the UK to illustrate the use of citizenship stripping in a counterterrorism context and to facilitate further discussion.
International protection as a solution to statelessness?

**CONTRIBUTORS**

Gábor Gyulai, Hungarian Helsinki Committee

What does ‘international protection’ mean as a broader legal concept, and are non-refugee stateless people entitled to it? What are the building blocks of a statelessness-specific protection regime and where do they currently exist? What can European civil society do to help stateless people obtain the protection status they are entitled to? Based on international law and jurisprudence, the facilitator’s ongoing PhD research and participants’ diverse expertise we will discuss these and related questions in this interactive workshop.

What is the state of play and how do we address current challenges in the Spanish statelessness system?

**CONTRIBUTORS**

Judith García Padilla, ACCEM (TBC) + Pedro Sanz Gil, Catalan Commission for Aid to Refugees + Ignacio Hernández Moreno, Fundación Cepaim + Francisco Ortiz Alvarez, UNHCR Spain + Cynthia Orchard, Consonant (TBC) + Blanca Sánchez Goyenechea, Office for Asylum and Refugees

This panel plenary session will present the findings from the work undertaken to add Spain to ENS’s Statelessness Index, with those who participated in the research. Based on this, it will address the challenges and possible improvements to Spanish legislation on statelessness, with a focus on the statelessness determination procedure.
**Developing fair and efficient statelessness determination procedures**

**CONTRIBUTORS**

Cynthia Orchard, Consonant + Maria Julia Cerdas, formerly stateless division for Costa Rica’s Ministry of Foreign Affairs + Anisa Metalla, Tirana Legal Aid Society + Giulia Bittoni, Court of Justice of the EU + Mary Henderson, Immigrant Council of Ireland + Victoria Reitter, Paris Lodron University of Salzburg

Currently, only around ten European states have in place dedicated statelessness determination procedures (SDPs) to enable them to identify people on their territory who are stateless and owed protection under the 1954 Statelessness Convention. This interactive workshop will explore the key components of an effective SDP, including evidentiary assessment, and will draw on good practices as well as specific case studies examining how statelessness is addressed differently in countries which have, or lack, SDPs. The session is particularly intended for practitioners from countries who have pledged to or are in the process of introducing SDPs.

**Discrimination as a cause and consequence of statelessness**

**CONTRIBUTORS**

Nina Murray, European Network on Statelessness + Adriatik Hasantari, Roma Active Albania + Jose Arraiza, individual expert + Senada Sali, European Roma Rights Centre + Thomas McGee, individual ENS member + Olga Abramenko, ADC Memorial

Intersectionality refers to the interaction between different aspects of people’s identities (such as gender, age, ethnicity, sexual orientation, and citizenship status) and its impact on their lives and experiences. This workshop will explore how and why multiple, intersecting forms of discrimination can be both a cause and a consequence of statelessness, and what this means for different people’s experiences of statelessness. It will include presentations from experts on antigypsyism, gender, child rights, minority rights, and sexual orientation and gender identity, and will aim to stimulate discussion among participants.
Realising Every Child’s Right to a Nationality

CONTRIBUTORS
Amal De Chickera, Institute on Statelessness and Inclusion + Caia Vlieks, Institute on Statelessness and Inclusion + Adrian Berry, Garden Court Chambers

This workshop takes stock of how far we have come with regard to realizing every child’s right to a nationality. It considers what tools we have to address childhood statelessness, but also what gaps and challenges remain, and what is needed to address them. We will present a case study and consider the work of the Committee on the Rights of the Child. As a workshop outcome, we will gather participants ideas and inputs to feed into a wider (online) consultation on realizing every child’s right to a nationality.

Addressing Statelessness in Europe: the role of National Human Rights Institutions (NHRIs) and NGOs

CONTRIBUTORS
Chris Nash, European Network on Statelessness + Tamta Pupashvili, Georgian NHRI + Sergey Ghazinyan, Armenian NHRI + Nato Gagnidze, Innovation and Reform Centre

This session will explore how NHRIs can play an important role not only in investigating cases of violation of human rights of stateless persons, but also in promoting their rights through monitoring, conducting training and awareness raising activities. Drawing on experience in Georgia and Armenia, it will be discussed how meaningful cooperation between NHRIs, NGOs and governments can support efforts to address statelessness in Europe, and how this could be enhanced through increased collaboration between ENNHRI and ENS at a pan-regional level.
The point of no return: Protecting stateless people from arbitrary detention in Europe

CONTRIBUTORS

Kasia Przybyszewska, Halina Nieć Legal Aid Center + Marta Gionco, Platform for International Cooperation on Undocumented Migrants + Petros Mastakas, UNHCR Greece + Sofiia Kordonets, Right to Protection

Many immigration systems in Europe do not have appropriate procedures in place to identify or protect people without a nationality and who often have no country to which they can return. This interactive workshop will explore legal frameworks and provide case studies of national practice on the detention of stateless people, including the identification of those already in detention. It will provide space for discussion on some of the solutions and alternatives to detention to prevent the arbitrary detention of stateless people in Europe.

Reflecting on new situations creating a risk of statelessness in Spain

CONTRIBUTORS

Gábor Gyulai, Hungarian Helsinki Committee + Aurelia Álvarez Rodríguez, Professor of International Private Law, University of León + Manuel Desantes Real, Professor of International Public Law, University of Alicante + Mar López Álvarez, Deputy Director General of Nationality, Ministry of Justice

This workshop will explore how different norms and practice in relation to Spanish nationality may be generating a risk of statelessness. It will look at emerging causes of (risk of) statelessness including those deriving from surrogacy arrangements, same-sex marriages in Spain when the marriage is not recognised in countries of origin, or accompanied children arriving in the country without any documentation.
Communities affected by statelessness in Spain: jurisprudence, statelessness and activism

CONTRIBUTORS

Lydia Esteve González, Professor of International Private Law, University of Alicante + Arsenio García Cores, lawyer individual member of ENS + Representatives of Saharawi communities

This workshop will focus on communities affected by statelessness in Spain from a socio-juridical perspective. The experiences of people and groups affected will be highlighted, as well as the impact on their daily lives, the response from the authorities, and the evolution of caselaw in this area, with a focus also on emerging challenges for the future. In this way, the workshop will provide a space for dialogue between lawyers and stateless communities about both the judicial response and people’s experiences, and the impact of statelessness on those affected.

ENS and Fundación Cepaim are grateful to European Programme for Integration and Migration (EPIM), Oak Foundation, Sigrid Rausing Trust, Casa Mediterráneo and the University of Alicante for their support of this event.