



Statement to Bulgaria's Presidency of the European Union on Addressing Statelessness in Europe

The [European Network on Statelessness](#) (ENS), a civil society alliance with over 120 members in 40 countries, calls on the incoming Bulgarian Presidency of the European Union (EU) to build on recent developments with regard to addressing statelessness in Europe.

In recent years there has been greater recognition of the need for more concerted action to combat statelessness at a global, regional and national level – including by EU institutions. In December 2015, the Council of the EU's first [Conclusions on Statelessness](#) were adopted. These highlighted the importance of exchange of good practices and information relating to statelessness among Member States, and tasked the European Migration Network (EMN) with establishing a dedicated platform to facilitate this process. Three EMN regional roundtables have since been held, including a multi-stakeholder [conference](#) in Brussels in January 2017 to launch a [Policy Inform](#). In parallel to these developments, the European Parliament has produced a dedicated [study on statelessness](#) in 2015, and held a [hearing](#) on the issue in June 2017.

Yet despite these helpful developments and a clear agenda for action, thus far insufficient concrete progress has been made. There has been little visible evidence of follow-up action after statelessness was tabled at a SCIFA meeting held during the Maltese Presidency in early 2017. In fact, since then Bulgaria is the only new EU state to put in place a dedicated statelessness determination procedure. In so doing it became one of only a handful of European states to have set up such a dedicated procedure which is a prerequisite for state parties to the 1954 Statelessness Convention to be able to implement their obligations in practice. The absence of a route by which stateless migrants can regularise their stay leaves them unable to enjoy their fundamental civil, economic, social and cultural rights owing under international law. Many experience long term destitution and/or immigration detention, as documented by recent ENS [research](#). Few are in a position to break this cycle, and as a consequence are left in legal limbo for years - posing policy implications for states as well as denying basic rights to those affected. Moreover, Europe continues to be a 'producer' of statelessness. [Research](#) published by ENS reveals that even among those states that have acceded to relevant international conventions, more than half are still failing to properly implement their obligations to ensure that stateless children acquire a nationality.

Hence there is an urgent need, and opportunity, for the Bulgarian Presidency to assume a pivotal leadership role in working with the European Commission, EMN and other actors to finally galvanise long overdue concrete measures to better protect stateless persons, and to prevent any child having to grow up without a nationality in Europe.

Recommendations

When Bulgaria assumes the Presidency of the EU on 1 January 2018, ENS encourages it to:

1. Follow up on the December 2015 Council Conclusions by tabling statelessness at SCIFA and/or other meetings, and accelerate the exchange of good practices through the EMN platform.
2. Encourage all Member States to introduce dedicated statelessness determination procedures.
3. Urge Member States in their national practice to ensure that all children born in their territory regardless of their legal status or their parents' identity documents are registered, and ensure that all children acquire nationality where they would otherwise be stateless.
4. Make the accession to the two UN Statelessness Conventions and their implementation by all EU Member States a priority.

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3. European Roma Rights Centre
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6. HIAS Ukraine
7. Human Rights League, Slovakia
8. Hungarian Helsinki Committee
9. Immigrant Council of Ireland
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24. Association for Juridical Studies on Immigration, Italy
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26. Asylkoordination. Austria
27. Bail for Immigration Detainees, UK
28. British Red Cross
29. Caritas Vienna, Austria
30. Catalan Commission for refugees, Spain
31. CCME – Churches' Commission for Migrants in Europe
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45. Greek Council for Refugees
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50. Innovations and Reforms Centre, Georgia
51. Italian Council for Refugees
52. Jesuit Migrant Service, Spain
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54. Kerk in Actie, Netherlands
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56. Legal Centre, Montenegro
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