

Input by civil society organisations to the Asylum Report 2025

Fields marked with * are mandatory.

Dear Colleagues,

The production of the Asylum Report 2025 is currently underway. The annual [Asylum Report](#) presents an overview of developments in the field of international protection in Europe.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share your reporting on developments in asylum law, policies or practices in 2024 by topic as presented in the online survey (**'Part A' of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2024 on issues related to asylum in EU+ countries (**'Part B' of the form**).

These may be reports, articles, recommendations to national authorities or EU institutions, open letters and analytical outputs.

Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage and contributing organisations will be listed under the Acknowledgements of the report.

All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases, position papers.

Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

NB: This year's edition of the Asylum Report will be significantly revamped to achieve a leaner, more analytical report with streamlined thematic sections. The focus will be on key trends in the field of asylum rather than on individual developments. For this reason, information shared by

respondents to this call may be incorporated in the Asylum Report in a format different than in the past years.

Your input matters to us and will be much appreciated!

Please submit your contribution to the Asylum Report 2025 by Friday, 10 January 2025.

Contact details

* Name of Organisation

European Network on Statelessness

Name and title of contact person

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I accept the provisions of the EUAA [Legal and Privacy Statements](#)

General observations

Before sharing information by thematic area, please provide your general observations on asylum developments as indicated in the following three fields:

What areas would you highlight where important developments took place in the country/countries you cover?

The adoption of the EU Migration and Asylum Pact includes new statelessness provisions in the Screening Regulation, APR, and AMMR obliging EU States to identify indications of statelessness pending determination. It is crucial that these provisions are implemented effectively, including through the work of EUAA.

ENS published two briefings on the EU Migration and Asylum Pact in 2024: (October 2024: (https://www.statelessness.eu/sites/default/files/2024-11/Briefing%20on%20Pact%20Implementation%20Detailed%20Oct%202024_3.pdf); May 2024: <https://www.statelessness.eu/updates/publications/statelessness-and-eu-pact-migration-and-asylum-analysis-and-recommendations>)

What are the areas, where only few or no developments took place?

Most EU+ States still do not have a statelessness determination procedure established in law to which officials can refer individuals if they claim to be stateless, there is a lack of available information about who may be stateless or at risk of statelessness, and only limited training to facilitate accurate identification and registration. This leads to unmet protection needs and States' obligations under the 1954 Convention being unfulfilled as statelessness remains unidentified. Stateless people also continue to face a risk of arbitrary immigration detention in some EU+ States due to the absence of sufficient procedural safeguards and insufficient referral mechanisms to identify their statelessness and prevent futile return attempts where individuals have no country to which they can return.

Would you have any observations to share specifically about the implementation of the Pact on Migration and Asylum in the national context of the country/ countries you cover?

It is positive that the Commission's Common Implementation Plan and Operational Checklist includes reference to the new statelessness provisions in the Pact. In an October 2024 briefing, ENS published detailed recommendations for Member States, EU bodies and agencies, and other actors to effectively implement these provisions.

(https://www.statelessness.eu/sites/default/files/2024-11/Briefing%20on%20Pact%20Implementation%20Detailed%20Oct%202024_3.pdf)

We urge Member States to make necessary adjustments to their national regulatory frameworks and operational policy and guidance and skill-up officials to ensure indications of statelessness are identified and recorded at screening and registration, that this information is shared and considered as appropriate in all asylum, return, and detention decisions including in border procedures in order to uphold the specific rights of stateless persons under international law, monitor the specific fundamental rights of stateless persons, and facilitate pathways to determine statelessness at an appropriate juncture in international protection proceedings.

Our members have reported limited opportunities to engage with the development of national implementation plans and few have been published or consulted on to our knowledge. This is a missed opportunity to engage relevant expertise and stakeholders in the Pact implementation process and we would urge States with the support of EUAA, Frontex, the Commission and other relevant actors to address this gap.

PART A: Contributions by topic

Please share your reporting on developments in asylum law, policies or practices in 2024 by topic. Kindly make sure that you provide information on:

- New developments and improvements in 2024 and new or remaining challenges;
- Changes in legislation, policies or practices, or institutional changes during 2024.

1. Access to territory and access to the asylum procedure (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

The inclusion of new statelessness provisions in the adopted EU Pact on Migration and Asylum is welcomed. Under the Screening Regulation and APR, EU States are required to identify indications of statelessness, pending further determination. MS are also reminded in various Pact instruments to respect their international obligations towards stateless persons, in accordance with international human rights law instruments including under the 1954 Convention.

Nevertheless, the generally limited awareness of statelessness among officials is a barrier towards the effective implementation of these provisions and the protection of stateless people in the asylum procedure. Most EU+ States still do not have a statelessness determination procedure established in law to which officials can refer individuals if they claim to be stateless, and only limited training to facilitate accurate identification and registration. This leads to unmet protection needs and States' obligations under the 1954 Convention being unfulfilled as they remain unidentified within existing systems.

Through ENS's Stateless Journeys campaign (<https://statelessjourneys.org/>), together with our members, we have designed a guide to developing a country-specific toolkit to support frontline asylum practitioners, NGOs, lawyers, advice providers and volunteers working with refugees to identify when somebody might be stateless, and to respond accordingly. The guide provides key definitions and general information about the causes of statelessness and how to identify it, information about determining and preventing statelessness, and resources and support for stateless people that can then be adapted to each country. Following our Stateless Journeys campaign and a successful pilot project in France, we have worked with partners on the ground to develop tailored toolkits in 2024 for Bulgaria, Czechia, Germany (forthcoming), Romania and Türkiye. With funding from the US State Department Bureau of Population, Refugees, and Migration (PRM), we will roll out our toolkits to more countries, including: Georgia, Italy, Moldova, Armenia and Ukraine in 2025-26. (<https://www.statelessness.eu/updates/news/rolling-out-our-new-identification-toolkit>).

2. Access to information and legal assistance (including counselling and representation)

There is still a lack of information and resources for all actors on statelessness and nationality problems, although this has improved somewhat in recent years through the work of ENS and its members under the Stateless Journeys campaign and improvements by other actors, including EUAA to include information on statelessness in its outputs and practical tools, and the development of an EUAA training(s) on statelessness. Given the new procedures established under the EU Migration and Asylum Pact, it is especially important that stateless people are aware of their rights and provided with specialist legal assistance during asylum, border, and return procedures.

3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

In 2024, there continue to be many gaps in European countries' legal frameworks and practice to prevent the arbitrary detention of stateless persons. Notwithstanding some harmonisation across EU Member States bound by the EU Return Directive, law, policy, and practice differ across the region. Even within some countries the legal framework is complex, with different types of detention entailing different rights and remedies (for example in Malta and Germany). Data on detention is very limited with few States accurately recording how many stateless people they detain.

The lack of identification of statelessness also leads to an increased risk of unlawful and arbitrary detention, as evidenced by more detailed analysis that we published in the ENS Statelessness Index in 2024 (<https://index.statelessness.eu/themes/detention>). Statelessness is still not considered a factor increasing vulnerability and it is rarely juridically relevant in decisions to detain. Only a handful of countries require a country of removal to be identified prior to detaining someone, or an assessment of whether a reasonable prospect of removal exists. Legal safeguards to prevent the arbitrary detention of stateless people are generally inadequate. Some countries provide procedural safeguards such as access to legal aid and regular judicial review, and all except the United Kingdom have set a time limit on immigration detention in law. Although a few countries grant some form of tolerated stay or minimum social assistance to those released from detention, most do not provide protection or identity documents on release. Identifying statelessness is an essential step to address it and prevent arbitrary detention, especially in the refugee context.

ENS published a policy briefing on detention and return as part of the Stateless Journeys Campaign: <https://statelessjourneys.org/the-issues/detention-and-return/>, and a webinar presenting the briefing and focusing on protecting stateless people from arbitrary detention in the context of returns procedures: <https://www.statelessness.eu/updates/event/webinar-detention-and-return-protecting-rights-stateless-people-0>

In 2024, positive developments are visible in Malta. For years and until 2023, all asylum-seekers rescued at sea (the vast majority) were immediately automatically detained without any individualised process. Most people were detained with no real legal basis, but on an implementation of national policy regarding health screening. Following judgments of the European Court of Human Rights in 2023 and 2024 finding violations of the ECHR in relation to Malta's detention of vulnerable people (minors in those cases), the country almost entirely ended health-based detention, and, by January 2024, detention has been carried out under the legal basis of the Reception Regulations with a detention order for approximately two months, less for vulnerable people. However, there still are limited procedural guarantees and safeguards, showing the need for further developments in this area.

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)

In 2024, several countries granted refugee status to stateless Palestinians registered with UNRWA, a group that previously faced challenges in accessing international protection in Europe (see cases in the document attached). In many cases, national authorities and courts found that UNRWA protection can no longer be considered effective or guaranteed given the security and humanitarian situation in Gaza. These findings follow a judgment from the CJEU in June 2024, which held that applicants should automatically receive refugee status under EU law if UNRWA's assistance is considered to have ceased (Case C-563/22: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=287065&pageIndex=0&doclang=FR&mode=req&dir=&occ=first&part=1&cid=2360876>). The ruling, in addition to a previous opinion of Advocate General Emiliou, acknowledged the severe deterioration of conditions in Gaza and UNRWA's diminished capacity to assist Palestinians. (<https://curia.europa.eu/juris/document/document.jsf?text=&docid=281163&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=2165833>)

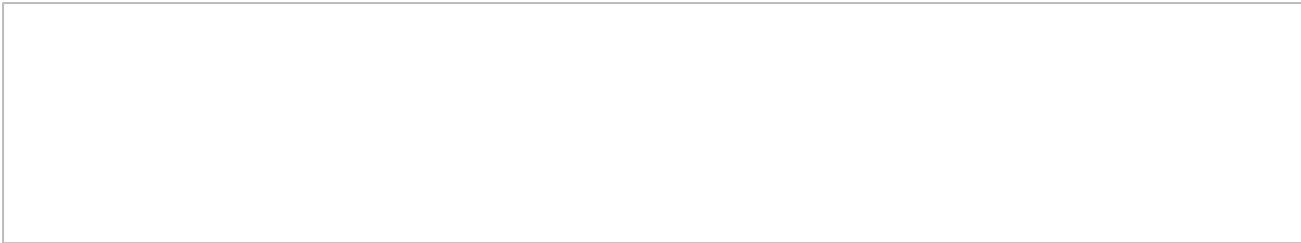
In EU+ countries, there continues to be a lack of mechanisms to ensure that where an individual claims to be stateless or where there are indications of statelessness during international protection procedures, they are referred to a dedicated statelessness determination procedure (SDP) to have their statelessness status determined in line with international standards. This is important to ensure that if refused refugee or subsidiary protection, an individual's protection needs under the 1954 Convention are adequately assessed in line with due process standards and with procedural safeguards. This determination is also important regardless of whether an individual is granted another form of international protection, as statelessness will impact on their access to other rights. Poland, Cyprus and Estonia still have not acceded to the 1954 Convention.

In 2024, in addition to the existing judicial procedure, Belgium introduced an administrative procedure which leads to a residence permit on the grounds of statelessness for the first time. However, challenges remain, including strict admissibility and substantive conditions and reduced procedural guarantees, so it does not constitute a fair, effective and accessible procedure for stateless persons to access their rights. The existing judicial procedure lacks procedural rules and safeguards and is not in line with international standards; it also does not lead to a residence permit or any additional rights. ENS and NANSEN prepared a joint opinion on the legislative proposal in December 2023 (<https://www.statelessness.eu/updates/publications/joint-opinion-pending-legal-reform-belgium>).

In Czechia, the Municipal Court in Prague held that non-citizens of Latvia meet the definition of a stateless person under the 1954 Convention, recognising also the significant difference in status between Latvian nationals and non-citizens in Latvia. The decision enabled the applicant to access statelessness status and its associated rights under Czechia's procedure to determine statelessness (<https://vyhledavac.nssoud.cz/DokumentOriginal/Html/724044>).

Recent practice in Italy, identified within a pending update to the Statelessness Index in 2025, shows that authorities are considering that the presentation of a birth certificate and lawful residence in Italy is not compulsory to access the administrative procedure to determine statelessness, which would be a positive development. Nevertheless, the application will only be considered admissible without a birth certificate if there is another document from which the person's place and date of birth can be inferred. This reflects a remaining challenge for stateless people to access the administrative statelessness determination procedure in Italy.

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management -including backlog management)



10. Issues of statelessness in the context of asylum (including identification and registration)

Please see information provided across this document.

With regard to the EU temporary protection mechanism activated following the full-scale Russian invasion in Ukraine, several developments in 2024 have impacted the ability for stateless people, people with undetermined nationality, and undocumented people to access protection. According to UNHCR, there are at least 35,000 stateless people in Ukraine and other sources suggest there could be many tens of thousands more. These include part of the Romani population, children born in Non-government-controlled areas and Crimea since 2014, former citizens of the USSR and asylum seekers, refugees and migrants. The statelessness determination procedure in Ukraine only grants recognised stateless people temporary residence, two years after which they may acquire permanent residence.

Despite many MS extending temporary protection to 4 March 2026 in line with EU Council Decision 2024 /1836 of 25 June 2024, some MS have added conditions or exemptions that reduce the possibility for many stateless people, people with undetermined nationality, and undocumented people to access the territory and retain or apply for temporary protection.

On 25 January 2024, the Bulgarian Government extended the term of temporary protection until 4 March 2025 and restricted eligibility for temporary protection. Protection is available to stateless people fleeing the war in Ukraine who can prove that they lawfully resided in Ukraine before 24 February 2022, on the basis of a valid permanent residence permit and who cannot return to their country of origin. Therefore, stateless people with temporary residence in Ukraine are no longer eligible, nor those with international protection in Ukraine who did not have permanent residence in Ukraine.

On 27 November 2024, Germany extended temporary protection to March 2026 for Ukrainian nationals, stateless people, third-country nationals who had permanent residence in Ukraine before 24 February 2022. Non-Ukrainian nationals and stateless people without permanent residence or protection in Ukraine will lose temporary protection on 5 March 2025. In addition, non-Ukrainian nationals and stateless people without permanent residence or protection status in Ukraine require a visa to enter Germany (<https://mailchi.mp/ecre/elena-weekly-legal-update-13-december-2024?e=bc9d8bafba#5>).

In Ireland, as of June 2024, newly arriving people seeking temporary protection must hold biometric passports.

On 19 December 2024, the CJEU ruled that temporary protection granted to those beyond the requirements of EU law can be withdrawn before the end of the TPD. MS that granted temporary protection to stateless people, people with undetermined nationality, and undocumented people with only temporary residence can now withdraw this at any point (<https://curia.europa.eu/jcms/upload/docs/application/pdf/2024-12/cp240203en.pdf>). These developments are worrying given the lack of long-term solutions for people displaced by the war in Ukraine.

Earlier in 2024, in January, the Dutch Council of State ruled that the competent authority could not

independently end the temporary protection of a third-country national who had a temporary residence permit in Ukraine before the start of the war before the end of the one-year period, in accordance with the EU Temporary Protection Directive. This followed attempts to restrict eligibility for temporary protection in reversal of the initial decision to expand its applicability beyond EU law (see attached document for this case).

With regard to the developments concerning the refugee status of stateless Palestinians, please see Q8. A concerning development in 2024 is the reports that the Belgian Immigration Office incentivised municipalities to withdraw the Belgian nationality of children born to Palestinian parents in Belgium. The withdrawal of children's nationality in these cases contravenes international human rights law and risks leaving children in limbo, exposed to the risk of growing up stateless. ENS and NANSEN published a briefing on these developments in February 2024 (<https://www.statelessness.eu/updates/publications/briefing-right-nationality-children-born-palestinian-parents-belgium>).

11. Children and applicants with special needs (special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

All but three EU MS (Poland, Cyprus, Estonia) have acceded to the 1954 Convention Relating to the Status of Stateless Persons, but, as in previous years, the rights afforded to stateless people in Europe still fall short of these international obligations. In the absence of adequate procedures to identify and determine statelessness, many stateless people remain unidentified and denied access to the rights established in the Convention. Some limited progress was made in this respect in 2024.

As noted in Q8, Belgium introduced an administrative procedure which leads to a residence permit on the grounds of statelessness. Although the introduction of a right to reside is an improvement compared to the existing judicial procedure that does not lead to residence or any other rights beyond the right to a social allowance, there are several features that result an intricate, burdensome, and complex system to determine statelessness. This includes strict admissibility and substantive conditions and limited procedural safeguards so it does not constitute a fair, effective and accessible procedure for stateless people to access their rights.

Positively, in 2024, Portuguese lawmakers have proposed a bill to operationalise and regulate the statelessness determination procedure that was approved in 2023. Among other rights proposed to be granted following the determination of statelessness status, the proposal outlines that Portuguese nationality can be granted to recognised stateless persons who have resided in Portugal for three years. (<https://www.publico.pt/2024/10/14/politica/noticia/livre-propoe-regulamentar-estatuto-apatrida-resolver-vidas-estao-limbo-2107761>)

13. Return of former applicants for international protection

It is vital that mechanisms are in place to identify statelessness in the context of return procedures and decisions to detain, in order to safeguard against the arbitrary detention of stateless people and ensure access to the rights and protections enshrined in the 1954 Convention. Referral mechanisms must be in place from return proceedings to procedures to determine statelessness and grant protection to stateless persons. Implementing these safeguards is especially important given the content of the EU Migration and Asylum Pact which permits MS to facilitate access to the territory where appropriate during the Return Border procedure, given that stateless people are very likely to have no country to which they can return and are at particular risk of ending up in limbo and arbitrary detention if found to be unreturnable.

14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

15. National jurisprudence on international protection in 2024 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

Please see the document attached.

16. Other important developments in 2024

In 2024, some EU MS have responded to the situation of Belarusian nationals residing in the EU. The challenges relate to Decree No. 278 “On the Procedure for Issuing Documents and Performing Actions” issued by the Belarusian President on 4 September 2023 which banned access to many consular functions outside of Belarus, including the renewal of passports or ID documents. As a result, many Belarusians in Europe are facing the expiration of their passports and identity documents and a risk of irregularity due to the potential inability to renew residence permits in MS. For children born to Belarusians with expired documents, there is also a risk of statelessness in the absence of safeguards due to the potential inability to register their births (in the absence of the parent’s documentation or valid residence status, if required) and the ability to have valid proof of their access to a nationality.

Positively, some MS (Poland, Germany, Lithuania) are recognising expired Belarusian passports or identity documents or issuing “foreigner’s passports” as a valid form of ID to prevent irregularity. However, many such provisions are only available to Belarusians with existing permanent residence, excluding inter alia, Belarusians with temporary residence or staying on a humanitarian visa. In addition, responses are not harmonised across MS, and most do not have such provisions. With a very low asylum acceptance rate of Belarusians across the EU (with the exception of Poland), there are several risks of irregularity and potential (risk of) statelessness due to the inaction of EU MS.

PART B: Publications

1. If available online, please provide links to relevant publications produced by your organisation in 2024

Please see the document attached.

2. If not available online, please share your publications with us at: Asylum.Report@euaa.europa.eu or upload your file using the functionality below (max. file size 1MB).

Please upload your file

The maximum file size is 1 MB

3ca20a15-b340-4ea8-8a54-97b2d21c57bc/EUAA_Asylum_Report_2025__list_of_resources.docx

3. For publications that due to copyright issues cannot be easily shared, please provide references using the table below.

	Title of publication	Name of author	Publisher/Organisation	Date
1				
2				
3				
4				
5				

Useful links

[EUAA Asylum Report 2024 \(https://euaa.europa.eu/asylum-report-2024\)](https://euaa.europa.eu/asylum-report-2024)

[Executive Summary -Asylum Report 2024 \(https://euaa.europa.eu/asylum-report-2024/executive-summary\)](https://euaa.europa.eu/asylum-report-2024/executive-summary)

[Sources on Asylum 2024 \(https://euaa.europa.eu/publications/sources-asylum-2024\)](https://euaa.europa.eu/publications/sources-asylum-2024)

[National asylum developments database \(https://euaa.europa.eu/national-asylum-developments-database\)](https://euaa.europa.eu/national-asylum-developments-database)

[International Protection in Europe: 2023 in Review \(https://euaa.europa.eu/international-protection-europe-2023-review\)](https://euaa.europa.eu/international-protection-europe-2023-review)

Background Documents

[Word template to submit input](#)

Contact

[Contact Form](#)