

# Input by civil society organisations to the Asylum Report 2026

Fields marked with \* are mandatory.

Dear Colleagues,

The production of the Asylum Report 2026 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 2025 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 2025 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: Similarly to last year, this year's edition of the Asylum Report will be leaner and more analytical, 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. It will also feature prominently as info boxes in the [country overviews](#).***

Your input matters to us and will be much appreciated!

**\*Please submit your contribution to the Asylum Report 2026 by Friday, 9 January 2026.\***

## Contact details

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

## General observations

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**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?

In 2025, several developments influenced the asylum landscape in relation to statelessness. First, significant funding cuts to foreign assistance severely impacted NGOs and international institutions, including ENS and its members, as well as UNHCR, reducing their capacity to provide essential legal aid and information to stateless people. This comes at a critical time, as Member States prepare to implement new provisions under the EU Migration and Asylum Pact which will require specialist support and monitoring to ensure the rights of stateless people are upheld during screening, asylum, and possible return processes. Despite some progress, such as EUAA's integration of statelessness into training and tools, awareness and capacity to identify and address statelessness remain limited across most Member States, with only some having dedicated statelessness determination procedures in place.

Another notable trend was the recognition of the State of Palestine by several EU+ States. While significant, this recognition importantly does not alter the international law definition of a stateless person nor the nationality status of Palestinians, yet some countries, such as Norway, have ceased considering Palestinians as stateless, curtailing rights including access to shortened residence periods for naturalisation. This inconsistent approach risks undermining protection standards and highlights the need for clear guidance grounded in international law.

Please see the rest of the submission for further detail.

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

Despite new or renewed political commitments in some EU+ States (Austria, Portugal, Malta, Ireland), 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 there is a lack of available information about who may be stateless or at risk of statelessness. This leads to unmet protection needs and States' obligations under the 1954 Convention being unfulfilled as statelessness remains unidentified. This is particularly concerning given the obligations under the EU Pact on Migration and Asylum (Screening Regulation & APR) to identify and record indications of statelessness pending a determination of statelessness/nationality, which must be implemented by June 2026. 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?

Throughout 2025, ENS has been actively monitoring progress towards implementation of the statelessness provisions in the Pact through our members and partners across EU+ States, as well as supporting the development of tools, resources, and trainings to ensure effective implementation, including those being developed by EUAA.

Notwithstanding, ENS has unfortunately observed a mixed picture concerning implementation at national level, most notably through a general lack of clarity or awareness among EU+ States on how the new statelessness provisions (and other aspects of the Pact) will be operationalised. Of particular concern is that the (few) publicly available national implementation plans have largely failed to reference the new statelessness legal provisions despite the Commission's Common Implementation Plan and Operational Checklist providing some (albeit limited) guidance on this. Without clear and dedicated attention to the implementation of these new provisions, particularly when making necessary adjustments to national regulatory frameworks and operational policy and guidance, EU+ States risk falling short of their obligations under EU and international law.

The lack of transparency surrounding the Pact implementation process is a concern more generally, beyond just the non-publication of many national implementation plans, as engagement with CSOs and affected communities throughout the implementation process has continued to be very limited in many EU+ States. This is a missed opportunity to engage relevant expertise and stakeholders in the implementation process, and we would urge EU+ States to address this gap.

Positively, ENS has constructively engaged with EU Agencies including EUAA, FRA, and the FRONTEX Fundamental Rights Office, as well as the Commission to support the mainstreaming of statelessness within Pact-related products and outputs. This has led to tangible developments such as a dedicated training on the identification of statelessness, the integration of statelessness content within the FRONTEX-EUAA Screening Toolbox, and the publication of the new Practical Guide on Nationality and Statelessness, among others. It however remains important that such progress, particularly the relevant tools and knowledge, are transferred to officials responsible for operationalising the Pact and results in an increased awareness and understanding of statelessness. This is necessary to ensure the specific rights of stateless people under EU and international law are upheld, as well as to support the effective monitoring of such rights during the relevant procedures.

## **PART A: Contributions by topic**

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**Please share your reporting on developments in asylum law, policies or practices in 2025 by topic.**

**Kindly make sure that you provide information on:**

- New developments and improvements in 2025 and new or remaining challenges;
- Changes in legislation, policies or practices, or institutional changes during 2025.

**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)**

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 continues to be 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. As identified through ENS's monitoring throughout 2025 and forthcoming updates to our Statelessness Index, there has been only limited attention given to the implementation of the statelessness provisions by MS, creating the risk that officials responsible for arrival, screening, and registration will not be sufficiently equipped to implement these new obligations. Notwithstanding, ENS welcomes the important products in this regard being produced by EUAA and other actors, such as a new training to support the identification of statelessness and the Screening Toolbox that refers to indications of statelessness. However, it is vital that these tools and knowledge are utilised by competent authorities.

Through ENS's Stateless Journeys initiative (<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 a successful pilot project in France, we worked with partners on the ground to develop tailored toolkits in 2024 for Bulgaria, Czechia, Romania and Türkiye. In 2025/26 ENS secured funding from the US State Department Bureau of Population, Refugees, and Migration intended to roll out our toolkits to more countries. However, this funding and the project was terminated by the US Government in early 2025. Nevertheless, in October 2025, ENS and Statefree were able to publish a new identification tool for Germany: <https://www.statelessness.eu/updates/publications/toolkit-identify-and-address-statelessness-germany>

## **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 in recent years through the work of ENS and its members as well as other actors, including EUAA. Given the new Pact provisions, it is especially important that stateless people are aware of their rights and provided with specialist legal assistance during asylum, border, and return procedures. In turn, this means that those representing stateless people (legal counsellors, guardians, etc.) should receive sufficient training and have access to knowledge concerning statelessness to effectively ensure their clients' rights are upheld. Agencies such as EUAA and FRA, as well as national authorities should continue working to mainstream statelessness across all relevant outputs.

At MS level, only limited developments were seen in this area during 2025. For example, the Austrian Legal Aid Agency (BBU) added an information page concerning statelessness to its website, also indicating its availability to support stateless applicants (<https://www.bbu.gv.at/staatenlosigkeit-was-heisst-das>). However, many EU+ States still lack available information on statelessness and the relevant procedures at national level.

Recent cuts to foreign assistance have also significantly undermined the capacity of NGOs, including ENS members across the EU+ region, and intergovernmental organisations such as UNHCR, to provide essential information and legal assistance to stateless people. Without intervention from MS and the EU, as provisions under the EU Migration and Asylum Pact come into force, the reduced availability of adequate and specialised support risks leaving stateless individuals without access to tailored legal advice during critical stages of the asylum and/or return process.

### **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 2025, there continue to be many gaps in European countries' legal frameworks and practice to prevent the arbitrary detention of stateless people. 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. 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 will soon be published in the ENS Statelessness Index for 2025 (<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, not all countries provide procedural safeguards such as access to legal aid and regular judicial review, and in some countries (Poland, Austria, among others) stateless people may be imputed as 'non-cooperative' for reasons beyond their control, such as when the law obliges detainees to provide identity documents or proof of nationality. 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.

Moreover, as elaborated in Section 13, the proposal for a new 'Return Regulation' threatens to significantly increase the risk of arbitrary and prolonged detention for stateless people.

ENS has previously published a policy briefing on detention and return as part of the Stateless Journeys Initiative: <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>

## **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 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 (or if such protection ceases), 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 2025, ENS updated its briefing on 'Statelessness Determination and Protection in Europe: Good practice, challenges and risks'. This briefing is part of a series of thematic briefings and summarises how the (then) 34 countries featured in the Statelessness Index perform against international norms and good practice in law, policy, and practice on statelessness determination and the protection of stateless people. It highlights good practice examples and provides a critical analysis of the remaining gaps and barriers in countries across Europe. The briefing also presents recommendations for urgent action needed to strengthen access to protection and pathways to naturalisation for stateless people (<https://www.statelessness.eu/updates/publications/sdp-briefing-2025>)

The importance of accurate and updated country-of-origin information that contains information on statelessness and nationality remains paramount to ensuring that all elements of a stateless asylum seeker's application are considered. In 2025, case law from appeal courts in Belgium and Greece (available in Section 15) have highlighted the need for such COI to be available, with these courts overturning first instance decisions on the grounds that statelessness-specific elements of available COI had not been sufficiently considered by the responsible authorities, or that such information was outdated. In addition to national-level authorities, as an important producer of COI for use across the EU+ region (and beyond), it is important that EUAA further considers statelessness and nationality rights in all relevant COI outputs, particularly in relation to countries which have a significant stateless population.

Additionally, as outlined further in Section 15, case law has continued to play a pivotal role for stateless asylum applicants in 2025, particularly in relation to stateless Palestinians.

## **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 the content throughout this submission.

Developments across different EU+ States continue to highlight both progress and persistent gaps in relation to issues of statelessness in the context of asylum across the region.

In 2025, Slovenia acceded to the 1961 Convention on the Reduction of Statelessness, representing a significant step and commitment towards addressing statelessness and preventing the emergence of new cases. In addition, while most EU+ States still do not have dedicated statelessness determination procedures in

place, political commitments to establish an SDP were made in Austria in 2025 as part of its implementation of the Pact on Migration and Asylum.

Previous political commitments to establish an SDP in Malta and Ireland however have yet to be acted upon, and Portugal is yet to pass the necessary secondary legislation to establish and operationalise its SDP despite recent movement on this within the legislature. The establishment of such procedures across the remaining EU+ States is urgent and necessary in order to fulfil States' obligations under international law. The lack of such procedures and expertise can create significant challenges in the identification of stateless people within asylum procedures, which remains inconsistent within many EU+ States, and is hindered by national registration systems that often fail to capture nationality-related information accurately. These issues create risks of misclassification and imputed nationality leading to inadequate protection for stateless people and should be a priority for MS and EU institutions when implementing the Pact in 2026.

Monitoring and oversight by treaty bodies remain crucial in addressing statelessness. In 2025, the Committee on the Rights of the Child (CRC) issued concluding observations to Romania, urging stronger safeguards to ensure birth registration and prevent childhood statelessness, particularly for Roma children, Ukrainian children born in Romania since February 2022 and children born to refugee mothers, as well as to establish a dedicated SDP. Similarly, the Committee on the Elimination of Discrimination against Women (CEDAW) called for Ireland to introduce an SDP and ensure that necessary gender-sensitive safeguards and trainings are in place for any such procedure. These observations underline the need for systemic reforms to ensure that stateless people are identified and protected in the asylum process and are relevant to all EU+ States.

Case law continued to play a pivotal role in 2025, particularly in relation to stateless Palestinians. Courts across European jurisdictions have continued to clarify the legal position of stateless Palestinians in asylum contexts, often recognising their unique status and the implications for protection in light of the (non)availability of UNRWA protection (see cases in Section 15).

Several EU+ States have formally recognised the State of Palestine during 2025, though it should be noted that the recognition of the State of Palestine by individual States does not change the circumstances or nationality status of Palestinians under international law. It is only the international law definition of a stateless person that defines who is stateless, therefore States cannot unilaterally decide that a Palestinian is not stateless just because that country has recognised Palestine. A determination of statelessness grounded in State recognition would lead to inconsistent outcomes across Contracting States to the 1954 Convention and would thus be contrary to international law. Unfortunately, during 2025, some countries that have recognised the State of Palestine - such as Norway through its Directorate of Immigration (UDI) - have also stopped considering Palestinians to be stateless. This has curtailed the rights of Palestinians in Norway, including by removing access to shortened residence periods required for naturalisation. Similar practice has also been observed in Hungary in recent years. In 2025, ENS published a legal briefing on the rights of stateless Palestinians in the UK, which outlines the international legal frameworks and examines the legal and practical barriers faced by Palestinians in securing recognition as refugees and stateless persons, much of which is relevant across Europe and beyond (<https://www.statelessness.eu/updates/publications/legal-briefing-rights-stateless-palestinians-uk>).

During 2025, the multi-stakeholder Global Alliance to End Statelessness continued to operate collaboratively in efforts to address and eradicate statelessness, including in relation to protection challenges. As of the end of 2025, six EU+ States have joined the Global Alliance (Denmark, Italy, Norway, Slovenia, Spain, Sweden).

## **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)**

While most children in migration in Europe will acquire a nationality from one or both of their parents, some children may not be able to inherit a nationality for different reasons (including if they are stateless themselves or due to gender discrimination or conflicts in nationality laws, or if they need to register a birth with the authorities of their country of origin and they are refugees). As a result, some children in migration face the risk of growing up stateless, impacting on their access to other rights and services.

In November 2025, at its 105th plenary meeting, the European Committee on Legal Co-operation (CDCJ) examined and adopted a compendium of promising practices on access to nationality for stateless children. The compendium includes practices relating to the prevention of child statelessness, child-friendly nationality and statelessness determination procedures, legal aid and representation, access to information and to justice for children, birth registration, awareness-raising and training of relevant actors, among others. The compendium will be published in early 2026. The CDCJ also published a feasibility study in February 2025 for a non-binding legal instrument on access to nationality for stateless children, which addresses key issues such as preventing childhood statelessness, ensuring child-friendly nationality determination procedures, implementing awareness raising measures on statelessness, and providing training to relevant actors on access to nationality for children. The instrument is currently under discussion in the CDCJ-MIG working group.

In July 2025, the OSCE High Commissioner on National Minorities (HCNM), OSCE Office for Democratic Institutions and Human Rights (ODIHR), and UNHCR launched a joint publication, *Opening Doors for Children: Prevention of Childhood Statelessness. Good Practices in the OSCE Area*, highlighting measures to prevent childhood statelessness, including for asylum-seeking, refugee, and migrant children. The publication underscores the severe impact on children's access to education, healthcare, and social inclusion, and identifies good practices to promote legislative and administrative reforms. The publication calls for birth registration and legal safeguards in nationality laws, reinforcing states' responsibility to prevent and reduce statelessness.

## **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.

## **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.

At national-level, some positive developments were seen in this area in 2025 due to the intervention of the courts. For example, in Lithuania, the Supreme Administrative Court ruled that the expulsion order of a family following the rejection of their request for international protection was unlawful given that their child, who was born on the territory of Lithuania, was stateless. The Court determined that the authorities had not properly considered whether the child could acquire the nationality of his parents' country of origin, and had not thoroughly assessed in which country the child's best interests would be ensured (see case information in Section 15).

However, developments at the EU level threaten to significantly weaken protections during return proceedings. The proposal for a new EU-wide Return Regulation repealing the 2008 Return Directive would significantly expand the use of forced returns and detention across Europe, impose stricter obligations on individuals subject to removal, and reduce Member State discretion in how removal processes are carried out. ENS is deeply concerned that the proposal undermines key procedural safeguards and weakens fundamental rights protections for all those affected, including stateless people specifically, who are already significantly impacted by detention and removal systems that fail to account for their unique circumstances. By removing key safeguards, expanding detention powers, and omitting explicit obligations to identify statelessness, the proposal risks entrenching unlawful and arbitrary practices across the EU and undermines its obligations towards stateless people under international and EU law. ENS has joined other civil society organisations in calling on the European Parliament and EU Council to reject the proposal in its entirety during ongoing negotiations.

**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 2025 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))**

See document attached for list of case law [character limit reached in this text-box]

**16. Other important developments in 2025**

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## **PART B: Publications**

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**1. If available online, please provide links to relevant publications produced by your organisation in 2025.**

See document attached for list of publications (all available online).

**2. If not available online, please share your publications with us at: [Asylum.Report@euaa.europa.eu](mailto: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

**cd60db5b-1604-4302-8fe6-4597aabb442d/EUAA\_Asylum\_Report\_2026\_\_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 2025 \(https://euaa.europa.eu/asylum-report-2025\)](https://euaa.europa.eu/asylum-report-2025)

[Executive Summary -Asylum Report 2025 \(https://euaa.europa.eu/asylum-report-2025-executive-summary\)](https://euaa.europa.eu/asylum-report-2025-executive-summary)

[Sources on Asylum 2025 \(https://euaa.europa.eu/publications/sources-asylum-2025\)](https://euaa.europa.eu/publications/sources-asylum-2025)

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

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

## **Background Documents**

[Word template to submit input to the 2026 Asylum Report.docx](#)

## **Contact**

[Contact Form](#)



## [Section 15 of Part A]

**National jurisprudence on international protection in 2025** (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

### [CJEU – Case 313/25 PPU \[Adrar\]](#) (4 September 2025)

[<https://curia.europa.eu/juris/document/document.jsf?text=&docid=303874&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=2542428>]

The CJEU was asked whether national courts reviewing the lawfulness of detention under the 2008 Return Directive must, if necessary *ex officio*, assess whether removal is precluded by the principle of *non-refoulement*, the best interests of the child, and family life, even where the return decision is final and the applicant did not appeal on those grounds. The case concerned an Algerian national detained in the Netherlands following the rejection of his asylum claim and the issuance of a return decision. The Court confirmed that *non-refoulement*, the best interests of the child, and family life must be assessed at all stages of the return procedure, and that such review must be conducted *ex officio* where necessary and even if not provided for by domestic law, while also holding finding that the individual has a duty to inform authorities of any relevant circumstances for this assessment. If removal is not possible, detention must end.

### [CJEU - Case C-349/24, Nuratau](#) (5 June 2025)

[<https://curia.europa.eu/juris/document/document.jsf?text=&docid=300967&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=3540815>]

In a preliminary ruling, the CJEU clarified the interpretation of the EU Qualification Directive where the refusal to grant international protection may result in the breach of the right to private life. The case concerned a third-country national who had lived in Czechia since 2006 and whose application for international protection was repeatedly rejected, despite national courts annulling those decisions due to insufficient consideration of his private and family life in Czechia. The Court held that the risk of “serious harm” for the purpose of eligibility for subsidiary protection applies only in relation to the applicant’s country of origin, and that the Directive does not allow subsidiary protection to be granted solely on the basis of private or family life ties in the Member State examining the application – even under Article 3, which allows more favourable national standards. However, the CJEU also reaffirmed that Member States may issue humanitarian residence permits under national law, including to prevent an infringement of the right to private life, provided they are clearly distinguished from EU protection statuses

### [France – Cour nationale du droit d'asile \(CNDA\), Mme H., n° 24035619, R](#) (11 July 2025)

[<https://www.cnda.fr/decisions-de-justice/dernieres-decisions/gaza-les-palestiniens-originaires-de-la-bande-de-gaza-qui-ne-sont-pas-deja-protectes-par-l-onu-peuvent-beneficier-du-statut-de-refugie>]

The French National Court of Asylum (CNDA) granted refugee status to a Palestinian and her minor child, who are both stateless, annulling OFPRA’s earlier decision to grant subsidiary protection. The applicants had fled Gaza in January 2024 after their home was destroyed and the child was injured during Israeli airstrikes, later applying for asylum in France. On appeal of the decision to grant subsidiary protection, the CNDA first found that indiscriminate Israeli military operations in the Gaza Strip have led to systematic human rights violations amounting to acts of persecution under EU law. The CNDA then held that stateless Palestinians from Gaza





possess the characteristic of a 'nationality' within the meaning of the Refugee Convention and EU Qualification Directive. The CNDA concluded that the applicants had a well-founded fear of persecution on the basis of their Palestinian nationality and granted them refugee status.

[Netherlands – Council of State, Judgment 202307738/1/V2](#) (24 September 2025)

[<https://www.raadvanstate.nl/uitspraken/%40153746/202307738-1-v2/>]

A stateless Palestinian from Lebanon was refused asylum on the basis that Article 1(D) of the 1951 Refugee Convention and Article 12(1)(a) of the Qualification Directive did not apply, because the applicant had not sought UNRWA's assistance in relation to her alleged problems with Hezbollah, she had voluntarily left Lebanon to visit family in Europe, and had only applied for asylum six months later. The District Court of the Hague thus concluded that she was not a refugee and was not at risk of a violation of Article 3 ECHR upon return to Lebanon. On appeal, the Council of State concluded that the District Court had wrongly interpreted the exclusion clause. It held that the exclusion clause under Article 1(D) applies because the appellant demonstrated that she had received assistance from UNRWA given her UNRWA registration card and lifelong residence in a UNRWA camp, and that voluntarily leaving Lebanon for a short family visit did not affect that conclusion. The Council of State found the Minister must now assess, based on current circumstances, whether UNRWA can fulfil its mandate if the appellant returns.

[Netherlands - Council of State, Applicant v The Minister for Asylum and Migration \(de Minister van Asiel en Migratie\), 202307092/1/V2](#) (7 May 2025)

[<https://www.raadvanstate.nl/uitspraken/@150218/202307092-1-v2/>]

The applicant is Palestinian, originally from the West Bank and registered with UNRWA. She was initially excluded from refugee status on the grounds that she had voluntarily left the UNRWA area of operation while protection was still available. The Dutch Council of State upheld a lower court decision requiring the Minister for Asylum and Migration to reassess her asylum application, finding that authorities must consider whether UNRWA's protection had effectively ceased not only at the time of departure but also at the time of decision-making and judicial review. Citing recent CJEU case law (*LN and SN*, C-563/22), the Council emphasised that a deterioration in conditions after departure may justify inclusion under Article 1(D) of the Refugee Convention, even in cases of voluntary departure.

[Czechia - Supreme Administrative Court, Decision no. 7 Azs 174/2024](#) (19 December 2024)

[<https://www.nssoud.cz/modalni-obsah/rozhodovaci-cinnost/rozhodnuti-395838-anonymizovana-verze?cHash=62967a85adae9eea6ed8e0ec27f2e7ae>]

In a significant ruling, the Czech Supreme Administrative Court (SAC) has upheld a decision by the Municipal Court of Prague, confirming that Latvian 'non-citizens' qualify as stateless persons under Article 1 of the 1954 Statelessness Convention. This decision follows an appeal lodged against the lower court judgment (no. 11 A 52/2022-51. The SAC dismissed all procedural objections raised in the appeal and endorsed the lower court's interpretation of the 1954 Convention.

[Switzerland - Federal Administrative Court, Judgment no. F-6775/2023](#) (12 March 2025)

[[https://bvger.weblaw.ch/pdf/F-6775-2023\\_2025-03-12\\_7214e3cf-b82d-47e6-92ce-4026b32154a4.pdf](https://bvger.weblaw.ch/pdf/F-6775-2023_2025-03-12_7214e3cf-b82d-47e6-92ce-4026b32154a4.pdf)]





A Syrian Maktumin family applied for asylum and sought recognition of their statelessness status in Switzerland after first applying for asylum in Romania. Swiss authorities, citing the Dublin III Regulation, determined that Romania was responsible for processing their asylum application and declined to assess their statelessness claim, asserting that the applicants did not have a legally protected interest in Switzerland to warrant the assessment. The Federal Administrative Court upheld this position, emphasising that access to statelessness determination procedure in Switzerland requires a legal connection to the country. The Court further reasoned that since Romania is a party to the 1954 Convention, the applicants could seek recognition as stateless there.

[Lithuania, Supreme Administrative Court, Applicant v Migration Department of the Ministry of the Interior of the Republic of Lithuania, State Child Rights Protection and Adoption Service of the Ministry of Social Security and Labor](#) (19 February 2025)

[<https://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=fbce35d4-6fa8-4bd6-8adc-50eb4350103c>]

The expulsion of a Lithuanian-born stateless child to their father's country of origin following an unsuccessful application for international protection was held to be unlawful by the Supreme Administrative Court of Lithuania. The Court determined that the child was not entitled to Lithuanian nationality due to the failure to fulfil the relevant requirements for naturalisation, but held that the authorities had not properly considered whether the child could acquire the nationality of his parents' country of origin, and had not properly assessed in which country the best interests of the child would be ensured.

[Italy - X v Ministry of the Interior, Tribunal of Trieste, N.R.G 5089/2019](#) (6 December 2024)

[<https://www.meltingpot.org/2025/01/status-di-rifugiato-al-richiedente-della-comunita-bihari-del-bangladesh-traumatica-apolidia-e-assenza-di-diritti/?swcfpc=1>]

Italian authorities rejected the request for international protection of a stateless applicant, a member of the Bihari community born in Bangladesh, due to a lack of credibility, including in relation to his statelessness claim. On appeal, the Tribunal noted that the applicant's low level of education should be taken into account when assessing credibility and found his account to be sufficiently credible. The Tribunal held that the actual situation on the ground did not align with the legislation of Bangladesh. Despite the formal recognition of their right to vote and citizenship, many Bihari faced difficulties exercising rights and accessing essential services, due to their inability to evidence a permanent address. The Tribunal found that the applicant met the conditions for refugee status as he would face a risk of suffering persecution due to his membership in the Bihari minority group.

[Belgium - Council for Alien Law Litigation \(CALL\), Case No. 330 034](#) (15 July 2025)

[[https://www.rvv-ccce.be/sites/default/files/arr/a330034.an\\_.pdf](https://www.rvv-ccce.be/sites/default/files/arr/a330034.an_.pdf)]

The decision concerns an asylum application submitted by a stateless Palestinian who had habitually resided in the UAE. The CGRS rejected the application on the grounds that the applicant's fear of ill-treatment was hypothetical due to the absence of a valid travel document rendering return to UAE impossible. The CALL dismissed this reasoning, emphasising that the 1951 Convention explicitly covers stateless people who are unable to return to their country of habitual residence, and the lack of travel documents does not preclude substantive assessment of this. The CALL also criticised the CGRS reliance on outdated COI relating to the applicant's fear of subsequent removal to Gaza by UAE authorities.





[Switzerland – Federal Administrative Court, Case No. F-622/2023](https://bvger.weblaw.ch/cache?guiLanguage=de&q=%22D-2590%2F2025%22&id=b9e0cd98-3a2c-4c3f-91c4-64e2fbaeb8ab&sort-field=relevance&sort-direction=relevance) (5 March 2025)  
[<https://bvger.weblaw.ch/cache?guiLanguage=de&q=%22D-2590%2F2025%22&id=b9e0cd98-3a2c-4c3f-91c4-64e2fbaeb8ab&sort-field=relevance&sort-direction=relevance>]

After being granted asylum in Switzerland, a Kurdish applicant born in Turkey requested recognition as a stateless person. The Court acknowledged that, de jure, the applicant could be considered a Turkish national. However, it held that she could not reasonably be expected to contact Turkish authorities, given her refugee status. Referring to its 2021 precedent, the Court emphasised that a theoretical or legal entitlement to nationality does not preclude recognition of statelessness if the individual cannot exercise the rights associated with that nationality in practice. The Court concluded that statelessness must be assessed based on the applicant's actual ability to access and benefit from nationality, not merely on a potential legal claim. In this case, the applicant's inability to engage with Turkish authorities due to her refugee status rendered her effectively stateless.

[Greece - Athens Administrative Court of First Instance, AK1246/2024](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Frsaegan.org%2Fwp-content%2Fuploads%2F2025%2F12%2F2025_%25CE%2594%25CE%25A0%25CF%2581%25CE%2591%25CE%25B8_1167_2025-RSA.docx&wdOrigin=BROWSELINK) (28 November 2025)  
[[https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Frsaegan.org%2Fwp-content%2Fuploads%2F2025%2F12%2F2025\\_%25CE%2594%25CE%25A0%25CF%2581%25CE%2591%25CE%25B8\\_1167\\_2025-RSA.docx&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Frsaegan.org%2Fwp-content%2Fuploads%2F2025%2F12%2F2025_%25CE%2594%25CE%25A0%25CF%2581%25CE%2591%25CE%25B8_1167_2025-RSA.docx&wdOrigin=BROWSELINK)]

The case concerns a stateless Bidoon man from Kuwait who applied for international protection in Greece in 2024, citing systemic denial of rights, including access to health care, education, and identity documents, due to his Bidoon status. He claimed participation in 2019 demonstrations, after which authorities allegedly targeted him regularly, forcing him into hiding. His asylum claim was rejected by the Regional Asylum Office and the Appeals Committee, the latter of which acknowledged the widespread statelessness among the Bidoon population and their limited ability to access rights but ultimately found his testimony vague and concluded there would be no risk of serious harm upon his return to Kuwait. On further appeal, the Athens Administrative Court dismissed the applicant's procedural complaints but found that the negative decision on his asylum application lacked proper reasoning regarding the risk of persecution as a stateless Bidoon. The court held that the applicant's statements about his exclusion from certain rights were credible and corroborated by country-of-origin information, which confirmed the systemic discrimination against the Bidoon population. It annulled the decision and ordered a new, reasoned examination of whether his experiences as a stateless Bidoon meet the refugee status criteria.

## Part B: Publications

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1. If available online, please provide links to relevant publications produced by your organisation in 2025:

### 1. Stateless Journeys Initiative and Identification Toolkits

As a continuation of our work to strengthen routes to protection for stateless refugees and migrants, ENS worked with our members to develop a [practical tool](#) for frontline asylum practitioners to identify statelessness and respond accordingly. In 2024, five country-specific





toolkits that provide 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 be tailored and adapted to the national context were published. In October 2025, a further toolkit to identify and address statelessness in Germany was published by ENS and Statefree.

- ENS & Statefree, [Toolkit to identify and address statelessness in Germany](#) (October 2025)

## 2. Strategic Litigation & Legal Resources

- [Statelessness Case Law Database](#): The database contains summaries of national and regional case law covering Europe, as well as international jurisprudence. Updates in 2025 are indicated in section 15 of this document and attached. This information also includes pending updates.
- ENS, [Legal Briefing on the rights of stateless Palestinians in the UK](#) (September 2025)

## 3. Statelessness Index

- [Statelessness Index | Assessing law, policy and practice in Europe](#): The Statelessness Index is a comparative tool that assesses European countries' law, policy, and practice on the protection of stateless people and the prevention and reduction of statelessness, against international norms and good practice. It provides for downloadable country briefings on each country page. The Index currently contains comparative information for 35 European countries, with the addition of Armenia in late-2025, and 18 countries will be updated in early 2026.
- ENS, [Statelessness Determination and Protection in Europe: Good practice, challenges and risks](#) (updated October 2025, briefing first published in 2021)
- ENS Editorial, [A year of mixed progress – Europe's ongoing efforts to advance the right to a nationality and address statelessness](#) (February 2025)

## 4. Other material

- ENS, [Submission to inform the European Commission 2025 Enlargement Package](#) (April 2025)
- ENS, [Submission to the 2025 report of the Special Rapporteur on the situation of human rights in Belarus to the Human Rights Council](#) (March 2025)
- ENS, ACCEM, Convive-Fundación Cepaim, Red Acoge, [Joint submission to the Human Rights Committee on Spain | European Network on Statelessness](#) (June 2025)
- Identity Rights Working Group, [Submission for input to the draft CRC Committee's General Comment 27 on Access to Justice and Effective Remedies \(AJER\)](#) (July 2025)
- ENS, [#RomaBelong policy series: Western Balkans](#) (September 2025)
- ENS Guest Blog, [A new right of residence for stateless people in Belgium – does it offer sufficient protection?](#) (January 2025)
- ENS Guest Blog, [Research sheds light on childhood statelessness litigation](#) (March 2025)
- ENS Guest Blog, [Between Law and Reality: the Challenges for Palestinian Refugees in Bulgaria](#) (March 2025)





- ENS Guest Blog, [The statelessness of displaced persons from Nagorno-Karabakh \(Artsakh\) from the perspectives of international law and German administrative law](#) (April 2025)
- ENS Guest Blog, [Syria has the power to change, from one of the biggest statelessness exporters to a role model for the Global North](#) (May 2025)
- ENS Guest Blog, [Stateless Kurds of Syria in Germany and Sweden](#) (June 2025)
- ENS Guest Blog, [Branded an "extremist", denied a passport: a stateless entrepreneur in democratic Europe](#) (July 2025)
- ENS Guest Blog, [Cypriot children without Cypriot citizenship: What is the 'Mixed Marriage Problem'?](#) (September 2025)
- ENS Guest Blog, [Opening doors and preventing childhood statelessness](#) (September 2025)
- ENS Guest Blog, [Clouds moving in over Spain's progress on statelessness](#) (December 2025) (EN); [Las nubes que amenazan el soleado panorama de la apatridia en España](#) (ES).

2.If not available online, please share your publications with us at:  
[Asylum.Report@euaa.europa.eu](mailto:Asylum.Report@euaa.europa.eu)

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

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