



AD HOC QUERY 2019.37 IE and LU AHQ on nexus between recognition of stateless status and the right of residence

Requested by EMN NCP Ireland and EMN NCP Luxembourg on 18 March 2019

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Spain, Sweden, United Kingdom plus Norway (25 in Total)

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1. Background information

The EMN Platform on Statelessness plans to hold a technical meeting, hosted by the LU and IE EMN NCPs, in Dublin in May 2019. The theme of the meeting will be to explore the interrelationship between recognition of statelessness and residence permits granted to stateless persons in Member States. This discussion will build on the findings of the EMN Inform on Statelessness published in November 2016. One of the findings of that Inform was that: "Only a few MS grant a residence permit to an individual as a consequence of his/her recognition as a stateless person. In the large majority of MS, recognised stateless persons must apply for a residence permit on other grounds if they wish to regularise their status. In some cases, this can be complicated because recognised stateless persons may not fulfil the criteria (i.e. they do not have the financial means or cannot meet the evidence requirements)."

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The EMN Inform was based on ad hoc queries launched in February 2015 and May 2016. In order to update the information which will be used as a basis for discussion at the technical meeting, and to obtain further detail on the challenges that can arise, we would like to ask the following questions:

2. Questions

- 1. 1. Has your Member State ratified the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness?**
- 2. 2. Has your Member State introduced a dedicated Statelessness Determination Procedure since November 2016?**
- 3. 3. If your Member State has a dedicated Statelessness Determination Procedure, do you grant residence permits automatically to recognised stateless persons (is the right of residence to stateless persons granted on the basis of their statelessness?) Yes/No. Please explain.**
- 4. 3a. What are the rights attached to these residence permits?**
- 5. 4. If your Member State has a dedicated Statelessness Determination Procedure, but a recognised stateless person is not granted a residence permit in your Member State, what kind of status can the person be given? Is a tolerated stay provided in this case?**
- 6. 4a. What are the rights attached to that status?**
- 7. 5. If your Member State does not have a dedicated Statelessness Determination Procedure, do you grant a different type of residence permit to stateless persons?**
- 8. 6. As an update since the previous ad hoc queries, on what basis can stateless persons access social rights (education, employment, healthcare) in your Member State? How do stateless persons access these rights in practice?**
- 9. 7. Does your Member State offer any special supports to stateless persons to help them apply for residence permissions (e.g. waivers from eligibility criteria, information campaigns, (free) legal assistance)?**
- 10. 8. If your Member State does not provide a recognition of statelessness to legally resident stateless individuals, how do individuals access rights designated for stateless persons (e.g. travel documents, preferential pathways to naturalisation)?**

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We would very much appreciate your responses by **16 April 2019**.

3. Responses

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		Wider Dissemination ²	
	EMN NCP Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	EMN NCP Belgium	Yes	<p>1. Yes, both.</p> <p>2. No.</p> <p>3. No. As mentioned in the previous AHQs, when you are recognised as a stateless person in Belgium, you do not automatically receive a right of residence. You are subject to the general residence. To obtain a right of residence in Belgium, you must submit to the Immigration Office an 'application for authorisation to stay on the grounds of an impossibility to return' (Article 9bis of the Immigration Act). During the application on the basis of Article 9bis, nothing will change in your residence situation, even if you are recognised as a stateless person: you will remain</p>

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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			<p>without a legal residence, unless you already had a legal residence right on another basis.</p> <p>4. If a recognised stateless person receives a positive decision on his/her regularisation application, and therefore receive a right of residence, s/he will receive an electronic A card. That is a temporary right of residence.</p> <p>5. The stateless person can introduce other residence procedures as foreseen in the Immigration Act, for example an application for international protection. No tolerated stay is foreseen.</p> <p>6. n/a</p> <p>7. No, if a recognised stateless person receives a positive decision on his/her regularisation application, and therefore receive a right of residence, s/he will receive a proof of temporary registration in the foreigners' register - or also called a electronic A card. It is a temporary right of residence.</p> <p>8. Access to the labour market, education and training as well as health care and social aid does not depend on the determination of statelessness but on the residence permit that the stateless person can obtain.No changes since previous AHQs.</p> <p>9. No.</p> <p>10. Proof of the recognition of statelessness is needed.</p>
	<p>EMN NCP Bulgaria</p>	<p>Yes</p>	<p>1. Yes.</p> <p>2. Yes.</p> <p>3. Legislative amendments are in progress. The stateless status is granted to persons who have been granted permanent or long-term residence.</p>

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			<p>4. All rights that Bulgarian citizens have, except those for which explicitly Bulgarian citizenship required.</p> <p>5. Legislative amendments are in progress. The stateless status is granted to persons who have been granted permanent or long-term residence. Tolerated stay is not granted.</p> <p>6. Not applicable.</p> <p>7. Not applicable.</p> <p>8. The stateless persons have all rights that Bulgarian citizens have, including access to education, employment, and healthcare.</p> <p>9. No.</p> <p>10. Not applicable.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. Yes.</p> <p>2. No.</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. In case that the conditions for granting temporary residence for the purpose for which a person has applied for</p>

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			<p>(e.g. family reunification) are not met, temporary residence may be granted for serious justified reasons of humanitarian nature (the Law on Foreigners). In this case, temporary residence can be granted without that person must prove means of support and to have health insurance. The application for the temporary residence permit for serious justified reasons of humanitarian nature may be filed in the police administration or police station according to the intended place of residence of a third-country national. Before issuing a temporary residence permit for humanitarian reasons, the police administration or police station must request the consent of the Ministry of the Interior to determine the justification for granting temporary residence for humanitarian reasons.</p> <p>8. Pursuant to Article 73, paragraph 3 of the Law on Foreigners, foreigners who have been granted temporary residence in the Republic of Croatia for humanitarian reasons, are allowed to work without a permit for work and stay or a certificate of work registration. Upon the granting of temporary residence for humanitarian reasons, persons shall, in accordance with the provisions of Article 85.a of the same Law, have the rights guaranteed in accordance with Article 86, paragraphs 5 and 6 and Article 98, paragraph 1, items 2 to 7 and paragraph 2, and are entitled to the recognition of diplomas and professional qualifications, as well as the counseling services provided by the employment bureaus in accordance with special regulations. Article 86 (paragraphs 5 and 6) refers to the rights on working conditions: longest working time and shortest rest period, the minimum length of paid annual leave, the lowest wage including increased pay for overtime, health protection and safety at work, protective measures for pregnant women, women who have recently given birth or are nursing and juvenile workers, the prohibition of discrimination, the terms of assignment through employment agencies. The terms of work are guaranteed at the level of rights established by the legal regulations of the Republic of Croatia, i.e. collective agreements whose application on the basis of a special regulation has been extended to all employers and workers in a specific area, branch or activity. According to Article 98 (paragraph 1, items 2 to 7 and paragraph 2), they are also entitled to professional training, education and scholarships, social welfare, pension and health insurance rights, the right to child allowance, maternity and parental support, tax relief, access to goods and services market, freedom of association and membership in organizations that represent workers or employers or in organizations whose members carry out a particular occupation, including a right to provisions provided by such organizations. A third-country national exercises his rights in accordance with the regulations of the Republic of Croatia governing the aforementioned areas. These rights are exercised in accordance with special regulations of the Republic of Croatia.</p>
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			<p>9. Ministry of the Interior doesn't offer any special supports.</p> <p>10. A foreigner, in order to acquire certain rights, that is, to be granted temporary residence, must apply for a temporary residence permit. The decision is made for each specific case, after considering all facts and circumstances, and in accordance with the provisions of the Law on foreigners and the relevant subordinate legislation of the Republic of Croatia.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. No.</p> <p>2. No. However as to the definition of a stateless person the article 1 (1) of the 1954 Convention Relating to the Status of Stateless Persons is taken into consideration</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. No different residence permit is granted to stateless persons.</p> <p>8. Stateless persons upon arrival to Cyprus usually apply for international protection. Under the status of asylum seeker, they enjoy basic human rights such as access to education, social welfare assistance, freedom of movement, employment, education and health care. The same basic rights are applied to stateless persons granted international protection status.</p> <p>9. Every person is allowed to apply for international protection and there is no any different approach to stateless persons.</p>

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			<p>10. If a stateless person is granted refugee status, he has the right to apply for a travel document which is issued only for recognised refugees. Application for naturalisation can be processed by all third country nationals or stateless persons, who have completed 7 years of continued legal residence within the Cyprus control areas.</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Yes, however, CZ made reservation to articles concerning issuance of ID documents to stateless persons not having permanent residence in relation to 1954 Convention.</p> <p>2. CZ does not have a special procedure for status determination - to some extent mechanisms of international protection procedure are used. However, there is a subsequent procedure for obtaining a legal status based on the outcome of the status determination process. It is not a special procedure laid down by law but rather mutual deal between the Ministry of the Interior and Police on using existing legal tools of foreigners law on these or similar non-removable cases.</p> <p>3. More or less yes. The outcome of the status determination procedure is first a decision on statelessness and subsequently a long- term tolerance visa is granted in another procedure.</p> <p>4. Regular ones - the person can work after getting work permit, can have access to free health insurance if she/he has no means to pay for commercial health insurance and may be subject to certain minimum social benefits. There are some exceptions for requirements in the naturalization procedure after a significant period of legal stay in CZ. There is a mechanism how to postpone the decision on return if a person is officially recognised as stateless. Basic ID is provided despite of the reservation made to the relevant provisions of 1954 Convention.</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. N/A</p>

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			<p>8. They can access these rights on the basis of long-term tolerance visa granted as other foreigners holding this type of stay.</p> <p>9. No. Majority of them benefits from free legal assistance and representation provided by NGOs.</p> <p>10. N/A</p>
	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. No.</p> <p>2. No.</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. While there exists no dedicated administrative Statelessness Determination procedure in which a person can be determined to be stateless, individuals can nonetheless be identified as stateless when their identity is being determined in the context of the asylum procedure, or in procedures for the application and extension of residence permits and identity and travel documents. Stateless persons can apply for a residence permit on the same grounds as other third-country nationals. Former USSR residents, who now hold the status of persons with undetermined citizenship, mostly hold a long-term residence permit in Estonia. Persons with undetermined citizenship do have slightly preferable provisions for receiving a residence permit. Some of the conditions that are stipulated in Aliens Act do not apply to TCNs who have settled in Estonia before 1 July in the year 1990 and who has factually resided and resides in Estonia and has not left to reside in another state and whose residence is Estonia does not pose a threat to the interests of the Estonian state. The only conditions that do apply are that</p>

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			<p>the person has to have a permanent legal income which ensures his or her own subsistence in Estonia and no facts exist which are the basis for the refusal to issue a residence permit.</p> <p>8. Stateless persons have access to social rights on the same grounds as any other legally staying TCN.</p> <p>9. Persons with undetermined citizenship do have more preferable provisions for receiving a residence permit. Please see the answer to Q 5.</p> <p>10. Legally resident stateless individuals are entitled to receive an Aliens passport. According to the Citizenship Act a minor under 15 years of age who was born in Estonia or who immediately after birth takes up permanent residence in Estonia together with his or her parent(s) is granted Estonian citizenship by naturalisation as of the moment of his or her birth, provided his/her parents or single parent whom no state recognises under valid laws as its citizen have or has lawfully resided in Estonia for at least five years by the moment of the child's birth. Thus, children born to stateless persons in Estonia should be granted Estonian citizenship automatically via naturalization. Parents may 'opt out' on behalf of their child within one year from birth. As of 2019 it is possible to conclude an agreement with a TCN who wishes to acquire Estonian citizenship for the purpose of completing the course of language training. Under the agreement, the TCN undertakes to take language training courses until they achieve the level of B1 in Estonian, to comply with the conditions provided in section 6 of this Act and to submit the application for Estonian citizenship within one year of passing the examination for the level of B1 in Estonian. A TCN who has concluded the agreement and who has been granted unpaid study leave for participating in language training is paid, for each language proficiency level, compensation equal to 20 calendar days' pay according to their average salary. The upper limit for calculating the compensation is the Estonian annual average gross monthly salary last published by Statistics Estonia.</p>
	<p>EMN NCP Finland</p>	<p>Yes</p>	<p>1. Yes, both.</p> <p>2. According to the nationality act of Finland, The Finnish Immigration Service will determine citizenship status at the request of a public authority or the party, if the matter is of importance with regard to the existence of Finnish citizenship or some right or obligation related to it, the correctness of any entry in the public authorities'</p>

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			<p>personal registers, the alien's residence in Finland or some other reason equivalent to these. In this procedure, a person can be determined as stateless.</p> <p>3. No. Determination of statelessness is considered a separate procedure and does not automatically grant a right to a residence permit. However, being stateless does not prevent a person from applying for a residence permit for any category (family ties, work, studies, international protection etc.)</p> <p>4. N/A</p> <p>5. If the criteria for international protection are met, a stateless person can be granted international protection in the same way as any other person. If the criteria for international protection are not met, but refusing a residence permit would be manifestly unreasonable with regard to their health, ties to Finland or on other compassionate grounds, particularly in consideration of the circumstances they would face in their previous country of residence or of their vulnerable position, they may still be granted a residence permit on compassionate grounds (as per section 52 of the Finnish Aliens Act).Furthermore, a stateless person can also be granted a residence permit under section 51 of the Aliens Act, if they cannot be returned to their home country or country of permanent residence for temporary reasons of health or if they cannot actually be removed from the country. The prerequisite for issuing such a permit, however, is that the person is not intentionally refusing or trying to obstruct his return. Hence, even a stateless person can be given a negative decision and can be expected to return, if a legal return to their previous country of permanent residence is considered possible.</p> <p>6. If a person is issued a permit under section 52, he is issued a one year permit with the option of extension. The person will have right to work and a right to family reunification. As section 52 of Aliens Act states: Issuing a residence permit does not require that the alien have secure means of support.If aliens are issued with a residence permit under subsection 1, their family members are issued with a residence permit under section 47(3) of the Aliens Act.If unaccompanied minor children who have entered Finland are issued with a residence permit under subsection 1, their minor siblings residing abroad are issued with a continuous residence permit. A requirement for issuing a residence permit is that the children and their siblings have lived together and that their parents are no longer alive or the parents' whereabouts are unknown. Another requirement for issuing a residence permit is that issuing the permit is in the best interest of the children. Issuing a residence permit does not require that the alien have secure means of support.A residence permit under section 51 is always issued as</p>
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			<p>a temporary permit for one year at a time and does not have an option of extension. For each subsequent permit the circumstances are determined separately. A temporary permit issued under section 51 does not grant rights to family reunification, but does grant the right to work. The Aliens Act section 51 states: Issuing a residence permit does not require that the alien have secure means of support. If aliens are issued with a residence permit under subsection 1, their family members residing abroad are not issued with a residence permit on the basis of family ties</p> <p>7. N/A</p> <p>8. Statelessness does not bring any special rights in Finland. Stateless people have access to same social rights as all legal residents in Finland.</p> <p>9. No. When applying for a residence permit, stateless people have no special provisions. The application procedure is the same in all residence permit categories, as it would be for others. A residence permit is granted, if the applicant fulfills the criteria.</p> <p>10. Stateless persons have a reduced minimum requirement of residence for citizenship. An involuntarily stateless person may be granted Finnish citizenship if he or she is and has been permanently resident and domiciled in Finland: a) for the last four years without interruption; or b) for a total of six years since reaching the age of 15 years with the last two years without interruption. Otherwise the minimum requirements for residence above are five and seven years, respectively. According to section 9 of the nationality act of Finland, A child acquires Finnish citizenship by birth if the child is born in Finland and does not acquire the citizenship of any foreign State at birth, and does not even have a secondary right to acquire the citizenship of any other foreign State. Furthermore, a child who is born in Finland acquires Finnish citizenship through the place of birth, if his or her parents have refugee status in Finland or if they have otherwise been provided protection against the authorities of their State of nationality. An additional requirement is that the child does not acquire either parent's citizenship except through registration of the child's birth with the authority of the parent's State of nationality, or through another procedure requiring the assistance of the authorities of this State. If the protection referred to above was given to only one of the parents, it is also required that the child does not acquire the other parent's citizenship by birth nor has even a secondary right through birth to acquire it.</p>
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	EMN NCP France	Yes	<p>1. France signed the 1954 Convention Relating to the Status of Stateless Persons on 12 January 1955 and ratified the Convention on 8 mars 1960. Concerning the 1961 Convention on the Reduction of Statelessness, France signed it on 31 May 1962 but did not ratify it yet.</p> <p>2. No, the statelessness determination procedure, which was modified by the Law of 29 July 2015, has not been modified since 2016. The Law of 29 July 2015 created a chapter dedicated to statelessness in the Code on entry and Residence of Foreign Nationals and Right of Asylum (CESEDA), which details the modalities of the determination procedure to identify stateless persons by gathering several provisions that were previously disseminated in various articles of the CESEDA.</p> <p>3. Since the 1st of March 2019, pursuant to the application of the provisions of the Law of 10 September 2018, stateless persons are being issued a multi-annual residence permit with the mention “beneficiary of the stateless status” when they received their stateless status. This residence permit can last for a maximum period of four years. Upon the expiration of this permit, the Law of 10 September 2018 provides that the people whose stateless status has been recognized will be issued a 10-years resident permit. Besides, the Law of 10 September 2018 also provides that family members of the person whose stateless status has been recognized will also be granted a multiannual residence permit with the mention “family member of a beneficiary of the stateless status”.</p> <p>4. The multi-annual residence permit with the mention “beneficiary of the stateless status” allows its recipient to carry out a professional activity and to sign the Republican Integration Contract (although it is not compulsory, it enable its signatories to enroll in an integration process with language, civic and professional integration trainings). The beneficiaries of this residence permit are also exempted from the tax relating to the issue of a first residence permit laid down in article L311-13 of the CESEDA. They also have access to social security, education, etc. as all French and legal foreign nationals.</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. N/A</p>
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			<p>8. no</p> <p>9. no</p> <p>10. n/a</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. Germany has ratified the 1954 Convention Relating to the Status of Stateless Persons on 24/01/1977 and the 1961 Convention on the Reduction of Statelessness on 29/06/1977.</p> <p>2. In Germany a separate procedure for determining statelessness is not provided for by law. According to the 1954 Convention Relating to the Status of Stateless Persons statelessness must be certified by one of the signatory states to the agreement. Only documents issued in accordance with Articles 27 and 28 of the Convention (identity card for stateless, travel document for stateless) qualify as proof of statelessness.</p> <p>3. No. There is no dedicated procedure for approving residence permits for stateless persons in the Federal Republic of Germany. The Residence Act is applicable to all foreigners. In accordance with Section 2 (1) of the Residence Act, a foreigner is anyone who is not a German within the meaning of Article 116 (1) of the Basic Law. This means that stateless persons also fall within the purview of the Residence Act.</p> <p>4. As no distinction applies under the Residence Act between stateless persons and foreigners, a residence permit does not grant a stateless person any special rights.</p> <p>5. See under 3.</p> <p>6. See under 3a.</p> <p>7. In Germany, the immigration authorities are responsible for issuing the documents mentioned (identity card for stateless, travel document for stateless), Article 28 of the Convention, § 1 (4), 4 (1) AufenthVO.</p>

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			<p>8. There are no changes in relation to the answers to the Ad-Hoc Query by LU EMN NCP on 26th February 2015:</p> <p>a) Gainful employment: As in the case of third-country nationals, the decision on permitting gainful employment is taken in connection with issuance of the residence title and under the same conditions.</p> <p>b) Training, education and study: Stateless persons are subject to the general compulsory requirement to attend school. They have access to training and study opportunities under the same conditions as apply to third-country nationals.</p> <p>c) Health: As in the case of third-country nationals, healthcare and social benefits are provided according to the foreigner's residence status and subject to compliance with the specific requirements stipulated in the relevant social legislation.</p> <p>9. See under 3, according to the provisions of the Residence Act, all foreigners are treated equally. Since the granting procedure for residence permits is the responsibility of the foreigners authorities, which are located in Germany at the municipal level, no statement can be made as to whether individual foreign authorities offer special assistance to stateless persons.</p> <p>10. For (almost) every residence decision or measure, the determination of citizenship and thus the status of statelessness is fundamental. If the citizenship or statelessness can not already be proven by a travel document and the jurisdiction for the stateless person is not in another state, the determination of statelessness in the application process will be carried out by the competent immigration office (§49 Abs. 2 and 3 residence). If necessary, a corresponding travel document can be issued, with which the legal status can be proven.</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. Greece has ratified the 1954 Convention by Law N.139 Gov. Gazette A 176/25-08-1975. 2. No. However, a law has been drafted in this respect and is being processed. 3. [Not applicable] 4. [Not applicable]

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			<p>5. [Not applicable]</p> <p>6. [Not applicable]</p> <p>7. A stateless person may apply for a residence permit on other grounds that may cumulatively apply to his/her situation, such as an application for international protection, application for a work permit or a humanitarian residence permit.</p> <p>8. 7. As mentioned above, given that there does not yet exist a dedicated Statelessness procedure , a stateless person has to apply for a type of residence permit which is suitable for his personal situation, such as a refugee permit. If such an application is approved, the stateless person will have access to all rights that are granted for example to beneficiaries of international protection. In Greece, when applying for international protection, the applicant is granted a provisional applicant's card which enables him/her to reside legally in Greece until a final decision on his/her application is delivered and to have access to basic social rights such as employment, education and healthcare.</p> <p>9. -</p> <p>10. The Greek Nationality Code (L.3284/2004 as ratified by L.3838/2010 and L.4604/2019 and currently in force) includes special provisions for the acquisition of the Greek nationality by stateless persons who live on Greek territory, with the aim of facilitating this specific category of foreigners. More specifically:a) According to the provisions of par.2b and 2c of article 1 of L.3838/2010, which constitute a subsidiary application of the jus soli principle in the greek nationality law, a person born on Greek territory shall acquire the Greek nationality by birth provided that he/she does not acquire any other nationality by birth or is of unknown nationality. The above mentioned provisions constitute consolidated provisions of the Greek nationality law and prove the diachronic intention of the Greek State to grant Greek citizenship to stateless persons that live on Greek territory, applying in this way the imposed by international law principle, according to which everyone should have by birth – at least – one nationality.In this case the possession of a residence permit is not required. The Ministry of Interior (its regional offices or/and both the central office in case assistance is requested) investigate the citizenship status of the applicant and provided that statelessness at birth is sufficiently proved, a decision for the acquisition of Greek citizenship is issued by birth due to statelessness.b) According to the provisions of articles 2 & 4 of</p>
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			<p>L.3838/2010, stateless persons face a preferential pathway to naturalization as Greek citizens, ie they are liable to a reduced required time period of legal residence in Greece (3 years instead of 7) as well as a reduced deposit fee (100 euro instead of 550). In order to apply for the Greek citizenship by naturalization as stateless, the applicant must hold a travel document or special type of residence permit/identity card that clearly states that he/she is stateless. Therefore, in this case, the possession of a specific type of residence permit is prerequisite for the naturalization as a stateless person, meaning that if there is no procedure or mechanism to issue such a document, the naturalization of these people cannot be facilitated as mentioned above.</p>
	<p>EMN NCP Hungary</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. Yes 2. No, but such procedure had already existed in the Hungarian legal system, according to Chapter VIII. of Act No. II of 2007 on the Admission and Right of Residence of Third-Country Nationals. 3. Yes. According to Article 29. Section (1) of Act No. II of 2007 on the Admission and Right of Residence of Third-Country Nationals, if a third country national was recognized as a stateless person, a temporary residence permit for humanitarian purpose shall be granted for him/her, even in lack of the conditions, stipulated in the legal act 4. Right to stay and work in Hungary. 5. N/A 6. N/A 7. N/A 8. On the basis of the temporary residence permit for the purpose of humanitarian reasons. 9. Proceedings for granting stateless status are opened upon the submission of a request to the immigration authority of jurisdiction by reference to the applicant's residence, habitual residence or place of accommodation

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			<p>for stateless status by a person who resides in the territory of Hungary, which is to be presented verbally or in writing. A request submitted verbally shall be recorded in writing by the immigration authority. The application submitted in writing shall be signed by the applicant. When submitting the application the immigration authority shall inform the applicant about his/her rights and obligations, the legal consequences of any breach of such obligations, and also of the designated place of accommodation. If the application is submitted verbally and the applicant cannot speak Hungarian, the competent regional directorate shall provide an interpreter who speaks his/her native language or a language he/she understands. An interpreter may not be required if the officer in charge of the case speaks the applicant's native language or another language he/she understands, and if the applicant so agrees in writing. The proceedings for granting stateless status are exempt from charges. The applicant shall attend the proceedings in person and shall be interviewed. The applicant may use his/her native language or a language he/she understands for verbal and written communication during the proceedings. The applicant shall be provided access to legal counseling. In the proceedings for the granting of stateless status the applicant is required to prove or substantiate his/her stateless status, with particular regard to the State:</p> <ul style="list-style-type: none"> · where his/her place of birth is located; · where his/her previous permanent or habitual residence is located; and · of the nationality of his/her family members and parents. <p>If so requested by the client, the immigration authority shall provide administrative help via the Hungarian foreign missions for obtaining the above-specified information. If so requested by the applicant, the representative of the Office of the United Nations High Commissioner for Refugees may participate in any stage of the proceedings for the recognition of stateless status, and:</p> <ul style="list-style-type: none"> · may be present when the applicant is interviewed; · may provide administrative assistance to the petitioner; · may gain access to the documents of the proceedings and make copies thereof; <p>the immigration authority shall send the administrative resolution or court decision to him/her. The regional directorate shall adopt a decision within 45 days in conclusion of its proceedings for the recognition of stateless status.</p> <p>10. N/A</p>
	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. Yes.</p> <p>2. No. Ireland has not introduced a dedicated Statelessness Determination Procedure.</p>

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			<p>3. Ireland does not have a dedicated Statelessness Determination Procedure. Ireland has granted a small number of statelessness determinations under the 1954 Convention on the status of Stateless Persons, based on particular circumstances surrounding individual cases. In cases where Ireland has granted a determination of statelessness under the 1954 Convention on the status of Stateless Persons, the person has been granted leave to remain. There is, however, no systematic procedure for making stateless determinations.</p> <p>4. Ireland does not grant residence permits to persons specifically on the basis of their statelessness. Stateless persons may have residence permits for other reasons, and the usual rights attach to those depending on the reason for granting the permit. Some categories of residence permit (e.g. those granted to beneficiaries of international protection) allow for access to a range of social rights, whereas others (e.g. students) have restrictions, e.g. an obligation to provide private health insurance.</p> <p>5. Not applicable.</p> <p>6. Not applicable.</p> <p>7. Statelessness results from the complex interaction of many legal and other factors. There is no specific determination process for recognition of stateless persons in Ireland; claims of statelessness can arise at any point in the immigration and protection process and the numbers involved are very low. These cases are frequently dealt with without recourse to a determination of statelessness through procedures (e.g. permission to remain) set out under the Immigration Acts or International Protection Acts. Stateless persons may have residence permits granted for other reasons, e.g. work, study, family reasons or as beneficiaries of international protection on the same conditions as third country nationals. The residence permits is not specifically linked to the stateless status of the individual. As stated in the answer to question 3, Ireland has granted a small number of statelessness determinations under the 1954 Convention on the status of Stateless Persons, based on particular circumstances surrounding individual cases. These persons were subsequently granted leave to remain.</p> <p>8. Stateless persons who are legally residing in Ireland will enjoy the same access to the labour market as any third country national, which will depend on the type of residence permit granted. For example, access to the labour market can be on foot of an employment permit, or the TCN may enjoy unrestricted access to the labour</p>
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			<p>market. Third country nationals with a student permission have a concession to access the labour market under certain conditions. Access to other rights for stateless persons legally residing in Ireland will be the same as any third country national, depending on the type of residence permit granted. As noted in question 5, Ireland has granted leave to remain to a small number of stateless persons based on particular circumstances surrounding individual cases. Permission to remain granted would give unrestricted access to the labour market, and access to healthcare, primary and secondary education on the same basis as Irish nationals. Access to third level education would be subject to fees.</p> <p>9. There are no special supports available to stateless persons to help them apply for residence permissions. With regard to applications for naturalisation, section 16 of the Irish Nationality and Citizenship Act 1956 (as amended) provides that the Minister may, in his absolute discretion, "grant an application for a certificate of naturalisation in the following cases, although the conditions for naturalisation (or any of them) are not complied with [...] (g) where the applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees of the 28th day of July 1951 and the Protocol Relating to the Status of Refugees of the 31st day of July 1967 or is a Stateless Person within the meaning of the United Nations Convention relating to the Status of Stateless Persons of the 28th day of September 1954." In practice this means that the Minister can waive two out of the five years reckonable residence requirement. Regulation 13(2)(a) of the Irish Nationality and Citizenship Regulations 2011 waives the certification fee for naturalisation for a person to whom section 16(1)(g) above applies.</p> <p>10. As described in question 8 above, legislation provides for certain supports for stateless persons relating to applications for naturalisation, at the discretion of the Minister for Justice and Equality. Travel documents can be issued to persons whose national authorities have formally and unreasonably refused to issue a national passport. Applicants are required to provide documentation attesting to this. The onus is on the person to prove their stateless status, when applying for discretionary waivers or the application fee waiver for naturalisation.</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1. Latvia is a party to the 1954 and the 1961 Conventions</p> <p>2. No. Statelessness Determination procedure is introduced since 2004.</p>

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			<p>3. Yes. According to Immigration Law stateless person can receive a temporary residence permit for 5 years. After this period a permanent residence permit can be received (person has to pass an exam of Latvian language at elementary level – at least A2). Stateless persons are eligible for some facilitations: to receive a temporary residence permit, person shall present a valid travel document, pay the reduced state fee, and submit only application and photo.</p> <p>4. As stateless persons are considered to be third-country nationals, they are entitled to the same rights as third-country nationals with residence permits. The extent of rights depends on the type of residence permit.</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. N/A</p> <p>8. Stateless person who has received residence permit has the right to employment without restrictions, right to education, access to social security system. Access to social security system is guaranteed under the same conditions as third country nationals legally residing in the country. The extent of social security system depends on the type of residence permit and employment. Stateless persons with a temporary residence permit have only a partial access to the social security system. The permanent residence permit provides the same amount of social assistance that the state and local government provide to citizens. Medical assistance shall be provided against payment from insurance companies, employers, patients themselves or from other resources. Only stateless person who has a valid permanent residence permit has the right to the health care granted by the state. Employed stateless person in Latvia may receive all social guarantees arising from employment relationships. Stateless person with a valid residence permit may obtain the status of unemployed and the job-seeker, may participate in non-formal education events at the State Employment Agency. In order to receive a service, a person turns to the relevant authority and presents a personal identification document and residence permit.</p> <p>9. To receive a temporary residence permit, stateless person shall present a valid travel document, pay the</p>
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			<p>reduced state fee, and submit only application and photo. The decision by which a person is recognized as a stateless person sets out in detail the next steps to receive a travel document of a stateless person and require a temporary residence permit, as well as the amount of the state fees. If stateless person has any additional questions, he/she can contact any of the 30 divisions of the Office of Citizenship and Migrations Affairs or call to the info phone of the Office of Citizenship and Migrations Affairs and receive an individual consultation.</p> <p>10. N/A</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. Yes, both.</p> <p>2. No.</p> <p>3. n/a</p> <p>4. n/a</p> <p>5. n/a</p> <p>6. n/a</p> <p>7. As there is no particular procedure established, stateless persons fall under the same regulation as other foreigners, applying for residence permits.</p> <p>8. Stateless persons have to fulfill the same conditions as the ones applied to other foreigners (access to the labour market, education and training as well as health care and social aid depends on the type of the residence permit that the stateless person can obtain).</p> <p>9. Persons under the age of 16 are exempt from the state fee for issuing and changing the stateless person's travel document. Municipalities also cover state fees to other vulnerable persons (including stateless persons who</p>

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			<p>are long-term residents) for the processing of citizenship documents or applications for a residence permit, and the issue/change of passports, identity cards or residence permits. In addition, stateless persons who are asylum seekers receive free legal aid.</p> <p>10. If a stateless person has the right to reside in Lithuania (possesses a residence permit), s/he can obtain a travel document of the stateless person, which is issued according to the 1954 Convention relating to the Status of Stateless Persons. The general citizenship procedures is applied to the stateless persons, seeking to obtain the Lithuanian citizenship.</p>
	<p>EMN NCP Luxembourg 9</p>	<p>Yes</p>	<p>1. Yes. Luxembourg had ratified the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.</p> <p>2. 2. Since August 2016 Luxembourg has a special determination procedure. A foreigner, who cannot claim the nationality of any State and is residing in Luxembourg can apply for the status as a stateless person. The applicant has to submit the application via the duly completed and signed form to the Department for Foreigners at the Directorate of Immigration under the Ministry of Foreign and European Affairs, and provide the following information in particular: • the identity of the applicant (name, first name, date and place of birth, address in Luxembourg, etc.);• where applicable, the same information concerning the applicant's spouse, children and parents;• the reason for the application.The applicant will have to prove his/her statelessness by providing precise and serious evidence. He/she namely has to prove that he/she has lost the nationality which was his/hers by birth or that he/she never was a national of any state. The applicant does not need to prove that he/she does not have a nationality but only that he/she cannot claim to have the nationality of any of the states to which he/she can be linked. These are namely the States in which he/she was born, or where his/her family members reside, or in which he/she has stayed or resided. The Department for Foreigners examines all the evidence provided by the applicant, and collects any other relevant information to allow the determination of which countries (if any) could confer citizenship on the applicant. If required, the applicant may be invited to an interview or to present additional evidence or supplementary information. The authorities, with the consent of the applicant, can request supplementary information from different countries to which the applicant may be linked. During the examination of the application, the applicant does not have the right of residence in the country. A</p>

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			<p>removal order can be issued if his/her immigration status is irregular. The Department for Foreigners will take a decision within three months of the application being filed. This deadline can be extended if the case is complex. The motivated decision will be notified to the address provided by the applicant. If the decision is positive the applicant will receive a biometric travel document for stateless persons. If the application is rejected the applicant can file an appeal before the First instance Administrative Court in a deadline of three months after the notification of the decision. Against a negative decision of the First Instance Administrative Court the applicant can file an appeal before the Administrative Court in a deadline of 40 days after the notification of the decision.</p> <p>3. 3. No. The recognition of statelessness status does not automatically give the right of residence. The beneficiary of the statelessness status is considered a third-country national (TCN) and must fulfil the conditions of stay for a third country national which apply for the categories of authorisation of stay foreseen in chapter 3 of the amended law of 29 August 2008 on free movement of persons and immigration (Immigration Law). In consequence, after being granted the biometric travel document for stateless persons the applicant must file an application for any category of authorisation of stay established in the Immigration law and then an application for a residence permit.</p> <p>4. The rights will depend on the type of residence permit the applicant obtained.</p> <p>5. 4. If the applicant is granted statelessness status he/she is entitled to a biometric travel document for stateless persons. The travel document has as maximum period of validity of 5 years, and is renewable on request. However, this document does not grant the right to stay and reside in the territory. With the granting of the statelessness status, the applicant will be informed that he/she will not enjoy an automatic right of residence and has to apply for an authorisation of stay according to article 38 of the Immigration Law. He/she will receive a notice of receipt, but there are no rights attached and no tolerated stay is provided in this case.</p> <p>6. N/A</p> <p>7. N/A</p> <p>8. 6. In Luxembourg if the recognised stateless person is granted one of the residence permits foreseen in the law, he/she will enjoy the same rights (education, employment, healthcare) as any TCN legally residing in the</p>
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			<p>country, which will depend on the type of residence permit he/she is granted. Luxembourg allows access to the labour market, education and vocational training, healthcare depending on the residence permit the stateless person obtains. Recognition of statelessness status does not imply granting automatic access to education or vocational training. However, minors are subject to compulsory education. There is no national scheme for adult education.</p> <p>9. No</p> <p>10. N/A</p>
	EMN NCP Malta	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	EMN NCP Netherlands	Yes	<p>1. Yes</p> <p>2. No</p> <p>3. NA, see Q2</p> <p>4. NA, see Q2</p> <p>5. NA</p> <p>6. NA</p> <p>7. The Netherlands does not have a residence permit on the grounds that someone is stateless. If a stateless person submits an application for a residence permit for any purpose of stay, and meets the conditions of that</p>

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			<p>permit, then it is granted. However, if the application is denied, and the person concerned has to leave the country, the fact that someone is stateless may play a role in the application for a no-fault permit.</p> <p>8. A stateless person with lawful residence has access to facilities and provisions just as other lawfully resident aliens and Dutch nationals.</p> <p>9. There are certain institutions such as NGOs that stand for the rights of stateless persons in the Netherlands</p> <p>10. A stateless person lawfully residing in the Netherlands may be eligible for naturalization sooner.</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. Republic of Poland has not yet acceded to the 1954 Convention relating to the Status of Stateless Persons nor to the 1961 Convention on the Reduction of Statelessness.</p> <p>2. The Statelessness Determination Procedure hasn't been introduced yet by Republic of Poland.</p> <p>3. Questions from 3rd to 4a are not relevant, due to the answer that has been given in point 2.</p> <p>4. Questions from 3rd to 4a are not relevant, due to the answer that has been given in point 2.</p> <p>5. Questions from 3rd to 4a are not relevant, due to the answer that has been given in point 2.</p> <p>6. Questions from 3rd to 4a are not relevant, due to the answer that has been given in point 2.</p> <p>7. In accordance with the current legal status, the rules and conditions of entry and stay on the territory of the Republic of Poland of foreigners not being EU citizens (or members of their families) are regulated by the Act of 12 December 2013 on foreigners (Journal of Laws 2018, item 2094, as amended). Pursuant to Article 3(2) of the Act, a foreigner is any person who is not a Polish citizen. In view of the above definition, a foreigner within the meaning of this Act is a person who is not a Polish citizen, regardless of whether he/she holds the citizenship of any of the other states. As regards to the rights and obligations, a stateless person is therefore on an equal</p>

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			<p>footing with any third country national. A stateless person has the same access to the residence permits provided for by law and is obliged to fulfil the same conditions as a third-country national to get the residency in Poland. As a general rule an applicant for any type of residence permit of temporary (temporary residence permit) or permanent character (national permanent residence permit or UE long-term residence permit) has to submit an application on special form in person and present the valid travel document or, where he/she does not possess a valid travel document and no possibility to get it exist, he/she may present any document confirming his identity. For the purposes of the temporary or permanent residence permit procedures a stateless person may present a Polish ID card of a foreigner. This document may be issued to a stateless person who resides on the territory of the Republic of Poland where it is justified by the interest of the Republic of Poland (art. 260 (1) (3) of the Act). The Polish ID card of a foreigner is a document that confirms the identity of the holder during his/her stay on the territory of the Republic of Poland, but does not confirm his/her citizenship and does not entitle to cross the Polish border.</p> <p>8. It depends on status, which stateless person has. If she/he is an asylum seeker – has the rights relevant to asylum seekers, if she/he has a subsidiary protection status – has the rights relevant to this status.</p> <p>9. The provisions of the Act on foreigners provide for the possibility to regulate the legal status of minor foreigners who have been abandoned in Poland by their biological parents by enabling them to obtain a document confirming their identity and by allowing them to legalise their stay in our country. A foreigner's minor child born on the territory of the Republic of Poland, staying on the territory of the Republic of Poland without care, is granted a temporary residence permit (Article 186(1)(2) of the Act on foreigners).</p> <p>10. A foreigner (here in a meaning of a stateless person) who is a residence card holder issued on the ground of permanent residence permit, UE long-term residence permit, subsidiary protection or residence permit granted due to humanitarian reasons and has lost his/her travel document or whose travel document has been destroyed or has lost its validity, and where it is not possible to obtain a new travel document, may be granted a Polish travel document for a foreigner. This document is of 1-year validity. Unlike to a Polish ID card of a foreigner (description as above), a Polish travel document for a foreigner not only confirms a foreigner's identity but allows him/her as well within its validity to cross a Polish border multiple times.</p>
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	<p>EMN NCP Portugal</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. Yes 2. No 3. N/A 4. N/A 5. N/A 6. N/A 7. No. The general rules for the granting of RA apply. When the nationality / statelessness is not established, the residence permit shall contain in the respective field the words "unknown". 8. The rights accessed by foreign citizens holding residence permits do not depend on their nationality or recognition of stateless status. 9. No 10. See answer to question 6. In addition, if they need a travel document, there is the possibility of issuing a Portuguese passport to a foreign citizen. The acquisition of nationality by naturalization does not depend on nationality of origin or recognition of stateless status but on legal residence time.
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. YES 2. Slovakia is one of 12 countries in which there is a certain mechanism for identifying or determining whether a person is stateless and subsequently granting protection or residence and related rights. Currently, however, the mechanism in place is considered incomplete as regards the procedural framework. Although the Slovak Republic

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			<p>has introduced into the Act on Residence of Aliens the possibility of granting permanent residence for five years to a stateless person, there is still no unified stateless determination procedure in Slovakia.</p> <p>3. Under the Aliens Residence Act, the Ministry of the Interior can grant a permanent residence for five years even without meeting the conditions laid down in this Act, even repeatedly: a) to a stateless person (a stateless person is a person that no state based on its law considers to be its own citizen). To prove this fact, it is sufficient if s/he proves that s/he does not have the nationality of the state: a) in which s/he was born, b) in which he had his previous stay or residence, and c) of which the nationality his/her parents and siblings have.</p> <p>4. A person can be granted a permanent residence permit of 5 years in the above mentioned cases.</p> <p>5. N/A</p> <p>6. See 3A)</p> <p>7. N/A</p> <p>8. There are no specific conditions for stateless persons in Slovakia. If these persons are granted residence in accordance with the Act on the Residence of Aliens, these persons shall enjoy the same rights as other TCNs with permanent residence.</p> <p>9. See Q3</p> <p>10. N/A</p>
	<p>EMN NCP Spain</p>	<p>Yes</p>	<p>1. Spain is a State Party to the 1954 Convention Relating to the Status of Stateless Persons since July,1994. Moreover, Spain acceded to the 1961 Convention on the Reduction of Statelessness on the 3rd of September, 2018</p>

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			<p>2. A Stateless Determination Procedure in Spain had already been approved in July, 2011 (Royal Decree 865/2001, of 20 July 2001)</p> <p>3. Yes. Upon acknowledgement of statelessness, the relevant authority (in this case, the General Department on Alien Affairs and Borders -Comisaría General de Extranjería y Fronteras-) will issue a statelessness status card, which enables the person to permanently live in Spain, pursuant to what is stated in the Aliens Regulations. Moreover, the abovementioned General Department may authorize the applicant's temporary stay during the proceeding of deportation against him or her. Minors in situation of abandonment according to the civil legislation will always be authorized to stay in Spain during the proceedings.</p> <p>4. In addition to enabling the person to live in Spain, the statelessness status card also enables s/he to develop working, profesional and commercial activities.</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. N/A</p> <p>8. The acknowledged stateless persons have the right to develop working, profesional and commercial activities, pursuant to what is stated in the Aliens Regulations. In this sense, those who have been recognized as stateless and those who have lost the condition of being stateless the year following the termination of said statute are not subject to the anual contingent of foreign workers established by the Government based upon the need for manpower and the national employment situation. As to education, the acknowledged stateless persons are guaranteed full education and training, as well as Access to health and social care, as any other foreigner legally residing in the country.</p> <p>9. The general rule in relation to the acquisition of nationality (10 years' residence) also applies to the acknowledged stateless persons. However, one years' residence shall be sufficient for a person born outside of Spain from a father or mother who were originally Spanish but lost their nationality in the process of decolonization.</p>
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			10. N/A
	EMN NCP Sweden	Yes	<p>1. Yes</p> <p>2. NoStatelessness may be determined when an application for a residence permit is filed with the Swedish Migration Authority or when a person registers with the tax authorities. In this case, the tax authorities have the possibility to make further investigations regarding the statelessness of the applicant.Statelessness may also be determined when a stateless person applies for Swedish nationality, in cases where the authorities have doubts regarding the identity of the applicant.</p> <p>3. Sweden do not have a dedicated statelessness determination procedure.</p> <p>4. Not applicable</p> <p>5. Not applicable</p> <p>6. Not applicable</p> <p>7. No. They will be treated as everyone else.</p> <p>8. No changes. In Sweden social rights are connected to the registration in the peoples registry and everyone with a residence permit valid longer than 12 months are allowed to register in the peoples registry and will get the same social benefits as everyone else living in the country.</p> <p>9. No</p> <p>10. A stateless person can apply for alien's passport or travel documents. For naturalisation the time the stateless person must have lived in the country is 4 years, instead of normally 5.</p>

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	EMN NCP United Kingdom	Yes	<ol style="list-style-type: none"> 1. Yes. The UK has ratified both the 1954 and 1961 Conventions relating to Stateless persons. 2. Yes. In April 2013, the Home Office introduced the stateless leave policy and Immigration Rules setting out the requirements for an individual to qualify for stateless leave. The relevant policy is published on gov.uk at: https://www.gov.uk/government/publications/stateless-guidance. 3. No. To qualify for Stateless Leave a person must demonstrate they are not admissible to any other country for purposes of permanent residence there. Applicants can also be excluded if they have committed serious crimes. Full details of the requirements for stateless leave can be found at: https://www.gov.uk/guidance/immigration-rules/immigration-rules-part-14-stateless-persons 4. Those who qualify for stateless leave are granted five years limited leave, are entitled to take employment and have access to public funds. 5. Those who do not qualify for stateless leave will be removed to a country they are admissible to. If an applicant does not qualify for stateless leave but cannot be removed, then they may be granted discretionary leave outside the Immigration Rules. Further information can be found on gov.uk at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/658372/discretionary-leave-v7.0ext.pdf 6. Those who are refused stateless leave but are granted Discretionary Leave, have full access to the labour market and recourse to public funds. 7. N/A 8. Those granted limited leave to remain as a stateless person are entitled to take employment and have recourse to public funds on broadly the same basis as British citizens. 9. The application process for stateless leave is a free of charge and those who qualify can also apply for settlement after five years limited leave – that application is also free of charge. Legal aid is currently not available for stateless leave applications.
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			10. N/A
	EMN NCP Norway	Yes	<p>1. NO has acceded to both conventions.</p> <p>2. NO</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p> <p>6. N/A</p> <p>7. When applicants come to Norway and apply for asylum there are no particular procedures to evaluate statelessness as an independent ground for granting residence. The case will be evaluated according to the normal considerations for granting refugee/ residence on humanitarian grounds. Stateless individuals have the right to international protection according to the Refugee Convention, on the same basis as applicants with citizenship. The question about statelessness will in that case be evidence based as long as the applicant has claimed statelessness and there is no reason to believe otherwise. If the person is stateless the refugee consideration will be made in relation to the country where this person previously had habitual residence. If the applicant is persecuted because of their statelessness, given that the exclusion rules do not apply, this will give grounds for granting protection in Norway. If the person does not fulfill these conditions for asylum, they can be evaluated for a residence permit based on humanitarian grounds. If neither of these considerations lead to a permit, the application will be denied and return to the previous country of residence will be required. Many of the “stateless” applicants are granted refugee status or issued a residence permit based on humanitarian grounds. Normally this is valid for a period of 3 years and after that the applicant can apply for permanent residence. Stateless applicants will also be able to get Norwegian citizenship more quickly than if they had</p>

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			<p>citizenship in another country.</p> <p>8. Applicants who are recognized as refugees and those who qualify for a residence permit based on humanitarian grounds have:</p> <ul style="list-style-type: none">• access to the labour market.• the right to education and access to the university on the same basis as Norwegian citizens.• become members of the Norwegian social welfare system on the same basis as Norwegian citizens. <p>A stateless person who is granted refugee status, humanitarian protection or any other permit of stay in Norway has the same rights and obligations as any other individual that was granted the same type of residence permit and having a specific citizenship. While a stateless person may obtain Norwegian citizenship after only three years of legal residence in Norway, cf. to Section 16 in the Norwegian Nationality Act, other categories of persons who have a nationality will be qualified to obtain Norwegian citizenship after five or seven years of residence in Norway.</p> <p>9. NO</p> <p>10. See previous responses 7. & 8. By law, legal residents have rights. In practice, a person would go to the relevant government office for help; officials would have access to the national registry and know that the person in question is legally residing in Norway.</p>
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