

Statelessness in the EU Pact on Asylum and Migration

EMN Platform on Statelessness, 27 October 2025

EU competency on statelessness?

Acquisition and loss
of nationality - MS
competency

Stateless persons –
within the scope of
application of the
asylum acquis

Where / What ?

Reference
across
files

(almost) systematic
reference to 'third country
nationals and/or stateless
persons' across the files

Definition
(APR,
AMMR,
screening)

- Of stateless persons
- harmonized
- in line with international law

Recitals
(APR,
AMMR,
EUROD
AC)

- acknowledge the competence of MS
- stress that MS should respect their international obligations towards stateless persons
- recall the Union's pledge that all Member States on accession to Statelessness Conventions

Improving
identification

- Screening
- APR



Statelessness as a vulnerability

RCD

- Special reception needs
- Art. 24-25
- Indicative list
- Not listed
- Assessment

APR

- Special procedural guarantees
- Art. 20-21
- No list
- Assessment

Screening

- **Vulnerability** check
- Art. 12
- *with a view to identifying whether a third-country national might be a **stateless person**, **vulnerable** or a victim of torture or other inhuman or degrading treatment, or have special needs within the meaning of Directive 2008/115/EC, Article 25 of Directive (EU) 2024/1346 and Article 20 of Regulation (EU) 2024/1348*



Improving identification

Objective

Screening

- the health and vulnerability check will include the identification of whether a third-country national might be a stateless person
- the screening form will include the field indication of 'nationalities or statelessness'
- if so MS are obliged to provide timely and adequate support

APR

- where an individual claims not to have a nationality, that fact shall be clearly registered pending the determination of whether the individual is stateless
- 'nationalities or, if applicable, an indication of statelessness' will be indicated in documents issued to confirm an asylum application

Identification = key step to strengthen the protection of stateless persons, thus allowing them to enjoy core fundamental rights and reducing the risk of discrimination or unequal treatment (in recitals of the AMMR and APR)

Implementation – Common Implementation Plan (CIP) BB2, BB4

Training needs for:

- Staff conducting screening
- Staff conducting registration of asylum applications

EUAA curriculum

Taking needs into consideration:

most often no country/region to
return to

challenges in terms of
documentary evidence and
status determination