



***UNIS AUTOUR
DE NOS VALEURS***

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

***UNITED AROUND
OUR VALUES***



Causes of statelessness

- Conflicts in nationality laws
- State successions
- Migration and forced displacement
- Birth registration
- Administrative challenges to access to nationality

Consequences of lack of nationality

- Education
- Employment
- Healthcare
- Housing
- Freedom of movement

PASSPORT



The right to a nationality, a “right to have rights”

~ Hannah Arendt

Access to nationality constitutes part of the person's social identity

ECHR, *Genovese v. Malta*, no. [53124/09](#), §30, 11 October 2011



Actions by the Council of Europe

❖ Parliamentary Assembly

- ✓ [Resolution 1989 \(2014\) on access to nationality and the effective implementation of the European Convention on Nationality](#)
- ✓ [Resolution 2099 \(2016\) on the need to eradicate statelessness of children](#)

❖ Commissioner for Human Rights

- ✓ Need for states to offer greater protection for refugees and stateless persons

❖ European Committee on Social Rights

- ✓ Conclusion 2013, Statement of interpretation on the rights of stateless persons under the European Social Charter

Council of Europe Legal Instruments

- ✓ European Convention on Nationality (ETS No. 166)
- ✓ Convention on the Avoidance of Statelessness in relation to State Succession (CETS No. 200)
- ✓ Recommendation No. R (99) 18 of the Committee of Ministers on the avoidance and the reduction of statelessness
- ✓ Recommendation CM/Rec(2009)13 of the Committee of Ministers on the nationality of children



- ✓ Council of Europe Strategy for the Rights of the Child (2022-2027)



- ✓ Council of Europe Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum in Europe (2021-2025)



- ✓ International Conference “Statelessness and the right to a nationality in Europe: progress, challenges and opportunities” (2021)
- ✓ Analysis of current practices and challenges regarding the avoidance and reduction of statelessness in Europe (2021)



CDCJ Action on Statelessness

[CDCJ feasibility study for a non-binding legal instrument on access to nationality for stateless children \(2025\)](#)

Follow up:

- ✓ Revision of [Recommendation CM/Rec\(2009\)13 on the nationality of children](#)
- ✓ Complemented with a checklist for policy-makers

Feasibility study on a non-binding legal instrument regarding stateless children's access to nationality



www.coe.int/cdcj



✓ Revised Recommendation on the nationality of children

- Reducing statelessness of children
- Statelessness determination procedures
- Registration of births to ensure children's access to rights
- Nationality as a consequence of a child-parent family relationship
- Position of children treated as nationals
- Rights of children in proceedings affecting their access to nationality

✓ Compendium of promising practices

- Preventing statelessness among children
- Child-friendly nationality and statelessness determination procedures
- Legal aid and representation
- Access to information and to justice for children
- Awareness-raising and training of relevant actors
- Birth registrations

✓ European Convention on information on Foreign Law and its Additional Protocol



- Conventional mechanism for co-operation between states
- Facilitate the establishment of the content of foreign law
- New tools for practitioners
- Webinar on 4 December 2025

Thank you

[European Committee on Legal Co-operation](#)
[Website](#)

