

Council adopts conclusions on statelessness

The Council and the Representatives of the Governments of the member states adopted conclusions on Statelessness.

Jean Asselborn, Minister of Immigration and Asylum of Luxembourg and President of the Council said: "We have undertaken today to act together on behalf of stateless persons: those who do not have rights, who cannot participate in any political system and who do not have access to any social benefits. The UNHCR has launched a campaign to eradicate statelessness and we will play our full part in this. We have to unite in our efforts within an EU which stands by its values and protects the weakest."

Conclusions of the Council and the Representatives of the Governments of the Member States on Statelessness

Recalling that the right to a nationality is a fundamental right recognised by Article 15 of the Universal Declaration of Human Rights and that this is one of the basic principles of the 1997 European Convention of Nationality;

Recalling that the right to acquire a nationality has been reiterated in a number of instruments of international human rights law such as the International Covenant on Civil and Political Rights, the Convention on the Elimination of Discrimination against Women and the Convention on the Rights of the Child;

Recognising that stateless persons do not enjoy their right to a nationality and the importance of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;

Recalling the EU's pledge of September 2012 that all EU Member States will accede to the 1954 Convention and will consider acceding to the 1961 Convention;

Recalling that the Treaty on the Functioning of the European Union in its Article 67.2 states that stateless persons shall be treated as third-country nationals when devising and implementing a common policy on asylum, immigration and external border control;

Recalling that the Global Approach to Migration and Mobility of 2005 refers to stateless persons as a particularly vulnerable group stating that the EU should encourage non-EU countries to address the issue of stateless persons by taking measures to reduce statelessness;

Recalling the European Union's 2012 Strategic Framework on Human Rights and Democracy and its Action Plan that proposes the establishment of a joint framework to tackle statelessness issues with non-EU countries, which has subsequently been adopted;

Recalling the European Union's Action Plan on Human Rights and Democracy (2015-2019) which states that the EU will continue to address statelessness in relation to priority countries, focus efforts on preventing the emergence of stateless populations as a result of conflict, displacement and the break-up of states;

Recalling that the Asylum, Migration and Integration Fund 2014-2020 can be used to finance measures addressed to stateless persons, in particular for their integration in their host communities;

Recalling that the UNHCR estimates that there are at least 10 million stateless persons worldwide;

Recalling that stateless persons are often prevented from participating in economic, social and political life in their host states or in their states of birth;

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES:

While acknowledging that the acquisition of nationality falls within the competence of Member States and, under international law, it is for each Member State, having due regard to Union law, to lay down the conditions for the acquisition and loss of nationality;

Welcome the UNHCR 10-year campaign to end statelessness by 2024;

Acknowledge the importance of identifying stateless persons and strengthening their protection thus allowing them to enjoy core fundamental rights and reducing the risk of discrimination or unequal treatment;

Take note of the current statelessness determination procedures some Member States have in place as well as of national mechanisms ensuring their protection;

Recognise the importance of exchanging good practices among Member States concerning the collection of reliable data on stateless persons as well as the procedures for determining statelessness;

Invite the Commission to launch exchanges of good practices among Member States, using the European Migration Network as a platform;

Invite Member States' national contact points to actively participate in that platform providing all relevant information with a view to ensuring that it will be a useful instrument in order to achieve the objectives of reducing the number of stateless people, strengthening their protection and reducing the risk of discrimination.

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