

2020

Overview of obstacles to exercising the right to registration in birth registry books, acquisition of citizenship and registration of permanent residence in 2020



P R A X I S



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Overview of obstacles to exercising the right to registration in birth registry books, acquisition of citizenship and registration of permanent residence in 2020

New developments in 2020

In 2020, Praxis continued to provide free legal aid to persons at risk of statelessness in the procedures for registration into civil registry books, acquisition of citizenship and registration of permanent residence. Although 2020 did not bring significant changes in the legal framework or practice of the competent authorities, there were some new developments that can significantly affect the exercise of the right to citizenship, registration into registry books and registration of permanent residence.

It primarily refers to the Law on Free Legal Aid (LFLA)¹. The Law became effective in late 2019, but the effects of its application could be seen more clearly in 2020. The existence of a functional system of free legal aid is important for persons at risk of statelessness, because almost all of them are extremely poor and legally ignorant, and often illiterate, which means that free legal aid is necessary for them.

For years, these individuals have relied on free legal aid provided by NGOs, but the LFLA denied associations of citizens the possibility of providing any form of legal aid in court procedures. Thus, persons who are not registered in birth registry books and who need to initiate a court procedure for determining the date and place of birth in order to be registered² can only try to get free legal aid in municipal and city administrations, authorised under the LFLA to decide on granting free legal aid. However, the experiences of citizens referred by Praxis to try to get free legal aid in this way, as well as a survey conducted by Praxis in the second half of 2020, revealed that persons at risk of statelessness rarely managed to obtain free legal aid in accordance with the LFLA. Even in cases where free legal aid was granted, it was usually accompanied with some difficulties, despite the fact that the LFLA clearly specifies that beneficiaries of free legal aid include persons for whom it is necessary

¹ *Official Gazette of the Republic of Serbia*, no. 87/2018

² The Law on Non-Contentious Procedure stipulates that a person who is not registered in birth registry books, and cannot prove the date and place of his or her birth in the manner prescribed by the regulations governing the administration of birth registry books, can submit to the court a request for determining the date and place of birth (Article 71a).

to initiate procedures for determining the date and place of birth, without imposing any additional requirements for obtaining free legal aid³.

On the other hand, citizens who need free legal aid in other procedures for registration into civil registry books, acquisition of citizenship and registration of permanent residence, must meet the requirements related to their material status. However, it is usually not possible to obtain evidence of the material status of persons who do not have personal documents, due to which they cannot obtain free legal aid. The Law also includes stateless persons among beneficiaries of free legal aid, but in Serbia there is no procedure for determining the status of stateless persons, which makes it unclear how these persons could prove their status and obtain free legal aid. On top of all that, it has turned out that persons at risk of statelessness are almost never aware of the Law or how they could possibly exercise the right to free legal aid.

The Conclusion of the Civil Division of the Supreme Court of Cassation on the jurisdiction of the non-contentious court in the procedure of registration in birth registry books could significantly hinder the exercise of the right to birth registration.⁴ In this Conclusion, the Supreme Court of Cassation (SCC) took the position (1) that non-contentious procedures for determining the date and place of birth could be conducted only if the administrative procedure of subsequent registration in birth registry books had been previously conducted and if the request had been rejected (“by a final decision”), and (2) that a person who had been registered in birth registry books, but those books were destroyed, “cannot ask the non-contentious court to determine the fact of his or her date and place of birth” and (3) that “persons who are registered in birth registry books of the so-called Republic of Kosovo” also could not ask the non-contentious court to establish the fact of their date and place of birth.

The practical application of the first paragraph of the SCC’s Conclusion by first instance courts would significantly prolong and complicate registration in birth registry books; up to now, non-contentious courts have not, as a rule, requested that the administrative procedure of subsequent registration in birth registry books had to be conducted. It seems completely unnecessary to insist on initiating administrative procedures in cases where it is obvious that the parties have no prospect of success in these procedures (for example, if their parents are not alive or available or if there are no witnesses of the birth). This would not only prolong the period in which legally invisible persons remain unregistered in birth registry books, and would not only cause unnecessary expenses in some cases (for example, travel expenses for the party and witnesses), but would increase the risk of being discouraged by the failure in the administrative procedure and consequently, giving up the initiating of court

³ For more information on the problems related to exercising the right to free legal aid, see: Law on Free Legal Aid - The First Year of Implementation: Have the Goals Been Achieved? Praxis 2020

⁴ Conclusion on the jurisdiction of the non-contentious court in the procedure of registration in birth registry books, determined at the session of the Civil Division of the Supreme Court of Cassation held on 3 July 2020, available at: <https://www.vk.sud.rs/sites/default/files/attachments/Zakljucak%20-%20Nadleznost%20vanparnicnog%20suda%20u%20postupku%20upisa%20u%20maticnu%20knjigu%20rodjenih.pdf>

procedure. In particular, it should be taken into consideration that negative decisions in administrative procedures cannot become final at all.

It cannot be said that the remaining two paragraphs of the SCC's Conclusion are grounded in regulations. In fact, the SCC's opinion that in the case of destroyed registry books it is not possible to conduct non-contentious procedures is contrary to the provisions of the Instruction on administering civil registry books and forms of registry books⁵, which provides that in cases where it is impossible to reconstruct destroyed or missing civil registry books due to the impossibility of obtaining evidence, the competent authority will instruct the citizen to initiate a court procedure for establishing the relevant facts, and that re-registration in civil registry books will be done on the basis of a court decision. If citizens who do not have evidence for re-registration into birth registry books in administrative procedure were denied the possibility to establish the facts in a court procedure, they would be left without any possibility of re-registration. Such consequences would be unacceptable, because citizens should in no case bear the consequences of the fact that the state did not preserve civil registry books that it was obliged to take care of and reconstruct *ex officio*.

As regards the third paragraph of the SCC's Conclusion, it recognises *de facto* the validity of registration in the civil registry books in Kosovo, despite the fact that Serbia has not recognised Kosovo and that citizens cannot exercise any rights in Serbia on the basis of Kosovo documents. If the first instance courts act in line with the SCC's position, many citizens who were born and registered in the birth registry books in Kosovo will be left without the possibility of registering in birth registry books and regulating their status in any way, regardless of the fact that they have not been living in Kosovo for years, that they have lived in cohabitation and had children in Serbia, and regardless of the fact that they meet the requirements for Serbian citizenship.

Such views of the Supreme Court of Cassation actually threaten to partly annul the progress in resolving the problem of statelessness and birth registration, which was achieved by the 2012 legislative changes⁶.

The most important problem related to registration in civil registry books was not solved even in 2020, which means that children whose mothers do not have personal documents cannot be registered immediately after birth.

As regards the practice of the authorities that conduct the procedures, certain problems recur each year. Unfortunately, the experiences of Praxis' beneficiaries have shown that in many procedures over the past year, problems occurred more

⁵ Point 93 of the Instruction on administering civil registry books and forms of registry books (*Official Gazette of the Republic of Serbia*, nos. 109/09, 4/10 - corrigendum, 10/10, 25/11, 5/13 and 94/13).

⁶ That year, the Law on Non-Contentious Procedure was supplemented with provisions regulating the procedure for determining the date and place of birth, after which the Instruction on administering civil registry books and forms of registry books was amended, while the competent ministries issued instructions on procedures for registration in birth registry books and acquisition of citizenship.

frequently than before. This particularly applies to the procedures for determining the personal name and the procedures for registering temporary residence.

Further in this report, we provide a brief overview of the most important obstacles and the most common problems that occur in the procedures for registration into civil registry books, acquisition of citizenship and registration of permanent residence.⁷

1. REGISTRATION IN THE BIRTH REGISTRY BOOK

1.1. Birth registration of every child immediately after birth has not been ensured

The systemic obstacle jeopardizing the exercise of the right to timely birth registration has not been removed this year either. The provisions of two bylaws that prevent birth registration immediately after birth of children whose mothers do not possess personal documents are still in force⁸. For this reason, Serbia is still facing a situation in which newborn children are not registered in the birth registry book immediately after birth and are, hence, deprived of or have hindered access to numerous rights, including the rights to health care and social protection.

1.2. Problems in the court procedures for determination of date and place of birth

Non-contentious court procedure for determination of date and place of birth was introduced into the Serbian legal system in 2012 and is intended for persons who cannot prove the date and place of their birth through an administrative procedure. Thanks to this procedure, a significant number of persons managed to register in the birth registry book, but certain problems in conducting these procedures have been recurring for years.

Long-lasting procedures. Even though the Law on Non-Contentious Procedure prescribes that the first hearing must be held within 30 days and that the procedure must be completed within 90 days from submitting the motion, most courts exceed these deadlines, sometimes significantly.

⁷ For a more detailed analysis of the problems and obstacles in these procedures, see: Analysis of Practical Application of the Law on Non-Contentious Procedure - Determining the Date and Place of Birth, Praxis, 2014; Procedures for Determining the Date and Place of Birth – A Brief Analysis of the Remaining Challenges, Praxis, 2014; The Right to Citizenship in the Republic of Serbia – A Brief Analysis of the Remaining Challenges, Praxis, 2014; Registration of Permanent Residence in the Republic of Serbia – A Brief Analysis of the Remaining Challenges, Praxis, 2014; Analysis of the Procedures for Determining the Date and Place of Birth and for the Exercise of Rights to Citizenship and Registration of Permanent Residence in 2015, Praxis, 2015; Analysis of the Procedures for Determining the Date and Place of Birth and for the Exercise of Rights to Citizenship and Registration of Permanent Residence, Praxis, 2016; Determining the Date and Place of Birth, Rights to Citizenship and Registration of Permanent Residence - Analysis of Remaining Obstacles, Praxis, 2017; available at: <http://www.praxis.org.rs/>

⁸ Article 5 of the Rulebook on the procedure for the issuance of birth notification and form of the issuance of birth notification in a health care institution (*Official Gazette of the Republic of Serbia no. 93/2018*). Rulebook on the procedure for the issuance of birth notification and form of the issuance of birth notification in a health care institution) and points 10 and 24 of the Instruction on administration of registry books and forms of registry books (*Official Gazette of the Republic of Serbia no. 93/2018*).

Charging court fees. Year after year, some courts continue to request the applicants to pay the court fees, even though the Law has exempted them from paying any costs of the procedure, and regardless of the fact that we have drawn attention of these courts to this many times. In recent years, some Praxis' beneficiaries have even been faced with enforcement procedures for forcibly charging court fees initiated against them.

Conducting a separate procedure for each family member. Most courts refuse to conduct procedures in which the date and place birth of more family members would be determined (e.g. for mother and her child or for brothers and sisters). Such practice makes it more difficult to present evidence, increases the costs and length of procedures, and sometimes even results in different decisions brought in the procedures in which the facts and legal grounds are the same.

Evidentiary hearing. Even though the Law only prescribes that, in the evidentiary hearing, two adult witnesses should be heard, the courts sometimes insisted on hearing the members of immediate family (even though it was impossible or difficult), while, in other cases, they proceeded in a completely opposite manner and would not accept the mother as a witness. In some cases, the courts requested that the parties enclose written evidence which they did not possess, including those pieces of evidence for which it is prescribed that the court should obtain them *ex officio*.

Procedures for persons (who were) registered in birth registry books in Kosovo. Even before the Supreme Court of Cassation issued the above mentioned conclusion, some courts refused motions submitted by persons who had been registered in the registry books which became unavailable after the 1999 Kosovo conflict or the persons who are registered in registry books in Kosovo (but not in the registry books administered by the bodies of the Republic of Serbia), even though these persons did not have a possibility to register in the birth registry in any other way.

Mistakes in issued decisions. The courts often fail to include all necessary data in the decisions or they enter wrong data, so it is necessary to request correction of the decisions, which additional extends the length of the procedures.

Delayed delivery of decisions. In many cases, it takes courts unreasonably long time to deliver a final decision to the registry office for registering birth. It is not rare that several months pass until courts deliver decisions to registrars, while there were also cases when it took more than a year for delivery of a decision.

- Implementation of decisions. Even after the decisions were delivered to the registry offices, in some cases it took too long for the birth to be recorded in the birth registry – sometimes even several months. Besides, registry offices sometimes fail to undertake necessary actions for determination of citizen's unique personal number, but the citizens have to initiate that procedure by themselves, which further complicates and prolongs issuance of personal documents.

1.3. Problems in the procedures for determination of personal name

These procedures are initiated for children who were born in hospital, but whose parents had not determined their personal name within 30 days from birth. In almost all cases, child's name had not been determined because the mother did not possess personal documents.

- Impossibility of conducting the procedure when mother does not possess documents. Despite the fact that it is prescribed that everyone shall have the right to personal name, immediately after birth, and the fact that the competent ministry issued an instruction to the social welfare centres (SWC) that the procedure for determination of personal name must be conducted even in situations when the mother does not possess personal documents, some social welfare centres refused to conduct procedures in such cases. Such proceeding has become more frequent recently.

- Non/proceeding of registry offices. Not implementing decisions of SWCs – Some registry offices refuse to implement final decisions of social welfare centres on determination of personal name in cases when the mother does not possess documents. *Incorrect entry of data about the mother* – In case when a woman gives birth but does not possess personal documents at the time, her data are registered in the birth registry book only on the basis of a verbal statement, which often results in the incorrect entry of data. In such situations, registry offices sometimes refused to conduct the procedure for correction of data about the mother, and for entry of the personal name of the child, and the mother was referred to conduct a court procedure for challenging maternity.

1.4. Registration of children born abroad in the birth registry book

In these procedures, most problems are not related to incorrect proceeding of competent bodies, but to difficulties in obtaining necessary evidence.

- Obtaining documents from abroad. When returning to Serbia, a great number of parents do not bring child's birth certificate (issued on international form), which is almost always needed for registering the child in the Serbian birth registry books. In such situations, it is possible to obtain documents from abroad via the Ministry of Foreign Affairs (MFA), but it often lasts very long and represents high cost for many.

- Correction and amendments of data abroad. It frequently happens that women, when giving birth abroad, do not show their passport to competent bodies there. For this reason, data entered in the registry books are often incorrect or the registration is incomplete, so it is necessary to conduct procedures for correction or amendments of data abroad. These procedures may also be initiated via the MFA, but they last very long and are very expensive, since it is necessary to pay the fees for many pieces of evidence.

- Translation of documents. Registry offices sometimes request the parties to provide the translation of the birth certificate issued on international form, translated by a court interpreter, which is another significant cost for beneficiaries.

- Mothers without personal documents. As in other above-mentioned procedures, registry offices occasionally refuse to register birth if the mothers do not possess documents.

- Recognition of paternity. In some cases, the registrars conditioned birth registration of the child with parents giving a statement on recognition of paternity and consent with recognition of paternity, despite the fact that the birth certificate on international form from abroad already contained data on both parents.

1.5. Subsequent birth registration

Even though the amendments to the Law on Non-Contentious Procedure enabled persons who cannot subsequently register in the birth registry through an administrative procedure to do so through a court procedure, it does not imply that the competence for conducting administrative procedure of subsequent birth registration should be completely transferred from administrative bodies to courts. On the contrary, administrative bodies are still obliged to conduct such procedures in cases when there are no obstacles referring to proving important facts (e.g. impossibility of parents to participate in the procedure, lack of written pieces of evidence or witnesses of childbirth). However, a number of registry offices started avoiding competence for conducting these procedures and the parties were referred to initiate the court procedure, despite the fact that there were no obstacles to conducting the administrative procedure. Such proceeding may cause further problems if courts proceeding in non-contentious procedures insist, as per the conclusion of the Supreme Court of Cassation, that the parties attempt to register birth through administrative birth registration procedure prior to initiating a court procedure. Regarding the problems occurring during the administrative procedure of subsequent birth registration, the main issue refers to competent bodies exceeding the prescribed deadlines.

1.6. Re-registration procedure

Even though more than 20 years have passed since the registry books for some municipalities in Kosovo became unavailable to the authorities of the Republic of Serbia, the State has not fulfilled its obligation and has not completely reconstructed unavailable registry books. Therefore, the citizens for whom re-registration procedure has not been conducted so far must initiate and conduct this procedure on their own. The greatest problem in these procedures is the fact that the State bodies only accept birth and citizenship certificates issued before 1999 as evidence that they were once registered, or potentially the data from the records of the Ministry of Interior. Since the majority of those who have not been able to re-register in the registry books so far do not possess these pieces of evidence, the only solution for them to exercise the right to birth registration/citizenship is through the procedures for determination of date and place of birth and/or determination of citizenship. However, if, in accordance with the conclusion of the Supreme Court of Cassation, the courts proceeding in non-contentious matters refuse to conduct procedures in case of destroyed and lost registry books, these persons will have no option to re-register in

birth and marriage registry books and will be left without a possibility to obtain persona documents again.

2. ACQUISITION OF CITIZENSHIP

All afore-mentioned problems that refer to registration in the birth registry book at the same time represent an obstacle to acquisition of citizenship, since without birth registration it is not possible to exercise the right to citizenship. Besides, most frequent direct problems that occurred in relation to the exercise of the right to citizenship are as follows:

- Lengthy procedures before the Ministry of Interior (Mol). The deadlines for issuance of decisions in the procedures for determination of citizenship and naturalization are always exceeded, often multiple times. Thus, the procedures for determination of citizenship last for three to four months at best, while the naturalization procedures are almost never completed in less than a year.

- Acquisition of citizenship by birth on the territory of the Republic of Serbia. In cases of children who were born in Serbia and whose parents are stateless, or are unknown or of unknown citizenship or they cannot pass their citizenship to their children, these children should automatically acquire Serbian citizenship on the basis of birth on the territory of Serbia, and the registrars should enter the citizenship in the birth registry book. However, the registrars do not act in this manner and do not check whether the conditions for acquiring citizenship by birth have been met, which poses a risk for the children not having their citizenship recognized. Besides, practice of the Mol shows that the possibility of acquiring citizenship by birth on the territory of Serbia only refers to children under 18, which is contrary to the 1961 Convention on the Reduction of Statelessness.

- Acquisition of citizenship by descent. In the situations when the child is registered in the birth registry and the mother does not possess documents (e.g. after the completed procedure for determination of date and place of birth), so the child cannot acquire citizenship on the basis of mother's citizenship (because she does not have it), the child cannot acquire citizenship on the basis of father's citizenship either, since the mother who does not possess ID card cannot give her consent to the recognition of paternity. In such cases, social welfare centres should appoint a guardian who would give consent on behalf of the mother, but in practice this almost never happens.

- Entry of data on citizenship after the procedure for determination of date and place of birth. Even though the number of these cases has been significantly reduced lately, when entering the data from the decision on determination of date and place of

birth in the birth registry, some registry offices fail to enter the data on citizenship, even though the legal conditions for acquisition of citizenship have been met.

3. REGISTRATION OF PERMANENT RESIDENCE AND ISSUANCE OF ID CARD

- Avoiding jurisdiction. In a great number of police station, the parties, who wish to register permanent residence and obtain ID card for the first time, are being referred to submit the request and register permanent residence in the police station in their place of birth, even though these persons have not been living in their place of birth for years or decades, and do not have any intention to return there, and regardless of the fact that they do not have real estate in these places at the address of which they could register permanent residence. The parties who do not have citizen's unique personal number and those whose data cannot be found in the police records have also been referred to the police stations in their place of birth to request determination of the citizen's unique personal number and entry of the data in the system, instead of it being done *ex officio*.

- Registering permanent residence at the address of a spouse and parents. The Law on Permanent and Temporary Residence of Citizens prescribes that the persons who do not have legal basis of housing may register permanent residence at the address of their habitual residence, at the address of their spouse, parents or social welfare centre. Even though the registration of permanent residence at the address of a spouse or parents would be the most appropriate, as a rule, the competent bodies do not take this option into consideration.

- Registration of residence at the address of a social welfare centre. A great number of citizens who have been living for years without personal documents and in the facilities built without a building permit, which are not legalized, have managed to obtain ID card owing to the possibility of registering permanent residence at the address of a social welfare centre. However, in practice, *persons who already have permanent residence registered are denied this option*, even though they have not been living in their place of permanent residence for years or decades and have lost connection with that place (this primarily refers to internally displaced persons from Kosovo).

In the procedure for registration of permanent residence, police station sends a form for registration of permanent residence to the social welfare centre, which is due to verify it, that is, to give its consent to registration of permanent residence. In spite of this, in some municipalities, *social welfare centres stopped giving consent to registration of permanent residence* at their address. For this reason, requests for registration of permanent residence are rejected, and citizens remain without permanent residence registered.

Irregularities have also been observed in a number of police stations in which officers *refused to receive the request and referred the parties to first address the social welfare centre. In one police department, a party was told that “it was no longer possible to register residence at the address of a social welfare centre”.*

- Rejection of requests. In cases when police stations reject the requests for registration of permanent residence, the decisions are usually typical and do not contain a valid explanation. They usually state that the reason for rejection is the fact that the intention of the applicant to live at the address at which he/she wishes to register permanent residence has not been established, without explaining how and on what grounds such lack of intention has been established.

- Fees. Persons who have difficulties in exercising the rights to birth registration and acquisition of citizenship and whose access to personal documents is hindered most often belong to the poorest category of citizens who do not have enough funds to pay the fees for issuance of ID card or registration of permanent residence.

4. OTHER PROBLEMS

4.1. Verification of power of attorney

A significant number of public notaries requested that the parties who do not possess personal documents and whose identity should be established by two witnesses when verifying power of attorney pay enormous amounts for verifying signature on the power of attorney. These amounts were often several times higher than those prescribed by public notary tariff. What's more, some public notaries completely refused to establish identity of a person who does not possess personal documents on the basis of a statement of witnesses, thus violating the regulations, and, therefore, deprived these persons of the right to verification.

4.2. Obtaining evidence *ex officio*

Even though four and a half years have passed since the beginning of implementation of the provisions of the Law on General Administrative Procedure which stipulate that the competent bodies should obtain evidence *ex officio*, there has still not been a significant improvement in this issue. A significant number of state bodies still request the parties to obtain evidence on the facts for which there are official records.

5. CONCLUSION

Even though many described problems do not occur before all bodies and in all individual procedures, and often occur in a small number of cases, the fact that there are so many different problems, as well as gravity of those problems, suggest that the exercise of the rights to birth registration, acquisition of citizenship and registration of residence is far from satisfactory, especially bearing in mind that there is still a systemic problem which prevents birth registration of every child immediately after birth and which, at the same time, causes new cases of legally invisible persons.

Therefore, it is necessary that competent bodies undertake necessary measures to remove the described gaps in the legal system and shortcomings in the practice of competent bodies. For that reason, this report offers the following:

6. RECOMMENDATIONS

- *Amend the bylaws that prevent birth registration of children whose parents do not possess a birth certificate or ID card, and, thus, ensure birth registration of every child immediately after birth, in accordance with international obligations;*
- *In non-contentious procedures for determination of date and place of birth, enhance effectiveness and efficiency of procedures, primarily by respecting deadlines and rules on presentation of evidence, content of the decisions and exemption from paying fees; enable equal protection of rights and ensure equal proceeding of courts in the situations in which facts and legal grounds are the same;*
- *Ensure that the procedure for determination of personal name is conducted in all cases when the personal name has not been determined, including the situations when the mother does not possess documents;*
- *Registry offices must neither condition implementation of final decisions of social welfare centres on determination of personal name by the parties presenting any pieces of evidence, nor avoid jurisdiction for correction of data incorrectly entered in the birth registry book;*
- *Registration of the fact of birth of children born abroad must not be conditioned by enclosing unnecessary pieces of evidence and burdened by repetitive establishment of facts;*
- *Administrative procedures of subsequent birth registration must be conducted upon the request of a party whenever there are conditions for it;*
- *Lost or unavailable registry books must be reconstructed ex officio, and, in case of procedures initiated by the parties themselves, use of evidence should not be limited;*
- *Ensure that the decisions in the procedures for acquisition of citizenship are issued within the stipulated deadlines;*
- *Ensure that the provisions of the Law on Citizenship, which regulate acquisition of citizenship by birth on the territory of Serbia, are applied as prescribed, and that the citizenship may be acquired automatically and without having to conduct*

an additional procedure, in order to prevent occurrence of new cases of statelessness among children;

- *Age limit for acquisition of citizenship by birth should be extended and harmonised with the 1961 Convention;*
- *Social welfare centres should appoint a guardian in cases when a child is deprived of acquisition of citizenship by descent because the mother cannot give her consent to recognition of paternity;*
- *In the procedures for registration of permanent residence and issuance of ID card, it is necessary to ensure lawful acting of police stations, including observance of regulations on jurisdiction and the obligation of obtaining evidence ex officio; it is also necessary to ensure lawful acting of social welfare centres, especially in cases of unlawful denial of consent for registration of permanent residence;*
- *Enable registration of permanent residence at the address of a social welfare centre to persons who have permanent residence registered in places in which they have not been living for years and with which they have lost all connections, and who do not have legal basis of housing in the place they live and in which they have the intention to reside permanently;*
- *Enable registration of permanent residence at the address of parents or a spouse in situations when conditions for it have been met.*
- *Exempt socially vulnerable citizens from the obligation of paying fees for registration of permanent residence and issuance of ID card.*
- *Enable persons without personal documents to verify power of attorney in the presence of two witnesses and ensure charging the costs of verification in accordance with the public notary tariff;*
- *Ensure consistent implementation of the obligation of administrative bodies to obtain evidence ex officio.*
- *Include among the eligible beneficiaries of free legal aid, regardless of their financial situation, undocumented persons for whom it is necessary to conduct procedures for registration into civil registry books, acquisition of citizenship, registration of permanent residence and issuance of ID card; Stateless persons must be provided with free legal aid, regardless of whether their statelessness status has been determined;*
- *Organise trainings on specific position and specific legal problems faced by undocumented persons and persons at risk of statelessness for officials who decide on requests for free legal aid and officials who provide legal aid;*
- *Conduct information campaigns, both at the national level and at the level of local self-governments, in order to inform persons at risk of statelessness about the possibility of receiving free legal aid and the way of accessing it.*