

**National University of Public Service**  
**Faculty of Political Sciences and Public Administration**  
**Doctoral School of Public Administration**



**PhD Dissertation**

**Addressing the anomaly of statelessness in Europe:  
An EU law and human rights perspective**

**Thesis Booklet**

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## **1) Topicality of the issue**

According to Article 1 of the 1954 Convention Relating to the Status of Stateless Persons, by definition a stateless person is an individual who is not considered as a national by any state under the operation of its law. In practical terms statelessness means having no nationality, therefore no legal bond with any state and no sense of really belonging anywhere. Statelessness is one of the most pressing human rights issues of today, yet it remains a fairly hidden phenomenon. It is a common belief that statelessness concerns solely developing countries, whereas generations of stateless persons live their entire lives without a(n effective) nationality suffering from the consequences of their statelessness in developed countries as well, including European countries, many of which are Member States of the European Union, as well as the Council of Europe. According to the UNHCR (UN Refugee Agency) estimates, statelessness affects 10-12 million people around the world of whom approximately 600,000 individuals reside in Europe, and new cases of statelessness continue to emerge in the region. In Europe, statelessness concerns mainly populations who have lived in the same country for generations, as well as individuals who arrived recently within mixed migration flows and were either already stateless prior to their departure from their country of origin or became stateless since then. Thus, considering the scale, historical-social embeddedness and diverse profile of statelessness in the European context, it may be assumed that statelessness remains a major human rights challenge in Europe which should be put higher on the European (EU) political agenda.

Although this work focuses notably on addressing the situation of non-refugee stateless persons, it must be mentioned that there is an undeniable link between statelessness and forced migration/mass displacement which needs to be taken into consideration when looking deeper into the recent refugee crisis and the mass influx into the European territory. In order to demonstrate the scale of statelessness in the recent refugee crisis in Europe at its peak, data shared by the Institute on Statelessness and Inclusion (ISI) reveal that out of the 1.2 million asylum seekers who arrived in Europe in 2015 and by the beginning of 2016, approximately 3% faced nationality problems.

## 2) Problem formulation

The EU's competence in terms of statelessness is often contested. As a result, European legislators and policy-makers at the national (Member State) level assume that issues related to the lack of an effective nationality as nationality matters continue to be subject to the sovereignty of (Member) States. Therefore, they often fail to consider the vulnerabilities of individuals who are not recognized as nationals by any state and to put in place adequate legislative and policy frameworks providing for the identification, protection and empowerment of stateless persons, as rights holders in the EU.

We have witnessed an immense progress in the universal and regional human rights realm which has been underpinned by the large number of State Parties which is of great importance when it comes to the implementation of these human rights instruments. Considering that they apply equally to every human being, including those without an effective nationality, stateless persons should also enjoy a wide range of social, political, economic and cultural rights. A series of human rights instruments (some of which are universally) ratified by EUMS mention the *right to a nationality, as well as the prohibition of discrimination*, both relating to statelessness and the avoidance thereof. By acceding to these human rights instruments, (Member) States accepted to abide by the provisions thereof which create international obligations for them to comply with, for instance, when they put in place domestic legislations that affect the enjoyment of the human rights ensured by these instruments. State sovereignty and room for manoeuvre in human rights related matters thus gradually decreased as a result of the immense progress of international human rights law which has rendered individuals equal subjects of international law, as beholders of rights and duties, one of which is the right to a nationality.

Although the EU has made a call for its Member States to ratify the UN statelessness conventions, some EUMS decided not to accede to them for different reasons. Hence, the problem I attempt to address in this dissertation is how the EU could address statelessness through EU law applying a rights-based approach in a way to compel EUMS to adopt a set of minimum standards for the treatment of stateless persons, identify the affected individuals and grant identified stateless persons a protection status, all in an EU-harmonized way. In my opinion, an EU directive would have the potential and the necessary legal basis to oblige EUMS to adopt this EU-harmonized legal framework in order to address the identification and protection of stateless persons residing on EU territory.

### 3) Main Hypotheses

This dissertation primarily aims to flag the existing policy and legislative framework of the EU relating to statelessness, explore further potential policy, legislative and advocacy channels, and suggest an enhanced foreign policy approach at the EU level. The central question of this paper focuses essentially on whether the adoption of an EU directive relating to the elaboration of EU-harmonized minimum standards, status determination procedure and protection status (granted on the basis of statelessness recognized through the latter mechanism) would have the potential to reflect better on the increasing policy concern of avoiding statelessness emerging among populations who have been living in Europe for generations, as well as those affected individuals who arrived recently to Europe in the migratory context. On the one hand, I shall argue that the EU does have competence when it comes to the rights of stateless persons, not only in the migratory context but also through the lenses of equality and non-discrimination which constitutes the basis of my doctoral pondering. On the other hand, I will seek to justify that the growing awareness on statelessness in Europe suggests the repositioning of EU human rights priorities and related advocacy tools which requires extensive consultations to duly consider the next steps.

The dissertation essentially strives to address these comprehensive research questions also by applying the four hypotheses below.

**1<sup>st</sup> hypothesis:** *Considering the diverse Member State approaches towards statelessness, an EU-harmonized legal framework should be adopted, consisting of a set of minimum standards of treatment, a statelessness determination mechanism and a protection status granted on the basis of statelessness, by means of an EU Directive as a secondary source of EU law.*

**2<sup>nd</sup> hypothesis:** *Article 18 in conjunction with Article 67(2) TFEU render the TFEU an excellent tool for the protection of the basic rights of stateless persons in the EU through the lenses of equality and non-discrimination and may provide a potential legal basis for the adoption of the mentioned Directive, especially in light of Article 18 TFEU providing for the prohibition of “any discrimination on the grounds of nationality” which is underpinned by Articles 21(2) of the EU Charter.*

**3<sup>rd</sup> hypothesis:** *Non-citizenship constitutes a major human rights violation on two levels; it interferes with the basic human right to a nationality, as a result of the consistent denial of nationality, as well as with the right to equality and non-discrimination and must be addressed accordingly through the lenses of equality and non-discrimination, leading an enhanced human rights-based approach addressing non-citizens as rights holders in the EU.*

**4<sup>th</sup> hypothesis:** *Eradicating statelessness has yet to become a key priority area of EU human rights action, reflecting particularly on the protection of in situ stateless populations in Europe and in third countries.*

I shall therefore reflect predominantly on these challenges and seek to suggest adequate recommendations thereto.

#### **4) Research questions and objectives**

This work approaches the subject through a twofold prism; seeking to offer solutions from a policy and EU law perspective, while applying a human rights-based approach challenging statelessness as a human rights violation. This work thus aims to suggest a normative model for an EU directive which would provide for the adoption of an EU-harmonised legal framework in light of the existing Member State approaches and related shortcomings. This directive would serve as an incentive for EUMS to establish minimum standards of treatment, a statelessness determination procedure and a protection status granted on the basis of statelessness at the domestic level.

It must be noted that there are considerable disparities between Member States' practices and legislation providing for the treatment of stateless persons, as well as the existence and accessibility of status determination procedures which impedes them from benefiting from comparable protection in the EU. Consequently, I seek to justify why the elaboration of an EU-harmonized legal framework for the identification and protection of stateless persons would be beneficial for the EU. Furthermore, I will demonstrate the particular implications of non-citizenship and Romani statelessness and suggest potential responses thereto. I shall also argue why the full implementation of the UN statelessness conventions must prevail not only in Europe but also beyond it in order to mitigate the implications of gender-discriminatory nationality laws and the recent refugee crisis in Europe. I will thus attempt to justify how these efforts would entail a positive impact on millions of stateless peoples' lives, with special regard to Syrian minors without a nationality, to get a chance to lead a meaningful life and be

able to reclaim their nationality upon return to postwar Syria. Further to this consideration, I strive to demonstrate how the EU could play an advocacy role in advancing statelessness related efforts by promoting statelessness related general principles of EU law in third countries which produce stateless populations. In this regard, I argue that it is now imperative for the EU to assume a more proactive advocacy role in the fight against statelessness at the EU level, at the Member States level, as well as with third countries and in the context of EU enlargement.

## **5) Research methodology**

The analysis undertaken in this thesis was notably exploratory and qualitative with the aim of suggesting key findings and solutions to tackle statelessness in Europe. For the purposes of this work, I applied a wide range and a multitude of research methods while considering a human rights-based approach along the research process, decoupling the ability to enjoy basic rights from possessing a citizenship. The initial stage of research consisted of qualitative, desk research with a view to gaining an understanding of the underlying reasons and perceptions in order to provide an insight into the inconsistencies relating to the implementation of the UN statelessness conventions which helped me to uncover negative trends in state practices. To this end, I reviewed the provisions of the UN statelessness conventions, EU law instruments and Member States' nationality laws and elaborated on my prior perceptions on the issue. In doing so, I undertook comparative research on existing statelessness determination procedures demonstrating a number of different models. In addition, qualitative data collection methods were applied, including group discussions on the issue at expert meetings, as well as individual interviews with those working with stateless persons. This was complemented by peer group debriefings; sharing the key findings of my research on a regular basis with my supervisor, expert colleagues, as well as academics on the occasion of (international) conferences and bilateral consultations with a view to leaving room for constructive suggestions and avoiding potential bias during the research process.

Quantitative research methods were used to quantify the global, regional and country-specific scale of the phenomenon, soliciting government statistics and those generated by international organizations in order to uncover regional patterns and Member State practices in terms of statelessness determination procedures put in place in Member States, for instance, through EMN ad hoc queries. Nonetheless, in Europe reliable statistics on the number of stateless persons and the composition of stateless populations are sporadic and therefore extremely

hard to come by. Where relevant data is available on the number of persons affected by statelessness, this is often not disaggregated by gender or age which would be crucial to address the scale and diverse profile of the phenomenon in the EU context.

The review of statelessness related case law of the ICJ, CJEU, ECtHR and the analysis of statelessness related judicial decisions of competent national courts was an essential step to uncover the positive shifts in terms of court rulings on statelessness in Europe. Furthermore, I undertook an extensive desk research soliciting secondary data on the subject through books, academic literature and online sources reviewing the experience and viewpoints shared by other, internationally recognized statelessness researchers and practitioners focusing on the European context as well which was very helpful in terms of prior understanding of the existing challenges while identifying further gaps in EU legislation in terms of EUMS practices. Also, the existing synergies between the UN, EU and CoE instruments were considered with a view to identifying the potential of joint advocacy efforts.

Led by the firm determination to explore statelessness in the EU within the global context, I continued my research by undertaking a thorough analysis of the potential advocacy role that the EU could play beyond its borders in its external human rights action with third countries in the mainstreaming of the rights of stateless persons by promoting legal principles prevalent in the EU which may relate to gender-discriminatory state practices in the MENA region. Within this analysis, I chose to focus on third countries which produce stateless populations themselves while hosting refugees (some of whom are stateless) from other countries where statelessness in an apparent issue, including Syria, Jordan, Lebanon where gender-discriminatory nationality laws continue to persist. In doing so, I sought to gain a well-rounded understanding of the relevant EU external policy framework to address statelessness, EU legal principles potentially related to statelessness and other policy instruments.

Along the thesis, I aimed to consistently lead a *human rights based protection approach* while addressing the issues of the rights and protection of stateless persons, a particularly vulnerable group of individuals. In this regard, human rights monitoring was instrumental to gather information on alarming developments potentially putting people at the risk of statelessness in the EU, relating to events affecting the protection of basic human rights in compliance with international human rights standards, the ability and accountability of governments who are responsible for respecting, protecting and fulfilling fundamental human rights to uphold basic

rights of their people. Blog entries of the ENS and monthly bulletins of the ISI reflecting on recent developments on statelessness constituted a major source of information.

Further to the human rights based approach, a *gender based approach* was applied in order to reflect on the implications of gender-biased nationality laws, touched upon beforehand, which are prevalent in almost 30 countries around the world, including countries of the MENA region which is a producer of stateless populations, whose members are equally displaced as a result of the persisting crisis in the Middle East. In my endeavor, I reflected on how the vulnerabilities of stateless women in Europe (with special regard to Romani women) and *gender-based* barriers to the recognition of nationality may be addressed by targeted measures to integrate them into the labour market and by putting in place gender-sensitive EU-harmonized statelessness determination procedures in Europe.

## **6) Structure of the dissertation**

To substantiate the content, the work comprises of 14 major parts. At the beginning of the thesis, the *Introduction* serves as a brief overview of the topicality of the issue, reasons of choosing the research subject, problem formulation and main hypotheses which are challenged throughout this doctoral thesis, in an attempt to contribute to the wider knowledge on statelessness in the context of the European Union.

*Chapter One* attempts to explain the research design and methodology in order to reflect on the main research questions and research objectives, the structure of the dissertation and the main delimitations of the work.

*Chapter Two* provides a literature review which describes and evaluates the extensive literature I consulted, suggesting gaps and room for further research.

*Chapter Three* offers a theoretical framework which seeks to provide a deeper understanding and theoretical context of the human rights-based approach that I have applied throughout the doctoral pondering.

*Chapter Four* presents the European context of statelessness; the distinction between *de iure*, *de facto*, *in situ* statelessness and statelessness in the migratory context, as well as the underlying reasons of statelessness in the EU.



*Chapter Five* seeks to give an overview of stateless populations in Europe, including the particular case of non-citizens in the Baltic States of Latvia and Estonia, stateless Roma and stateless asylum-seekers throughout the European Union and its candidate countries. Also it addresses the right to a nationality within the nexus between statelessness and human rights which constitutes the basis of the human rights-based approach applied in this dissertation.

*Chapter Six* introduces the universal conventional framework relating to statelessness, as well as exemplifies the ICJ jurisprudence on this issue.

*Chapter Seven* explores regional human rights instruments adopted under the aegis of the Council of Europe which relate to the right to a nationality, also presenting the case law of the ECtHR.

*Chapter Eight* attempts to provide an overview of the EU law regime relating to statelessness, as well as the particular cases of jurisprudence on nationality issues by CJEU (further to the nexus between the ECtHR and the CJEU) with a view to mapping progressive trends in this regard and to understanding the potential of legal instruments to tackle statelessness in a regional context with a special regard to the TFEU and the EU Charter.

*Chapter Nine* reflects on statelessness determination procedures put in place throughout the European Union, identifying best practices through two case studies (based on the Hungarian and Italian models).

In *Chapter Ten*, I present the instrumental role of the UNHCR in assisting interested State Parties in legislating on issues relating to statelessness, as well as the instrumental role of the work of the ENS and ISI.

In *Chapter Eleven*, I shall propose a normative model for an EU directive providing for the adoption of an EU-harmonized set of minimum standards for the treatment of stateless persons, an EU-harmonized status determination procedure and an EU-harmonized protection status provided for recognized stateless persons.

*Chapter Twelve* addresses the external dimension of tackling statelessness in the EU; it explores how the EU could use its existing tools to enhance its advocacy efforts to mainstream the protection of stateless persons and the long-term goal of reducing statelessness beyond its borders by promoting statelessness related general principles of EU

law in third countries. The dissertation is concluded by the conclusions, main scientific findings and related recommendations of the thesis.

In the Annex, first a *Bibliography* is offered to consult the exhaustive list of literature which was solicited throughout the research process. Secondly, a *Glossary* is provided to enhance readers' understanding of the terms applied throughout the thesis. Then a *List of Tables and Figures* includes the figures and tables which were applied in the thesis and finally a short biography and *List of Publications by the Author* is provided, including all articles and studies which I published during my research.

## **7) Delimitations**

The thesis has three substantial delimitations. First, although the thesis has a regional focus on the European continent, instead of looking primarily at Member States of the Council of Europe which has a wider membership in Europe than the EU, as well as a number of nationality and statelessness related instruments, I decided to focus on how the EU could tackle statelessness in its territory, from an EU law-making perspective. This is partly because although Member States of the European Union are all Members of the Council of Europe and therefore have ratified and implemented many of the relevant regional human rights instruments, statelessness related CoE Conventions have very low ratification rates which impede their implementation in Europe which calls for enhanced regional joint (EU) action. Despite of sharing common values upheld by the CoE, some EUMS decided not to comply with the objective of avoiding statelessness, enshrined in CoE and UN conventions, including the UN statelessness conventions. This is the reason why I decided not to analyze the potential of CoE instruments for strategic litigation but to consider the potential of the EU instruments.

Secondly, this work addresses primarily the treatment of non-refugee stateless persons in the territory of the EU. Nevertheless, I considered it necessary to reflect briefly on the coherencies between statelessness, gender-biased nationality laws in third countries and the ongoing refugee crisis in order to provide a full picture of the statelessness related regional challenges in Europe and beyond its borders. Statelessness increasingly emerges in the migratory context in Europe within the recent migration flows, as a result of the ongoing refugee crisis, nonetheless, the wider context of the refugee crisis which is politically a very sensitive issue shall not be addressed beyond its statelessness related implications. Countries

of origin where the majority of asylum seekers come from are solely mentioned in terms of unequal nationality rights impeding women from conferring their nationality to their children which put their children at high risk of statelessness.

Thirdly, although statelessness is prevalent notably among ethnic minority populations which I shall reflect on more occasions in this work, I confined myself to addressing statelessness from an equality and non-discrimination perspective which I find to be more inclusive in terms of the diverse profiles of statelessness in Europe, instead of addressing it solely as a minority rights issue. Similarly, although I consider the (immigration) detention very relevant in the situation of stateless persons in Europe, I decided not to reflect on this particular segment of the research subject in detail due to length constraints.

## **8) Conclusions**

Statelessness is a manmade problem and it continues to prevail in Europe, including Member States of the European Union, as well as candidate countries. Statelessness constitutes a grave human rights violation in itself and as such calls for action at the EU level to trigger a positive shift to be translated into constructive policy and legislative measures in the affected countries. I draw the conclusion that the nationality rights of stateless persons living in Europe, especially *in situ* stateless persons, including non-citizens and stateless Roma living throughout Europe, should be primarily addressed through the lenses of equality and non-discrimination rights enshrined in not only primary EU law but also in international conventions ratified by the vast majority of European countries, including Member States of the Council of Europe and the European Union, as well as candidate countries who wish to join the EU family in due course.

EUMS who are State Parties to the 1954 Convention Relating to the Status of Stateless Persons bear an international obligation to determine statelessness which is a prerequisite to realize the set of minimum rights accorded to stateless persons which can only be accomplished if stateless persons are recognized in the first place. Considering the diverse profiles of statelessness in Europe, the mentioned minimum standards of treatment, the identification mechanisms, as well as the protection status should be EU-harmonized on order to ensure comparable protection for stateless persons throughout the EUMS. This legal framework should be elaborated in close consultation with the UNHCR and the European Network on Statelessness who provide easy access to statelessness related expertise that the EU and its Member States should build on. The legal basis for the adoption of this regionally

(EU-) harmonized legal framework would stem from the TFEU (underpinned by the Charter both being viewed as primary sources of EU law) and therefore it could be subject to secondary EU law, potentially a directive.

This directive could oblige Member States to put in place strong-standing statelessness determination procedures at the national level with a view to providing comparable protection in all Member States.

Considering that statelessness is prevalent in many countries with an EU membership aspiration, I find that EU enlargement provides an excellent opportunity to trigger statelessness in the candidate countries. Thereby, the EU should pursue a more ambitious foreign policy approach with these countries in the framework of the enlargement negotiations rounds which would oblige them to address the issue from an equality, non-discrimination and minority protection perspective and foster constructive measures to prevent further cases of statelessness.

Furthermore, the EU should address the issue of statelessness and equal nationality rights with third countries which produce large stateless populations, having due regard to the fact that statelessness may lead to displacement as well. Nonetheless, these endeavors will only be credible if EU and EUMS decision-makers become more aware of the realities and underlying challenges of statelessness in Europe and reach a political agreement to genuinely address this human rights issue in the EU and in its neighborhood, putting the eradication of non-citizenship and Roma statelessness on the EU agenda.

## **9) New scientific findings**

### *From an EU law perspective*

1. The EU has competence to address the vulnerable situation of stateless persons not only in the migratory but also in the non-migratory context based on Article 18 TFEU, providing that “*any discrimination on grounds of nationality shall be prohibited*” which is underpinned by Article 21(2) of the EU Charter.
2. The consistent denial of the automatic grant of nationality for members of certain minority groups (including non-citizens who used to be Soviet nationals but have long-established ties with certain EUMS and therefore cannot be expected to apply for

naturalization) constitutes a violation of Article 18 TFEU and to Article 21(2) of the EU Charter.

3. Article 18 in conjunction with Article 67(2) TFEU may serve as a potential legal basis for the adoption of an EU Directive which would oblige EUMS to put in place an EU-harmonized framework of a set of minimum standards of treatment, status determination procedure and a protection status. This would enhance the EU-harmonized implementation of the rights of stateless persons enshrined in the 1954 Convention.
4. The normative model for an EU Directive could touch upon the elements and best practices I suggested in Chapter 11. with regard to the minimum standards of treatment, the determination mechanism and the protection status and would provide for all the rights I enlisted therein.

*From a human rights perspective*

5. In the lack of status determination, stateless persons are greatly excluded from the formal labour market (similarly to unrecognized asylum-seekers) and tend to work under the table which makes them vulnerable to exploitation and dangerous working conditions. Female stateless persons encounter additional hardships to engage in legal and decent employment in Europe.
6. The lack of recognition due to the absence of identification mechanisms throughout Europe and the illegal stay of stateless persons may not constitute a reason to deny their unimpeded access to the labour market and therefore to enjoy their right to work enshrined in the 1954 Convention.
7. Non-citizenship constitutes a human rights violation on two levels; first, it violates the right to a nationality, stemming from the consistent denial of the automatic grant of nationality to all non-citizens who have long-established ties with some EUMS and therefore cannot be expected to apply for naturalization. Second, it violates the right to equality and non-discrimination, for instance in the labour market where they are disproportionately discriminated (that cannot occupy a series of positions in the public and private sector, their fluency in the native language is not sufficient in the job market.)

8. Considering the extensive social benefits non-citizens are entitled to in the Baltic Member States of the EU, they cannot be seen as stateless persons. Nonetheless, their everyday realities and the lack of electoral (political) rights and economic opportunities greatly resemble those of stateless persons.
9. The EU has not made full use of the human rights related UN mechanisms, including the Universal Periodic Review whereby it could encourage other Member States to make statelessness related recommendations not only to third countries but also to EU Member States affected by statelessness who refuse to accede to the UN statelessness conventions and thus encourage them to ratify and implement the UN statelessness conventions.

*From an external action point of view*

10. The EU disposes of the necessary tools, negotiating and influencing power to address statelessness in its foreign policy both at the bilateral and multilateral level, especially in the UN context and through its policy framework which is currently under development raising issues of statelessness with third countries beyond the already existing legal, quasi-legal and policy instruments.
11. Further to this potential, the EU could address the prevention and reduction of statelessness with countries with EU membership aspirations, especially the Yugoslav successor states with considerable stateless populations in the framework of the accession negotiation rounds touching upon state measures to comply with the political criteria of EU accession, including issues relating to human rights, as well as respect for and protection of minorities.
12. As a result of the fewer economic opportunities and non-recognition, non-citizenship has been proved to be a driving force for the displacement of affected individuals, mainly to other EU Member States and to the Russian Federation.
13. Unless non-citizens are granted vital political and economic rights in the Baltic EU Member States, non-citizenship remains a potential threat to regional stability on a larger scale.

## **10) Recommendations**

1. The CJEU should apply Article 18 in cases involving third-country nationals and stateless persons and human rights lawyers should also make use of this provision in their advocacy efforts for the protection of the rights of stateless person;
2. EUMS governments should be increasingly encouraged to accede to the UN statelessness conventions on every possible avenues, including the Universal Periodic Review process;
3. The EU should apply an enhanced rights-based approach with a view to promoting the fundamental rights and protection of stateless persons;
4. The EU should adopt a directive providing for an EU harmonized legal framework for stateless persons, foreseeing a set of minimum standards for the treatment of stateless persons, EU-harmonized status determination procedures, and a distinct protection status granted on the basis of statelessness (established through the procedure) with a view to providing comparable protection throughout the European Union;
5. The human rights of stateless persons, non-citizens and persons of unidentified nationality could be advanced through the non-discrimination rights protected under the TFEU, underpinned by the EU Charter;
6. Stateless persons should be provided with unimpeded access to the labour market in the EU which would greatly enhance their social inclusion in the host country, as well as their chances of self-reliance in the long haul;
7. Appropriate needs-based, individualized support services, mentoring and group sessions should be put in place seeking to promote the integration of stateless women into the labour market and to enhance their social inclusion in the host country;
8. Stateless persons' unimpeded and automatic access to the job market should be guaranteed without having to obtain a residence permit and irrespectively of their formal recognition (as stateless persons) due to the absence and shortcomings of statelessness determination mechanisms in Europe;

9. The EU should re-position its external human rights action agenda in a way to include the fight against statelessness in bilateral and multilateral dialogues with third countries which have the potential to perpetuate statelessness in their territory;
10. To this end, the long overdue policy framework<sup>1</sup> to raise issues of statelessness with third countries should be eventually put into place;
11. The EU must address the prevention and reduction of statelessness with candidate countries, especially countries of the Western Balkans with considerable stateless populations in the framework of the accession negotiation rounds. In the enlargement negotiations, the EU should encourage the respective governments of the affected candidate countries to take concrete measures to facilitate the access to civil registration procedures which are often out of reach for Roma families who are disproportionately affected by the lack of documentations and are therefore at heightened risk of statelessness in these countries.

## **11) Opportunities of utilization of the research findings**

This work predominantly seeks to justify the rationale behind the need for EU action and the elaboration of an EU-harmonized framework for the identification and protection of stateless persons, offering relevant elements for an EU directive (to be extensively set out in Chapter 11 of the dissertation) which could be considered by policy-makers at the EU level. This dissertation thus attempts to offer a model for an EU directive providing for an EU-harmonized protection framework, consisting of minimum standards, a statelessness determination procedure and a protection status granted on the basis of statelessness to be put in place by every EUMS based on common considerations.<sup>2</sup>

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<sup>1</sup> This policy framework was supposed to be elaborate by 2014.

<sup>2</sup> For the elements recommended for consideration please refer to Chapter 11 where they are set out extensively.



## Catalogue of Publications by the Author

**Berényi, Katalin, 2018. Realising non-citizens' right to a nationality: A pressing human rights issue to be put higher on the EU agenda,** Acta Humana, National University of Public Service, Budapest (to be published in May 2018)

**Berényi, Katalin, 2018. Non-citizenship in the EU: Irrelevant, a driving force for displacement or a pretext for intervention?,** Cultural Relations Quarterly Review, Vol. 4, Issue 1, Institute for Cultural Relations Policy (ICRP), Budapest (to be published in May 2018)

**Berényi, Katalin, 2018. An inspiring parallel between Hungarian and Italian court decisions with a view to ending statelessness in the EU,** book chapter of the Conference Book of the 2016 Budapest Conference of the Network of Hungarian and Italian Comparative Constitutional and Political Science Scholars (to be published in 2018)

**Berényi, Katalin, 2018. Empowering Refugee and Stateless Women through Targeted Measures of Labour Market Integration: NGO efforts in Hungary,** Human Rights Issues Series entitled 'Women's labour rights and employment perspectives in Europe', pp. 37-42. Institute for Cultural Relations Policy (ICRP), Budapest

[http://culturalrelations.org/Resources/2018/ICRP\\_Human\\_Rights\\_Issues\\_2018-01.pdf](http://culturalrelations.org/Resources/2018/ICRP_Human_Rights_Issues_2018-01.pdf)

**Berényi, Katalin, 2016. Rethinking the Advocacy Tools of the EU in Exporting EU Legal Principles and Equal Nationality Rights to the MENAT Region to Tackle Childhood Statelessness beyond its Borders.** Statelessness Working Paper Series Vol. 3 2016/5, pp. 1-17. [http://www.institutesi.org/WP2016\\_05.pdf](http://www.institutesi.org/WP2016_05.pdf)

**Berényi, Katalin, 2016. Statelessness and the refugee crisis in the EU,** Forced Migration Review Vol. 53, Refugees Studies Centre, University of Oxford, pp. 69-70. <http://www.fmreview.org/sites/fmr/files/FMRdownloads/en/community-protection/berenyi.pdf>

**Berényi, Katalin, 2016. (Ott)hontalanul Európában: Uniós jogalkotás a hontalanok védelmében a migrációs kifáradás időszakában.** Belügyi Szemle Vol. 64, Number 1. (Special Issue on Migration) pp. 30-46.

## Biography of the Author

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### Professional Experience:

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2016 – 2017: **Human Rights Diplomat**, Permanent Mission of Hungary to the UNOG  
2015 – 2016: **Trade Advisor**, Ministry of Foreign Affairs and Trade, Budapest  
2014 – 2015: **Migration Expert and Expert Coordinator**, Hungarian Contact Point of the European Migration Network, based in Budapest  
2013: **International Training Officer**, National Office for the Judiciary, Budapest  
2012 – 2013: **Human Rights Media Monitor**, Montreal Institute for Genocide and Human Rights Studies, Montreal, Canada  
2012: **Project Assistant**, Europe Limited, Budapest  
2011: **Liaison Officer** of the Belgian ministerial delegations during the Hungarian Presidency of the Council of the European Union, Budapest  
2010: **Intern** at Transparency International Hungary, Budapest

### Education and Training

2017/2018: National University of Public Service – PhD (in English)  
2013/2016: University of Szeged – PhD (certificate of completion)  
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