



PRESS RELEASE

No passport, no rights? Statelessness in Germany

A growing number of people in Germany are stateless or have an undetermined nationality. Their participation in social life can thus be severely restricted. As part of a research project the scientific staff of the Expert Council on Integration and Migration (SVR) is investigating the challenges which result from this. The aim is to raise awareness of the issue of statelessness and to develop recommendations for how this phenomenon can be better dealt with by politics and administration.

Berlin, 05 May 2023. Some 29,500 people with no nationality and around 97,000 people with undetermined nationality were registered in Germany's Central Register of Foreigners in 2022 – and the trend is upwards. One reason for this is that people have come to Germany after having already lived as stateless people in other countries (e.g. ethnic Kurds and Palestinians who previously spent time living in Syria or Lebanon). Another is that other refugees also have difficulties proving their nationality or identity.

What is striking is how young this population group is. On average, stateless people are in their mid-30s, those with undetermined nationality in their mid-20s. "In Germany, nationality is generally inherited. The same goes for statelessness and undetermined nationality, because parents pass this status on to children born in Germany," says Maximilian Müller, Researcher at the SVR. The data show that some 16 per cent of recognised stateless people were born in Germany, in the case of those with undetermined nationality that figure rises to one third.

The issue of nationality is of key importance. When a person has no or an undetermined nationality, everyday tasks often become problematic. Many of those concerned cannot travel, open a bank account or rent an apartment. Proof of nationality is often necessary when dealing with the authorities. There is, for instance, an obligation to cooperate in the asylum procedure or naturalisation process when it comes to establishing identity. "This process can be difficult, because some countries of origin do not cooperate with individuals, others have no administrative system, documents may have been destroyed through war and natural disasters or even deliberately left behind. This can lead to paradoxical situations for the politically persecuted. Despite being required to cooperate in establishing their identity, they cannot be asked to contact the state that is persecuting them. In fact, under German law they are even prohibited from doing so," adds Maximilian Müller.

There is international consensus that statelessness should be reduced as a matter of principle. There is a lot of catching up to do, though, when it comes to putting that consensus into practice. The legal status of stateless people is regulated in international treaties, to which Germany is also a signatory. But, unlike in the case of asylum procedures, Germany has no standardised recognition or determination procedure regulated by law when it comes to nationality. In fact, the procedure can vary from federal state to federal state and even from one authority to another. People who cannot prove their nationality or whose statelessness has not (yet) been recognised are often classed as people "with undetermined nationality". This is particularly the case when there are indications that a person does in fact hold a nationality but they cannot provide sufficient proof of that fact. However, this categorisation is merely a working concept not a legal term with legal consequences.



A residence title is generally the key to exercising rights and participating adequately. And yet, many stateless people and people with undetermined nationality are only granted a fixed-term residence permit or no residence permit at all – almost one third of people with undetermined nationality have no residence permit and one in two has only a fixed-term residence permit.

“The issue has gained increasing importance especially following the refugee movements in the period since 2014, but hardly any attention is paid to it in the public debate,” says Dr Jan Schneider, Head of the SVR Research Unit. In the course of the upcoming reform of the law on nationality, attention should therefore be paid to the problems linked to statelessness and undetermined nationality, he adds. “There are certain conflicting priorities, because security-related aspects also need to be taken into account and false incentives avoided. Given that so far no standardised procedure for determining a person’s nationality has been available in Germany, the question of how to make administrative practice more efficient also needs to be addressed. Another is whether it should be easier for children born in Germany to stateless people and people with undetermined nationality to acquire German nationality – otherwise, this population group could continue to grow.”

The “Statelessness in Germany: Scope, Socio-demographics and Administrative Procedures” project is being funded by the Robert Bosch Stiftung. “We still know too little about the growing group of stateless people and people with undetermined nationality. That has to change,” says Dr Raphaela Schweiger, Head of the Robert Bosch Stiftung’s Migration Programme. “Based on a scientific study and insights gained into the relevant administrative procedures we are working with the SVR to identify recommended actions for policy decision-makers and to stimulate debate on this issue. Because we need greater awareness of this topic so as to be able to develop concrete solutions for those concerned.”

This Policy Brief is available to download at:

<https://www.svr-migration.de/en/publication/stateless-people-in-germany>

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About the Expert Council

The Expert Council on Integration and Migration is an independent and interdisciplinary body providing research-based policy advice. Its reports aim to assist those bodies responsible for integration and migration policy, as well as the general public, in their opinion-forming processes. The interdisciplinary Expert Council comprises a total of nine Researchers: Prof. Dr Hans Vorländer (Chairperson), Prof. Dr Birgit Leyendecker (Deputy Chairperson), Prof. Dr Havva Engin, Prof. Dr Birgit Glorius, Prof. Dr Marc Helbling, Prof. Dr Winfried Kluth, Prof. Dr Steffen Mau, Prof. Panu Poutvaara, Ph.D., Prof. Dr Sieglinde Rosenberger.

The organisation’s scientific staff support the Expert Council in its work and conduct their own applied research in the fields of integration and migration using a variety of discipline-specific and methodological approaches. Research findings are published in the form of studies, expert reports and policy briefs.

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