



UNHCR
The UN Refugee Agency

A photograph of a man with a grey beard and balding head, wearing a grey zip-up jacket. He is sitting in a room with peeling blue paint on the walls. The lighting is soft, and the overall mood is somber.

**Ending Statelessness in
South Eastern Europe**

#IBELONG



“EVERYONE HAS THE RIGHT TO A NATIONALITY.”

This is the text of the Article 15 of the Universal Declaration of Human Rights. Next year, we will celebrate the 70th anniversary of this milestone document in the history of human rights. The United Nations General Assembly proclaimed the Declaration as a common standard of achievements for all peoples and all nations - fundamental human rights are universally protected.

Yet, today, millions of people across the world are still denied their basic human right to a nationality. They are called stateless. They are denied a nationality, through no fault of their own. And with it, they are denied their basic rights that most of us take for granted. Statelessness can mean a life without education, without medical care, or legal employment. It can mean a life without the ability to move freely, without prospects, or hope.

Europe is home to over an estimated 500,000 stateless people, or people who are at risk of remaining without nationality – largely a legacy of the dissolution of the former Soviet Union and former Yugoslavia, more than two decades ago. Entire populations became stateless practically overnight, due to political or legal directives, or the redefinition of state boundaries.

Others became stateless due to administrative obstacles, falling through the cracks of a system that ignores or has forgotten them. Many in South Eastern Europe are Roma.

Although there is no reliable data on the size of the Roma population affected by statelessness, the United Nations High Commissioner for Refugees (UNHCR) estimates that up to 5,000 people residing in this region are stateless, or are at risk of statelessness.

In 2014, at the 60th anniversary of the 1954 Convention relating to the Status of Stateless Persons, UNHCR, the UN Refugee Agency, launched the #IBelong Campaign with the objective to work with the governments, civil society and other relevant actors towards eradication of statelessness within ten years, by 2024.

It is an ambitious goal. But, at the same time, unlike so many other problems facing governments today, statelessness is relatively easy to solve; for example, by putting the necessary safeguards in place to prevent future cases of statelessness. We have witnessed that when States show the political will to act, they can make significant strides in resolving statelessness.

This is also the case in South Eastern Europe, where authorities have shown strong dedication to address the inhumane phenomenon of statelessness. As a result,

considerable achievements have been made across the region since 2014, but also before, through adoption of necessary legal protection mechanisms, as well as by taking concrete measures toward inclusion of stateless people in national civil registration systems. In addition, the capacity of civil society organizations working in this sphere has been strengthened substantially, with various nongovernmental institutions now demonstrating significant expertise and determination in advocating for the rights and interests of people at risk of statelessness. Finally, relevant stakeholder communities have been directly and actively involved in the joint effort of identifying at-risk populations and individuals, with the ultimate goal to resolve the outstanding challenges of this group of the most vulnerable people in the Western Balkans.

The aim of this publication, produced by the UNHCR Regional Representation for South Eastern Europe, is to document the important progress achieved since the start of the #IBELONG campaign in 2014 by the national actors in the region – authorities, civil society and the affected communities themselves – in helping thousands of people at risk of statelessness to come out of the cruel zone of being ‘legally invisible.’ At the same time, it shall remind us that there is still work to be done, by 2024, to resolve statelessness and prevent that thousands more are at risk of becoming stateless, and instead can continue with their lives in certainty and dignity. UNHCR stands ready to further work with all relevant partners to achieve this noble goal.

*Anne-Christine Eriksson
Representative
UNHCR Regional Representation for South Eastern Europe
and Representation in Bosnia and Herzegovina*

WHAT IS STATELESSNESS?

Take a moment and think about the milestones in your life; your first day of school, getting your driving licence, school graduation, your first time on an airplane, the first time you voted in an election, your first job. For the millions stateless people around the world, over 500,000 of whom live in Europe, these milestones that most of us take for granted are essentially unattainable.

A stateless person is someone who is not a national of any country. Their lack of nationality renders them legally 'invisible,' denying them access to education, healthcare, the ability to marry, job opportunities, social services, the ownership of property, voting rights, the ability to travel—the list goes on. Statelessness can happen at birth or later on in life and occurs for various reasons, the most common being discriminatory nationality laws, state dissolution, and lack of birth registration.

Statelessness disproportionately affects ethnic, religious, and linguistic minorities around the world, with 75% of the world's known stateless populations belonging to minority groups. Statelessness experienced by certain groups is both a symptom and a cause of their exclusion: it stems from

discrimination based on difference, and it reinforces their lack of full membership in the societies they live in, making everyday life much more difficult and solidifying civil and political exclusion.

The two primary legal instruments on statelessness are the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Furthermore, numerous human rights instruments contain provisions enshrining the right to nationality. The Universal Declaration of Human Rights proclaims in Article 15 that "Everyone has the right to a nationality" and "No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality."

While the numbers of stateless people around the world are staggering, there is cause for hope. In 2014, on the 60th anniversary of the 1954 Convention, the UNHCR launched the #IBelong Campaign to End Statelessness by 2024. Unlike so many other problems facing governments today, statelessness is relatively easy to solve. Many governments have already reformed their nationality laws or taken concrete measures to grant nationality to stateless people.

Through the #IBelong campaign, UNHCR has identified ten tangible actions to end statelessness:

1. Resolve existing major situations of statelessness.
2. Ensure that no child is born stateless.
3. Remove gender discrimination from nationality laws.
4. Prevent denial, loss or deprivation of nationality on discriminatory grounds.
5. Prevent statelessness in cases of State succession.
6. Grant protection status to stateless migrants and facilitate their naturalization.
7. Ensure birth registration for the prevention of statelessness.
8. Issue nationality documentation to those with entitlement to it.
9. Accede to the UN Statelessness Conventions.
10. Improve quantitative and qualitative data on stateless populations.

The #IBelong Campaign design developed in cooperation with United Colours of Benetton.



STATELESSNESS IN SOUTH EASTERN EUROPE

According to UNHCR estimates, there are approximately some 5,000 stateless people in the area overseen by the UNHCR Regional Representation for South Eastern Europe. As is the case elsewhere in the world, various, often interconnected, factors, specifically, the dissolution

of the former Yugoslavia, the economic, social, and political exclusion of national minorities, and lack of access to birth registration, particularly in already marginalized communities, cause statelessness.

In 2011, upon the joint initiative by the UNHCR, the European Commission and the OSCE, officials from Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Kosovo*, Montenegro and Serbia, as well as local and international stakeholders, adopted the “Declaration on Access to Civil Documentation and Registration” (so-called “Zagreb Declaration”), endorsing a set of recommendations to eliminate the underlying causes of the risk of statelessness.

Across the region, Roma populations make up the majority of those at risk of statelessness. Viewed with suspicion by mainstream communities and politically, socially, and economically excluded for centuries, many Roma are caught in an intergenerational cycle of legal ‘invisibility.’ For instance, a pregnant Roma woman may not have legal proof of identity, which has excluded her from education and stable employment for her entire life. Without the necessary documentation and financial resources, she does not see giving birth in hospital as an option. She, therefore, gives birth at home and the birth is not registered. Pushed to the margins of society, the woman now faces costly and lengthy administrative processes to register her baby. Thus, her baby is born into statelessness, continuing the cycle.

In Albania, Kosovo, and Montenegro, Ashkali and Balkan Egyptian communities are also disproportionately at risk of statelessness. Considered by some to simply be Albanian-speaking Romani, the Ashkali and Balkan Egyptian communities, are, in fact, distinctive minority groups. Like the Roma, however, they have had a long history of discrimination and marginalization, with statelessness often becoming an intergenerational cycle. In order to end statelessness among these groups and other at-risk persons in South Eastern Europe, the UNHCR is working with local authorities and institutions

All References to Kosovo in this document shall be understood to be in the context of Security Council Resolution 1244 (1999).

to reduce the numbers of stateless persons and/or persons at risk of statelessness by:

1. Identifying and protecting stateless persons, including those of a migratory background;
2. Advocating for accession to both UN Statelessness Conventions
3. Preventing statelessness at birth; and
4. Collaborating with civil society organizations (free legal aid providers in particular), European Network on Statelessness (ENS), other UN agencies, and other international organizations, such as the OSCE and the Council of Europe.

These objectives are the relevant part of the UNHCR regional strategy designed to address the underlying causes and ongoing drivers of statelessness in the region, namely the institutionalized marginalization of at-risk communities, the poor socioeconomic prospects for affected persons in the region, and the slow pace of legal reform and implementation.

Three years into the #IBelong campaign, there are already indicators of success in the region. Governments are increasingly making positive steps toward legal inclusion of stateless people in their legal and civil registration systems. Across the Western Balkans, international legal norms regarding stateless persons have been integrated into domestic law. Additionally, the capacity of civil society organizations working in this area has increased dramatically, with civil society now wielding significant skill and power in advocating for stateless persons. Finally, best practices regarding identifying at-risk populations and individuals and maintaining working relationships with stakeholder communities have begun to emerge, making the future of advocating for stateless persons even more promising.

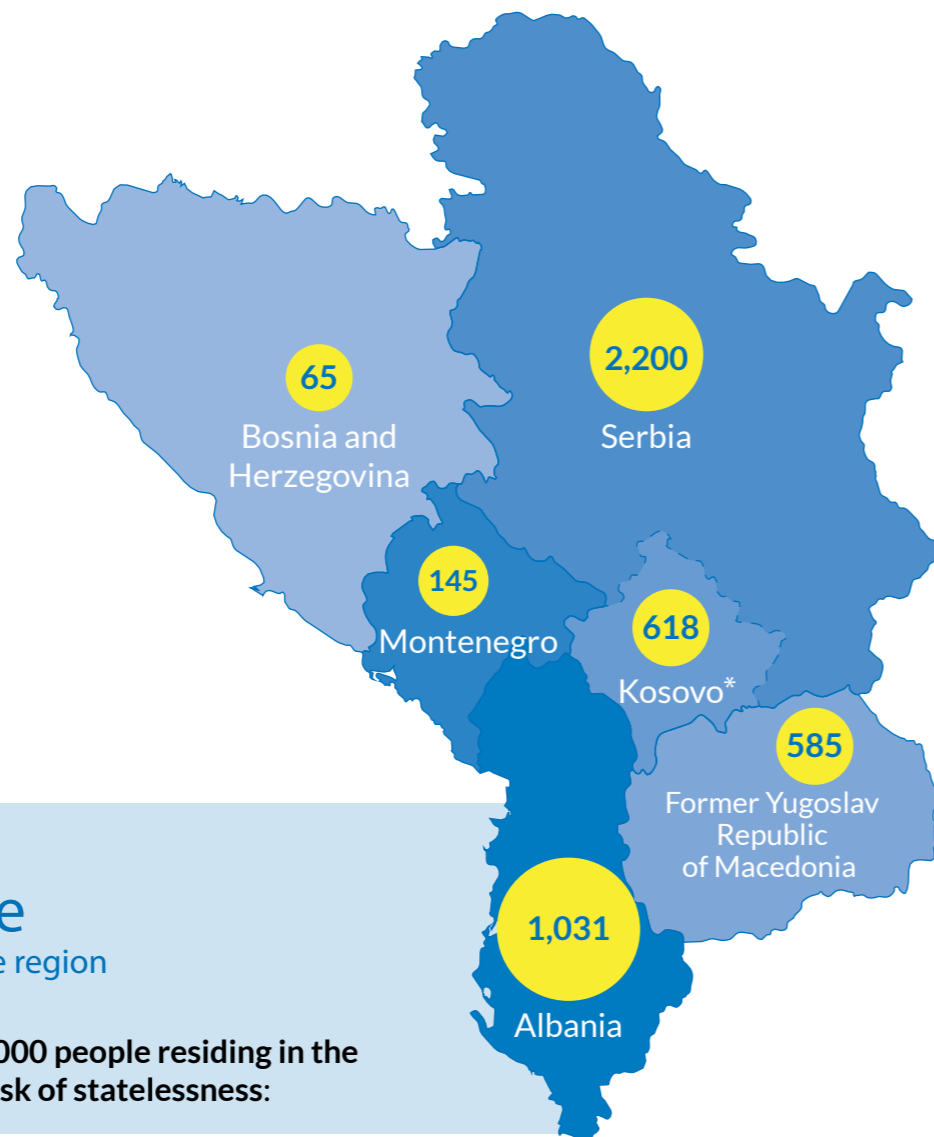
Key facts and figures

Statelessness affects millions of people around the world and at least 500,000 in Europe alone.

500,000
in Europe

5,000 people
in the South Eastern Europe region

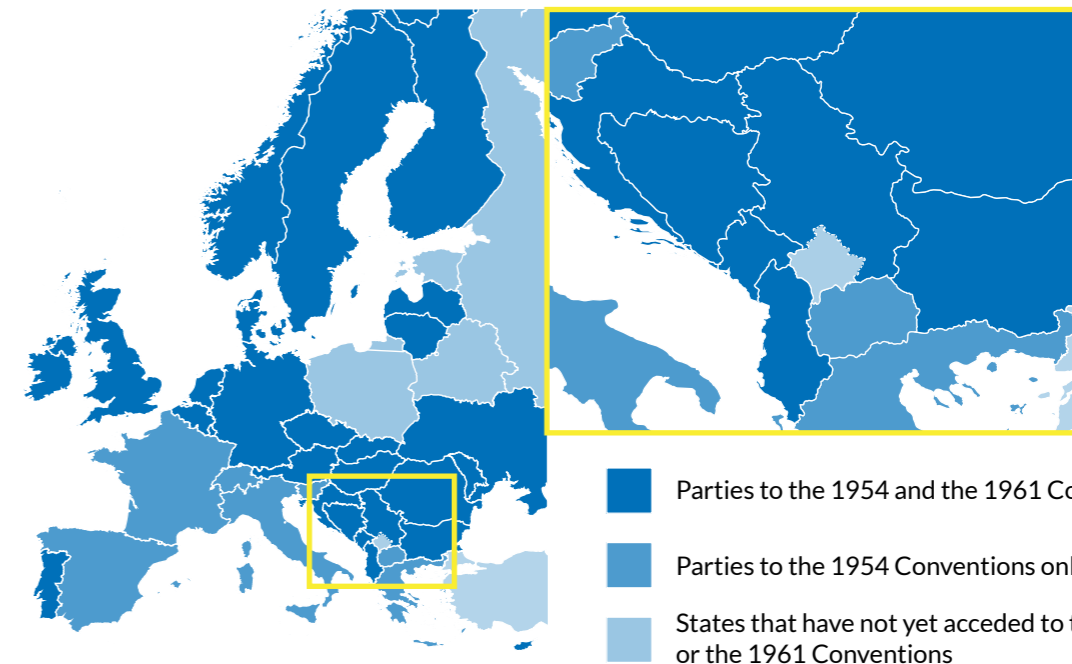
UNHCR estimates that up to **5,000 people residing in the SEE region are stateless or at risk of statelessness:**



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Since the UNHCR Ministerial Meeting in 2011, the total number of states parties to the 1954 Convention Relating to the Status of Stateless Persons has increased from **83 to 89** and to the 1961 Convention on the Reduction of Statelessness from **61 to 70**.

#IBELONG



2016 | nationality for **60,800** people in **31** countries

Globally, in the last two years, more than 100,000 formerly stateless persons have had nationality granted or confirmed. Among them, some 60,800 stateless people in 31 countries acquired nationality in 2016.

“I WANT TO HAVE AN IDENTITY, NOT TO BE OBLIGED TO BEG IN THE STREETS TO FEED MY KIDS, BUT TO WORK AND EARN MY MONEY WITH DIGNITY.”

ANILA, 26, TIRANA

The majority of people who are stateless or at risk of statelessness in Albania are either part of the country's Roma communities, Egyptian communities, or the children of Albanian returnees.

Albania is party to both the 1954 and 1961 Statelessness Conventions. The Law on Albanian Citizenship, introduced in 1998, gives Albania some of the strongest legal protection mechanisms against statelessness in the region. While these legal frameworks are an important step in the right direction, gaps still remain between law and practice. The main obstacles for stateless people trying to establish Albanian nationality are the costly and lengthy administrative and judicial processes that prevent them from accessing birth registration. These processes are particularly burdensome on minority

communities that already have incredibly limited resources. To tackle these issues, UNHCR has partnered with UNICEF on a joint strategy on every child's right to a nationality in Albania in 2017 and 2018. Today, relevant authorities, UNHCR and UNICEF are working together on further legal reform and the improvement of the civil registration process, reducing the remaining barriers to obtaining a legal identity and observing the respect of basic human rights. To that end, Albania passed a new Law on Child Protection in January 2017, bringing new opportunities to enhance access to civil registration for children at risk of statelessness. Since 2016, Albania's Civil Status Office and UNHCR have been working together on the implementation of an online application, which is designed to enable civil registrars to record those cases whose registration is not possible due to

legal or administrative barriers, including lack of required evidence, and to solve simple administrative cases. Anila was born in Stuttgart, Germany, in 1991 to parents from the Albanian Egyptian community. Anila's parents obtained false documents in Germany, and, as a consequence, Anila's registration at birth was also falsified. Anila and her parents returned to Tirana later that year. Her parents divorced, and then abandoned Anila, leaving her to be taken care of by her aunt. When Anila was 13, her aunt died. She survived by taking shelter at a religious organization in Tirana. Now completely on her own, Anila had never been registered with the Albanian Civil Status Office, and was left to try to make her place in the world

without any legal identity or documentation. Anila is now 26. She and her partner have three children. She cannot obtain legal, stable employment, travel, or marry the father of her children. She is left to beg on the streets of Tirana. Anila was unable to give birth to her children in hospital, due to her lack of documentation, and, as a result, her children are stateless as well, unable to be registered in kindergarten and primary school. Anila's case, however, is no longer hopeless. With the assistance of one of UNHCR's civil society partners, she is currently in the process of obtaining Albanian citizenship for her and her children, giving all of them the chance to live their lives with dignity.

IF I COULD ONLY GET SOME PAPERS, I WOULD DO ANYTHING, EVEN IF I HAVE TO CLEAN TOILETS...”

NUHIJA, 54, BOSNIA AND HERZEGOVINA

In Bosnia and Herzegovina (BiH), the majority of people who are at risk of statelessness are Roma living below the poverty line. Roma identified by UNHCR as “at-risk” lack birth registration and have no basis for legal identity. Bosnia and Herzegovina is party to both the 1954 and 1961 Statelessness Conventions. To support the authorities in addressing statelessness, UNHCR, in partnership with Vaša Prava BiH, a legal aid organization, together with Roma community members, have conducted, since 2014, over 130 focus group sessions throughout the country, providing information on birth and citizenship registration. Through these focus groups, and cooperation with all relevant stakeholders, over 640 individuals have obtained a legal identity since 2014. Since 2014, UNHCR and partners have provided training to over 700 cantonal and municipal officials, social workers at centres for social welfare and

members of Roma NGOs, to help them better identify people at risk, provide assistance and stop the cycle to protect future generations. Authorities at all levels can now better focus on finding solutions for challenges related to birth registration of Roma.

In the field of civil registration, UNHCR activities complement the implementation of the Government’s Roma Action Plans, which aim to improve the socioeconomic integration of Roma. By working with the members of Roma communities to help establish trust in their environments, UNHCR and its partners continue to monitor “at-risk” Roma communities for persons at risk of statelessness and to ensure that all community members have birth registration and access to identity documents.

In 2017, UNHCR and UNICEF developed a Joint Strategy for Addressing Childhood Statelessness, with the aim to, in close collaboration with relevant authorities, Roma representatives and other stakeholders in BiH, eradicate the risk of statelessness among Roma children and to ensure their full access to the rights of citizenship in BiH.

A soft-spoken and shy man in his 50’s, Nuhija’s holds tight to his ‘military record book,’ which lists his dates of participation in the Army of Bosnia and Herzegovina during the 1992-1995 war. The timeworn booklet is the only written proof of Nuhija’s existence. Born outside of a hospital in 1964, Nuhija’s birth was never registered. Furthermore, the exact identity of his mother, who abandoned him shortly after birth, remains unknown. Being legally ‘invisible’ for his entire life has denied Nuhija

access to education, health care, social welfare, and stable employment. To try to make ends meet, Nuhija has made his living collecting garbage at a dump outside of Sarajevo, salvaging and selling what he can at local flea markets. With the help of the UNHCR and local aid organization Vaša Prava BiH, Nuhija was able to collect enough evidence and witness testimonies to have his birth registered and obtain his birth certificate. However, after a lifetime of exclusion, Nuhija is now facing a final challenge: being confirmed as a citizen of Bosnia and Herzegovina. To obtain the citizenship, he would need to prove, as a legal precondition, his residence in BiH in 1992 – which he is unable to. The relevant authorities, UNHCR and Vaša Prava BiH are working to find a solution that would enable Nuhija to make his dream of BiH citizenship – and an identity card – a reality.

To learn more about Nuhija, please see: <https://goo.gl/1ZiH9Z>

MIRALEM BIBEROVIĆ, BOSNIA AND HERZEGOVINA

In Bosnia and Herzegovina as throughout Europe, Roma communities continue to live on the margins of society. These communities often do not have access to information about birth registration or legal advice and assistance. To address this, from 2014 to 2017, UNHCR supported municipal level authorities, Roma representatives, and free legal aid NGO Vaša Prava BiH in conducting over 130 focus group meetings in Roma settlements across the country. The meetings were designed to raise awareness on issues related to birth

registration, provide information on the administrative process, and identify community members in need of immediate legal assistance. Miralem Biberović assists the project partners and implementing authorities in one of these targeted communities. Miralem, a Roma man from Živinice, sums up the importance of this initiative, saying, “To meet relevant authorities in our communities and to get first-hand information about the risk of statelessness, especially for our children, makes our families do more to regulate their status.”

“People in our communities are living on the margins of society, and both the authorities and ourselves need to reach out more and be practical in ensuring that no Roma is left behind due to lack of birth certificates or documents”

Miralem Biberović,
Bosnia and Herzegovina



AFTER WE RECEIVED DOCUMENTS FOR ELMEDIN, ALL DOORS ARE OPEN.”

HATIP, GRANDFATHER OF ELMEDIN, 5, KOSOVO*

Members of Ashkali, Egyptian, and Roma minority communities are those most at risk of statelessness in Kosovo. These groups’ histories of marginalization and poor socioeconomic conditions have resulted in a higher level of unregistered births than among majority groups. As Kosovo is not a member of the UN, it cannot be party to either the 1954 or 1961 Statelessness Conventions. Nonetheless, it has incorporated safeguards against statelessness, derived from these two conventions, into domestic law and practice. Legislative acts ensuring access to appropriate standards of treatment on determination of statelessness and late birth registration have been adopted. Kosovo’s Civil Status Law limits the evidentiary requirements for birth registration and allows for the possibility to register with the statement of two witnesses. While this

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provision goes a long way in making birth registration and obtaining legal identity attainable, this progress has been tempered by the introduction of compulsory fines for registering birth after 30 days. Once again, these fines are particularly burdensome for the Ashkali, Egyptian, and Roma communities they primarily affect. The authorities and UNHCR have been working together to address risk of statelessness in Kosovo by adopting progressive laws and policies. In addition, UNHCR has been providing legal aid and has undertaken extensive evidence-based advocacy, which led to the initiation of the drafting of the National Action Plan designed to tackle statelessness, related to birth registration, by 2024. In 2014, UNHCR offices in Pristina and Podgorica began a cooperation with the authorities to implement the 2011



Memorandum of Understanding on late birth registration of displaced persons from Kosovo in Montenegro, which has resolved many cases of those who have been displaced and at risk of statelessness. By the end of April 2018, some 1,200 persons in Montenegro were registered and assisted by the mobile teams of the Kosovo Interior Ministry with over 3,000 documents (birth extracts, ID cards and passports), while some 150 persons are still waiting for their cases to be resolved. In June 2017, government representatives from Pristina and Podgorica had agreed on a number of concrete steps to resolve these outstanding cases.

Elmedin, 5, in many ways, is like any other little boy. He spends his days playing outside with his cousins at the family home in Ferizaj/Uroševac. Elmedin, who is being

raised by his father, uncles, and grandparents, however, is legally 'invisible.' Though he was born in a hospital, his mother died shortly after his birth, and he was only issued a release form containing his mother's information, rather than a birth certificate. His father's efforts to register Elmedin's birth were repeatedly denied. With no birth certificate, Elmedin could not access any health or social services and faced a high likelihood of a lifetime exclusion. Elmedin's prospects for the future increased greatly two years ago, when Civil Rights Programme Kosovo (CRPK), UNHCR's local implementing partner, identified his case. CRPK put together and presented Elmedin's case to the court, which ultimately ruled in Elmedin's favour. Now, the little boy with the big smile not only has access to critical medical and social services, but also no longer faces a life of educational, economic, and social exclusion.

VALENTINA AND FATIME, 11 AND 10, KOSOVO

Valentina and Fatime watch their eight year-old brother go to school every morning. Unlike their brother, who was born in a hospital, Valentina and Fatime were not registered at birth, making them legally 'invisible' and excluding them from education, health care, and other social services. Valentina, Fatime, their brother, and mother, Hyrije, live in a small, cramped house in Ferizaj/Uroševac. Hyrije is working to raise the children on her own since their father left the family. They are in a precarious economic situation, made exponentially worse by the girls' exclusion from the legal and social systems.

UNHCR has been working with its local partner NGO, CRPK, to register birth facts for Valentina and Fatime. UNHCR and CRPK have brought the girls' situation to the attention of all relevant authorities, assisted with the necessary paperwork for late birth registration, and have led the legal and administrative processes through the courts. Despite the diligence of the two agencies, the case has been being processed for over four years. That's four years of waiting, not being able to go to school. Cases like Valentina and Fatime serve as important reminders of the human face behind paperwork, court cases, and administrative lag times.



"My daughters were born and grew up here, but they have no rights."

Hyrije, mother of Valentina and Fatime, 11 and 10, Kosovo

“IF I’M NOT EDUCATED, I AM NOBODY.”

LIRIJE, 13, FYR MACEDONIA

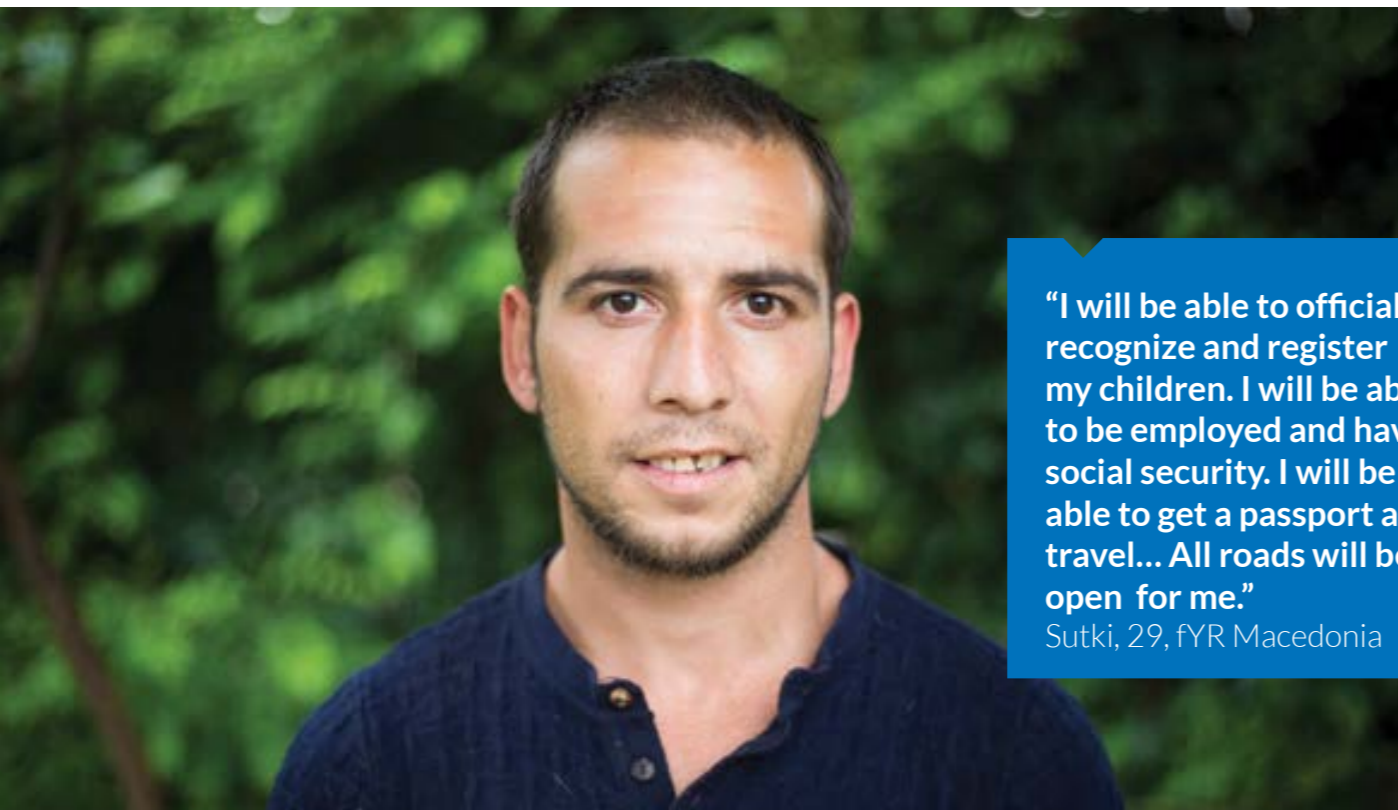
Again, the majority of persons who are stateless or at risk of statelessness in the former Yugoslav Republic of Macedonia are Roma living in poverty in informal settlements; the main cause of statelessness among these impoverished, marginalized communities being the lack of universal birth registration. Aside from institutional, systemic exclusion of Roma people, the main obstacles that remain for those trying to obtain citizenship are the complex and costly administrative procedures, evidentiary requirements and lack of uniformity in the implementation. While FYR Macedonia has acceded to the 1954 Convention, it has yet to do so with the 1961 Convention, somewhat limiting the legal framework regarding statelessness. While working with the FYR Macedonian government to implement necessary legal reforms, UNHCR has undertaken widespread efforts to address the problem with the civil society, and provides free legal aid to persons trying to establish national identity. Thanks to the ongoing work of UNHCR and its partner MYLA (Macedonian Young Lawyers Association), namely, intensive advocacy efforts, legal aid, and the support in obtaining necessary documents across borders, 40 per cent of the cases (or 330 persons) identified in 2014 have now been resolved. The extensive work done by the ten Roma Informational Centres around the country, particularly the widespread outreach to the populations most at risk of statelessness, has greatly contributed to this success.

In FYR Macedonia, as throughout the region, UNHCR and UNICEF are implementing a joint strategy to strengthen

advocacy efforts in addressing childhood statelessness, as well as the capacities of national authorities in the identification and provision of necessary protection to children in need, in line with international standards.

Lirije, 13, was born at home, as were five of her seven siblings. Their births were not officially registered, and, as a result, Lirije and her other unregistered brothers and sisters had lived the entirety of their young lives without any official identity. Lirije, who dreams of one day becoming a lawyer or a policewoman, has spent her first 13 years without access to education or basic medical care. Lirije’s parents first tried to register her and her siblings six years ago. Their efforts were halted, however, when they were informed of the need of an expensive DNA matching test for the birth registration and issuance of birth certificates. The family lives in a chronical state of extreme poverty, all of them packed into a makeshift house without windows and doors, and to pay for a DNA test for one, let alone six, children was financially impossible. They were stuck. For over three years, UNHCR and civil society partner MYLA, have been stepping in on behalf of Lirije and her family. MYLA has provided the family with free legal aid and financial support for the myriad administrative costs. With this support, Lirije’s parents were able to navigate the registration process. Three of their six previously unregistered children are now in the birth registry, while the other three are still to be registered. Lirije looks forward to finally being able to go to school to get education to become a leader in her community.

To learn more about Lirije and her family, please see: <https://goo.gl.P6zZy2>



“I will be able to officially recognize and register my children. I will be able to be employed and have social security. I will be able to get a passport and travel... All roads will be open for me.”

Sutki, 29, FYR Macedonia

SUTKI, 29, FYR MACEDONIA

Sutki's name does not appear on his daughter's birth certificate. He did this on purpose, afraid of passing his struggles of statelessness onto his first child. Sutki was born in Skopje to a stateless mother, with the 'citizenship' box on his birth certificate left blank. Rejected by both his parents, Sutki lived with his grandmother until he was nine years old. When his grandmother remarried, Sutki was no longer welcome in her home and spent the rest of his childhood in an orphanage. He spent his adolescent years bouncing between the streets and various homeless shelters. Without citizenship, Sutki is only eligible for documents that identify him as a 'foreigner.' The ID card

he gets expires every year, and with it, each employment contract. With the help of UNHCR and its partner MYLA, however, Sutki is on track to obtaining FYR Macedonian citizenship. After nine years together, Sutki and his wife, a FYR Macedonian citizen, were finally able to get married this year. He is now able to benefit from his wife's health insurance, and, after three years of marriage, will meet the conditions to become a citizen. Sutki and his wife, who are expecting another child, are now able to be optimistic about the future, one in which Sutki will no longer have to fear that his children are not recognized as his own.



“I FELT SOMEWHAT LOST ALL MY LIFE... WAS BORN HERE, MY ANCESTORS ARE FROM HERE... I OFTEN ASKED MYSELF HOW COME I CANNOT REGISTER IN MY OWN COUNTRY.”

JANOŠ, 27, MONTENEGRO

In Montenegro, the vast majority of those at risk of statelessness are part of the Roma or Egyptian communities, usually displaced from Kosovo.

Montenegro is a party to both UN and Council of Europe conventions in the area of statelessness, and as such it recently adopted a mechanism for the identification and registration of stateless persons. In February 2018, Montenegro adopted the Law on Foreigners which provided specific provisions stipulating Statelessness Determination Procedure (SDP) and the provisions regulating the lawful stay of the stateless persons. UNHCR welcomed the fact that Montenegro remains firm in meeting its commitments under the 1954 Convention. The Government established a working group that is currently working on the adoption of the by-laws. UNHCR is a member of the working group. In 2014, the Ministry of the Interior and UNHCR issued a call in 2014 for

those people living in Montenegro without citizenship, with 486 responses to the call.

UNHCR facilitated cooperation between the interior ministries of Montenegro and Kosovo, whose mobile teams visited Montenegro 16 times providing some 1,200 persons at risk of statelessness and displaced people from Kosovo with vital documents for their integration in Montenegro, and for many of them to prevent or respond to possible cases of statelessness. This tangible success was the result of the continuous cooperation between the authorities of Montenegro and Kosovo, and UNHCR, which led to a significant reduction of the number of stateless persons in the country.

In November 2017, the authorities and UNHCR carried out a joint field verification, covering over 2,300 persons, to ascertain those with pending status issues and other people with unresolved documentation issues that create obstacles

to attaining a lasting and sustainable legal status in Montenegro. The preliminary results show that at least 145 persons are missing both birth and citizenship registration and are therefore at risk of statelessness. In 2018, the Interior Ministry and UNHCR are working closely to find solutions for all identified outstanding cases. At the same time, the problem of documentation as a result of the dissolution of the former Yugoslavia remains widespread, requiring further sensitization particularly in the Roma, Ashkali and Egyptian communities. As part of their global coalition strategy in combatting child statelessness, UNHCR and UNICEF are also working side by side to prevent statelessness for future generations by addressing the remaining gaps in Montenegro's birth registration system. Since December 2014, when the launch of the #IBelong was marked in Montenegro with the signing of the Open Letter to End Statelessness, the global campaign has been jointly acknowledged every year by Montenegrin authorities, UNHCR, and other relevant partners with series of public events and debates to remind the citizens of the plight of the "legally invisible" people in Montenegro and around the world.

Janoš is a 27 year-old Roma man who was born and raised in Podgorica. Janoš was not registered at birth, and consequently he was never issued a birth certificate or any other type of official state documentation. Unable to provide any proof of identity, Janoš never went to school and has never been able to hold a proper job. He has spent his life in a limbo, unable to get an education, hold a steady job, open a bank account, or even get a SIM card in his name. The situation got worse when Janoš became blind at 16 due to cataracts in both his eyes. Without access to healthcare, Janoš was unable to get the treatment to get his vision back. Despite his countless difficulties, Janoš is defiantly positive and hopeful. With the support of UNHCR and its local partner, Legal Centre, Janoš was able to establish his date and place of birth in front of a court and finally entered into the birth registry. In November 2016, full of excited jitters, he picked up his ID card, putting an end to his lifetime legal 'invisibility'. Now a legally recognized member of the Montenegrin society, Janoš is trying to save money to go abroad to have his vision restored. Janoš says that the surgery is his only impetus to go abroad. He immediately plans to return to Montenegro, stating, "I love my country and I want to live here."

ELSANI FAMILY

The Elsani family The Elsani family arrived in Montenegro as refugees, having literally run for their lives as the 1998-1999 Kosovo War destroyed their hometown of Peć/Peja. The family, which at the time consisted of Bujar, his partner Sabaheta, and their two-year old daughter, Sanela registered as Internally Displaced Persons, believing their stay in Montenegro would be temporary. As time went by, however, and Montenegro gained independence in 2006, the family found themselves in a foreign country with no documentation or proof of identity. The family became caught in an awkward position: they needed their documents from Kosovo to establish their identity, but without proof of nationality, they could not cross an international border. The Elsanis, now a family of eight, none of whom had citizenship, was denied access to the fundamental human rights, including education, health care, and employment.

Bujar and Sabaheta could not even get legally married. After Kosovo and Montenegro signed a Memorandum of Understanding in 2014 that allowed undocumented Kosovar refugees in Montenegro to obtain their identity documents through mobile team visits of Kosovo authorities, the family's situation took a turn. With the help of UNHCR and its partner Legal Centre, the Elsani family was finally able to receive their Kosovo IDs and travel documents. They are now living as foreigners with permanent residence in Montenegro, no longer excluded from the country they have called home for nearly two decades. With their legal status established, Bujar has been able to secure a job working with the Budva municipality, providing consistent, stable support for his family, and Bujar and Sabaheta have finally been able to make their partnership legal.



"We had a hard time living without being able to prove who we are... We couldn't travel, I couldn't get a proper job and my wife and I could not even get married."

Elsani family

To learn more about the Elsani family, please see: <https://goo.gl/f4xJL7>

“MY ONLY WISH IS FOR MY CHILDREN TO HAVE EQUAL OPPORTUNITIES AS EVERYONE ELSE, TO GO TO SCHOOL AND TO HAVE DECENT JOBS SOMEDAY.”

DRAGAN, FATHER OF BILJANA, 3, SERBIA

Like most other countries in the region, those at risk of statelessness in Serbia are primarily from Roma communities.

Serbia acceded to the 1954 Convention and the 1961 Convention in 2011, further ensuring that relevant domestic legislation is in line with the two Statelessness Conventions. In 2012, a Memorandum of Understanding (MoU) was signed between the Ministry for Public Administration and Local Self Government, the Ombudsman of the Republic of Serbia and UNHCR, building a framework for coordinating activities to adopt systemic solutions with regard to late birth registration and access to personal documentation for Roma, as well as raising awareness and capacity of civil servants tasked with birth registration, registration of residence and nationality, and the Roma community in Serbia.

As a result, several important laws have since been adopted, creating the necessary conditions to reduce and prevent future recurrence of cases of Roma lacking birth registration and/or personal documentation. Collaboration within the MoU led to the harmonization of the practice of registrars, police officers and social workers throughout the country in cases of late birth registration and registration of residence and nationality. The MoU also enhanced cooperation between civil society and the public sector, which has facilitated the resolution of a number of complex cases that had been stuck in administrative limbo for years.

In the absence of a law on free legal aid in Serbia, UNHCR

has continued to provide funding for legal assistance to the remaining Roma at risk of statelessness supporting them with registering at birth and in obtaining personal documents. Thanks to these efforts, the number of Roma at risk of statelessness has dropped substantially from estimated 30,000 in 2004 to approximately 2,200 in 2018.

Biljana was born in Belgrade in 2014. Despite being born in a hospital, Biljana's birth was never registered. A few months after Biljana's birth, her father, Dragan, reached out to Praxis, UNHCR's partner, for help with obtaining a health booklet for her. Without a registered birth, Biljana could not get a health booklet and, consequently, could not get the critically necessary BSG tuberculosis vaccine. Dragan was in the middle of a legal quagmire. Biljana's mother, Sanela, also had no proof of identity, and therefore could not get legally married with Dragan. Without this documented link to Biljana as her father, Dragan was deemed unauthorized to advocate on Biljana's behalf. With Dragan's hands tied, Praxis stepped in to provide much needed legal support. After a lengthy appeal process, the Secretariat for Administration's decision regarding Dragan's inability to represent Biljana was overturned by the District Court. Dragan, Sanela, and Biljana are now awaiting the decision as the case is re-processed. While Biljana is on the right path legally, every day spent waiting is a day without healthcare and other social services. Furthermore, if there were to be any sort of emergency, Dragan would be unable to make any decisions on behalf of his daughter. Biljana and her parents remind us that there are human beings behind the complex administrative process of establishing an identity.



“We want our children to be part of the Serbian society and to be respected as human beings.”

Parents of Daniel, 13, Serbia

DANIEL, 13, SERBIA

Daniel is caught in what feels like a never-ending cycle of administrative back and forth. The 13-year-old boy lives with his parents and siblings in the informal Roma settlement in Kraljevo in which he was born. Daniel was born at home, his birth unregistered with the authorities. UNHCR and Serbian partner Praxis have been working with Daniel and his family since 2015, trying to enter Daniel’s birth into registry. The authorities in Kraljevo denied the initial request for late birth registration, citing Daniel’s parents’ permanent address was in Bosnia and Herzegovina at the time of his birth. For two years,

Daniel’s legal identity has been stuck in an administrative limbo. Daniel’s requests have been repeatedly denied by local authorities, which have cited everything from “reasonable doubt” about his birthplace to recent influxes of other Roma to the area and the subsequent “fear” that a favourable outcome in his case would encourage more stateless Roma to come forward. As Daniel’s case remains in processing, UNHCR and Praxis continue to work together to overcome these sorts of discriminatory legal hurdles for stateless persons in Serbia every day.

CONCLUSION

For each story featured, there are thousands more in the region and millions more across the globe. Statelessness is not just a legal concept. Statelessness has left Anila begging in the streets of Tirana to support her children, has kept Lirije from obtaining the education she so desperately wants, and led to Janoš going blind from a preventable disease at 16. While each of these stories has shown the devastating effects of statelessness, they also illustrate that statelessness is not intractable.

The national and local authorities in South Eastern Europe have recognized this, showing determination to bring statelessness to an end, by creating the needed legislative and administrative conditions to help the most vulnerable people in the region to step out of the cruel “shadow of legal invisibility” and continue their lives with human dignity. In addition, the region’s ever-stronger civil society sector, as

well as the concerned communities themselves, have been complementing this effort with their invaluable, active engagement in identifying persons at risk of statelessness. UNHCR joined them in this endeavour, working with national partners from all spheres, in line with its core mandate, as well as in support of reaching the global Sustainable Development Goal target to “provide national identity to all, including birth registration.”

Through the coordinated efforts of the local authorities, UNHCR and local civil society, Anila, Nuhija, Elmedin, Lirije, Janoš, Biljana, and others, are all on their way to full legal inclusion in their respective societies. As the third year of the #IBelong campaign comes to an end, cases like these add to our confidence that we can and should end statelessness regionally and globally by 2024.

Learn more about the #IBelong campaign at [UNHCR.org/ibelong](https://www.unhcr.org/ibelong).

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For information about how
to get involved and support the
#IBelong Campaign, please visit:
www.unhcr.org/ibelong

