
The demand for stateless status

EUROPEAN MIGRATION NETWORK

Dublin, Ireland

- 5 May 2016 -

COMPARISON OF PROCEDURES (1)

Asylum applications/Stateless status applications

1/ Asylum applications (80,075 in 2015 first applications + re-examinations + minors)

Legal basis:

- . Geneva Convention of 1951
- . Article 6 and 7 of the UNHCR mandate
- . Constitutional asylum
- . Subsidiary protection

Procedure and rights:

- . The application must be presented to the prefecture
- . Permission to stay (general rule) until the end of the procedure: OFPRA (French Office for the Protection of Refugees and Stateless Persons) or OFPRA + CNDA*
- . Access to social rights (allowance/accommodation/medical cover) and suspensory appeal

* National Court of Asylum

2/ Stateless status applications (281 in 2015)

Legal basis:

- . New York Convention of 1954

Procedure and rights:

- . The applicant directly contacts OFPRA, sometimes advised by a prefecture
- . No right is provided for, i.e. No stay (however, certain applicants receive this on other grounds: +/- 25%)
 - No allowance
 - No accommodation
 - No suspensory appeal

COMPARISON OF PROCEDURES (2)

Asylum applications/Stateless status applications

1/ Asylum applications (80,075 in 2015 first applications + minors + re-examinations)

DECISION:

- . If granted: **Refugee status/Subsidiary protection:**
 - Resident card (10 years) or VPF *Private and Family Life* residence permit (1 year)
 - Civil Status Documents/Travel permit (2 years)
 - Right to family reunification/Naturalisation without waiting period requirement
- . If rejected:
 - Period of one month to bring an appeal
 - Jurisdiction held by CNDA (and Council of State in appeal)
 - Suspensory appeal of an expulsion measure
- . If repeal by the CNDA: See "If granted"
- . If the rejection is confirmed: Obligated to leave the territory, except in the event of possible issuance of a residence permit on grounds other than asylum.

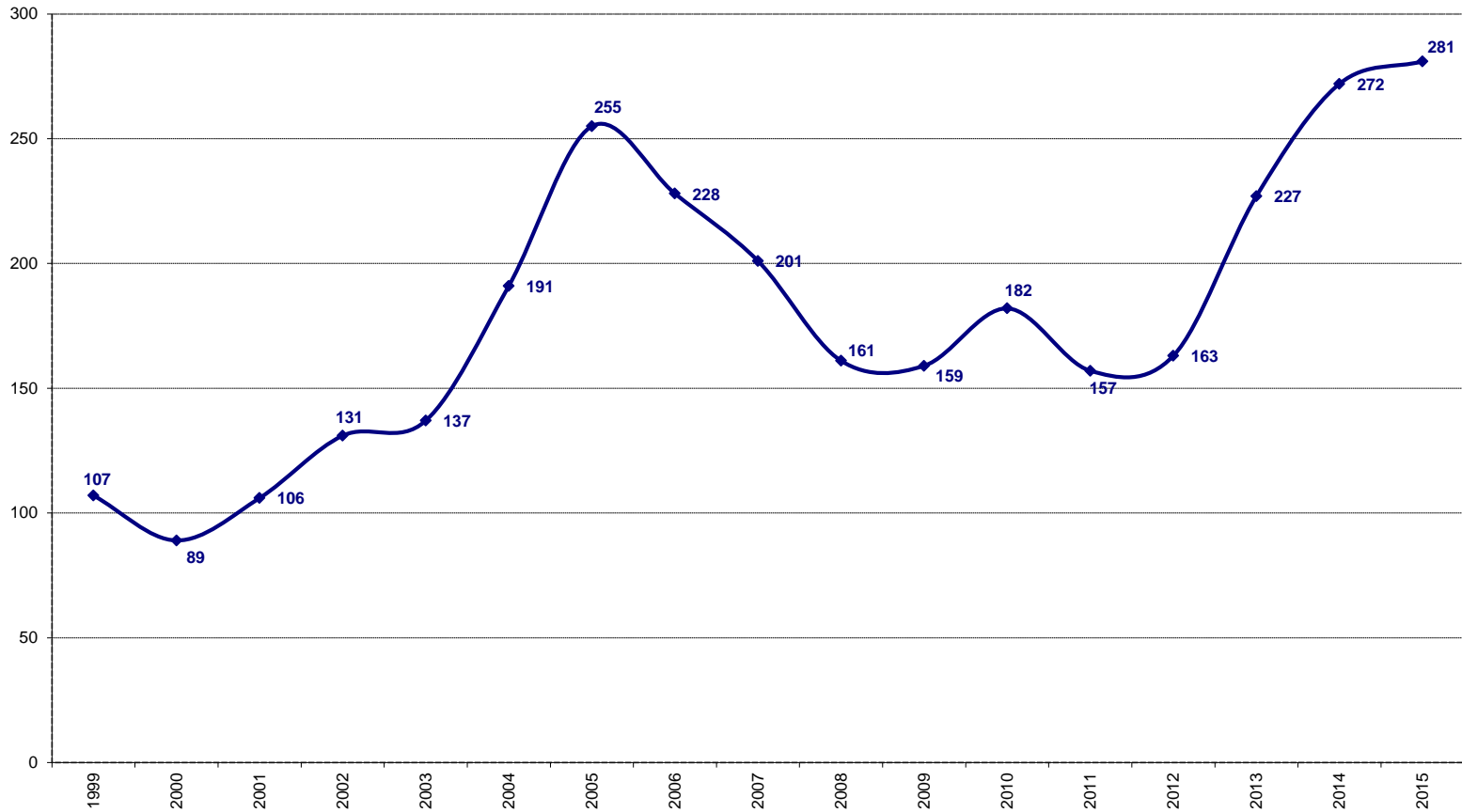
2/ Stateless status applications (281 in 2015)

DECISION:

- . If granted: **Stateless status:**
 - VPF residence permit (1 year)/ECV Documents/Travel permit (1 or 2 years)
- . If rejected:
 - Jurisdiction of the common law courts: TA *Administrative courts* (42)
CAA *Administrative courts of appeal* (8) / CE *Council of State*
- . If repeal by the TA/CAA: Case reviewed by OFPRA
- . If rejection confirmed by TA/CAA: The situation, in terms of the right to stay, remains the same as it was before

A relatively stable level of demand

Evolution in the numbers of stateless status applications since 1999

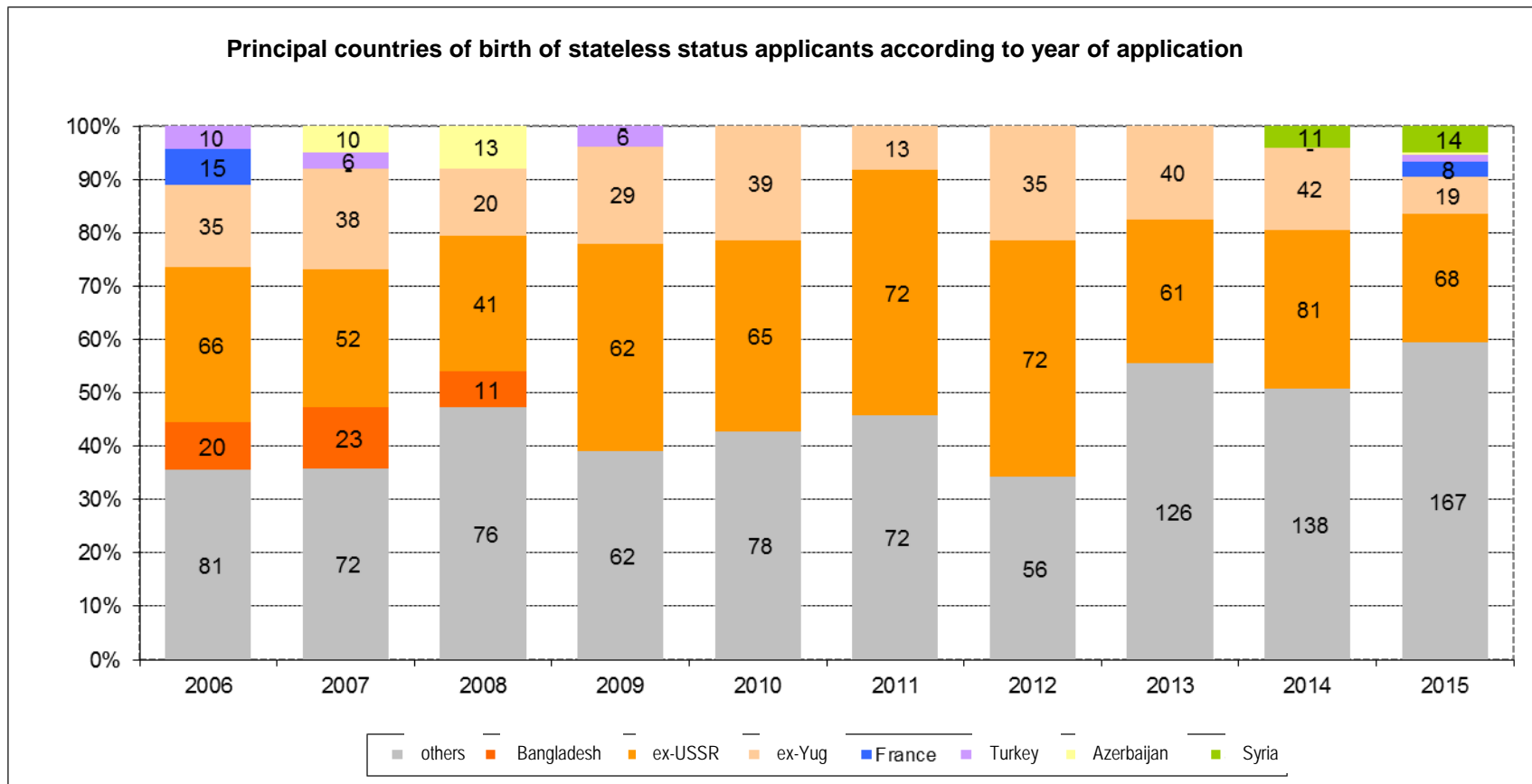


Applications per continent of birth

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	
EU	62%	60%	64%	70%	71%	66%	78%	64%	64%	48%	
AS	24%	29%	22%	16%	18%	18%	13%	17%	20%	29%	
AF	12%	10%	11%	12%	10%	13%	8%	19%	14%	25%	
AM	1%	0%	2%	1%	1%	1%	1%	0%	1%	0%	
Oceania	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Undetermined	1%	0%	1%	1%	0%	1%	0%	0%	1%	1%	
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	103%	
of which	% MA	7%	9%	12%	9%	12%	16%	6%	16%	17%	10%
of which	% FRA	7%	1%	2%	1%	2%	3%	2%	4%	2%	3%
of which	% ex-USSR	29%	26%	25%	39%	36%	46%	44%	27%	30%	24%
of which	% ex-Yug	15%	19%	12%	18%	21%	8%	21%	18%	15%	7%

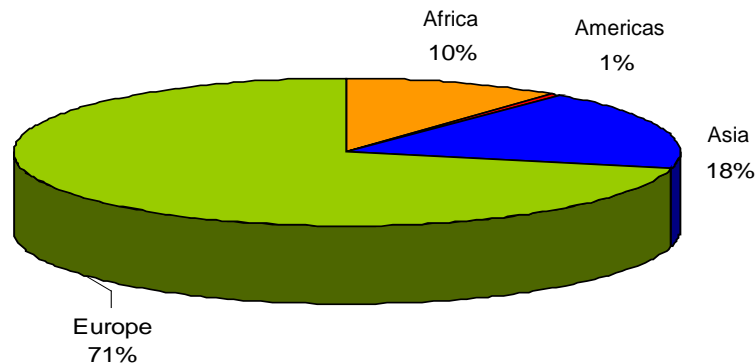
Principal countries of birth (in %)

PRINCIPAL COUNTRIES OF BIRTH OF STATELESS STATUS APPLICANTS
 ACCORDING TO YEAR OF APPLICATION
 2005 - 2015 data excludes accompanying minors

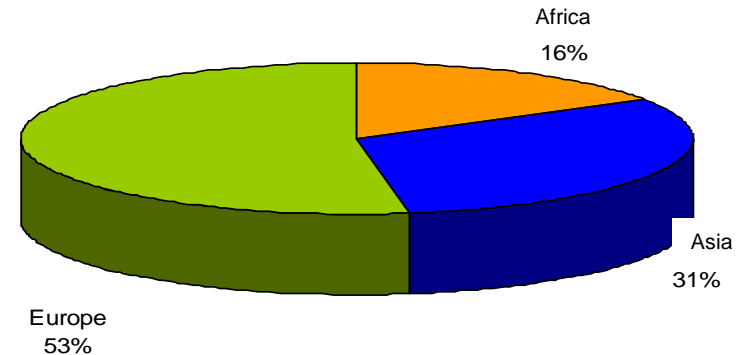


Applications and admissions per continent of birth – Year 2010

OFPRA – Applications for stateless status per continent of birth
Year 2010

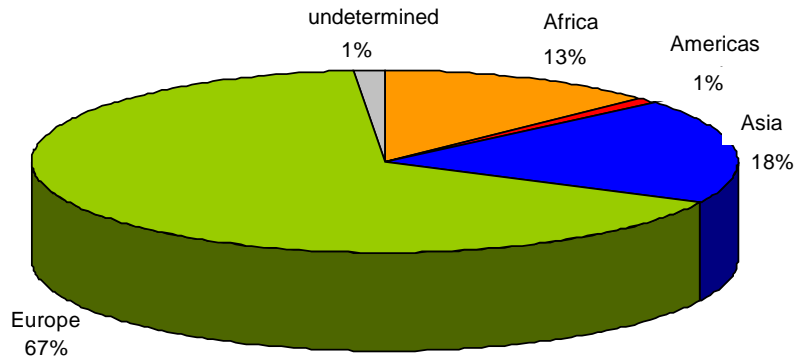


OFPRA – Admissions to stateless status per continent of birth
Year 2010

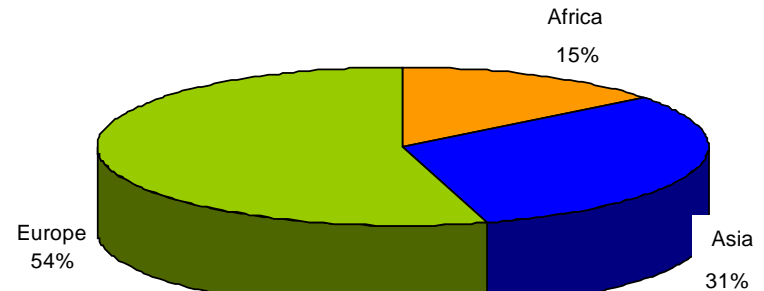


Applications and admissions per continent of birth – Year 2011

**OFPRA – Applications for stateless status per continent of birth
Year 2011**

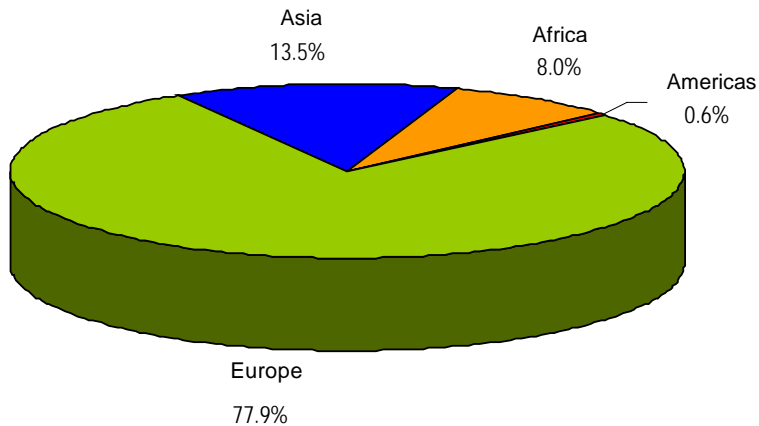


**OFPRA – Admissions to stateless status per continent of birth
Year 2011**

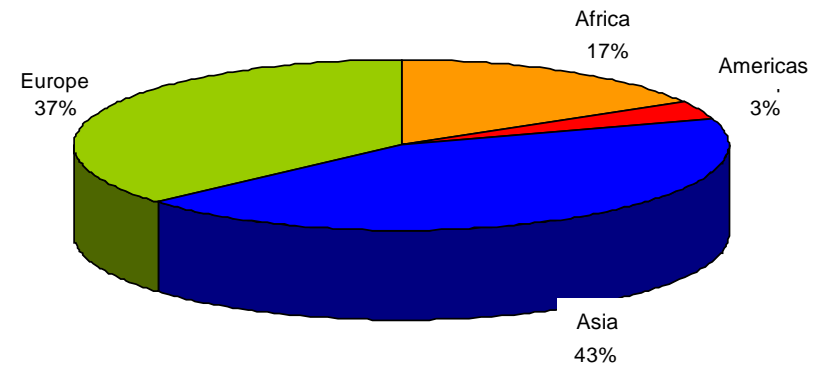


Applications and admissions per continent of birth – Year 2012

OFPRO – Applications for stateless status per continent of birth
Year 2012

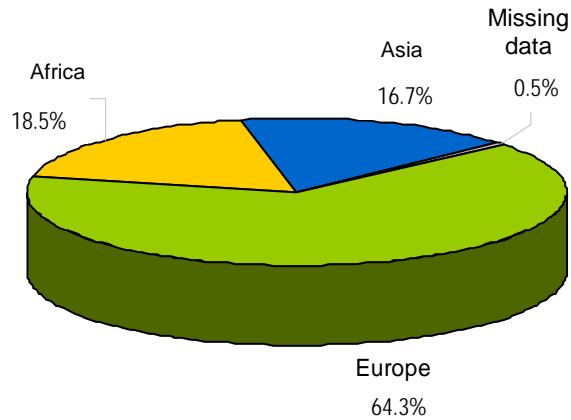


OFPRO – Admissions to stateless status per continent of birth
Year 2012

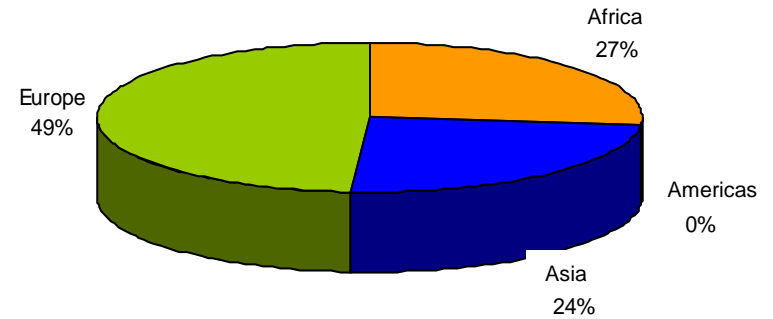


Applications and admissions per continent of birth – Year 2013

OFPRA – Applications for stateless status per continent of birth
Year 2013

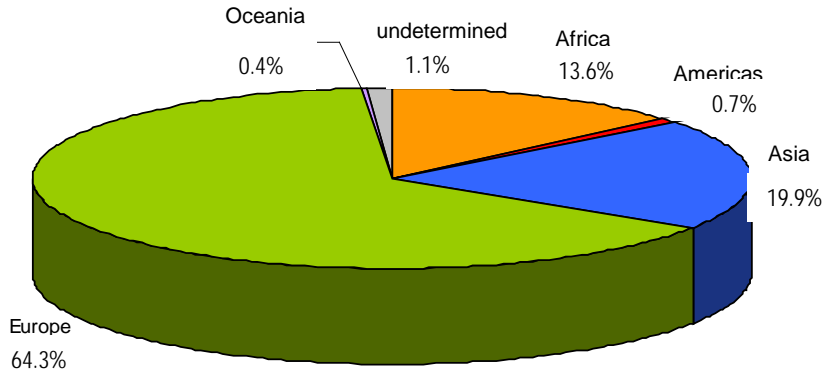


OFPRA – Admissions to stateless status per continent of birth
Year 2013

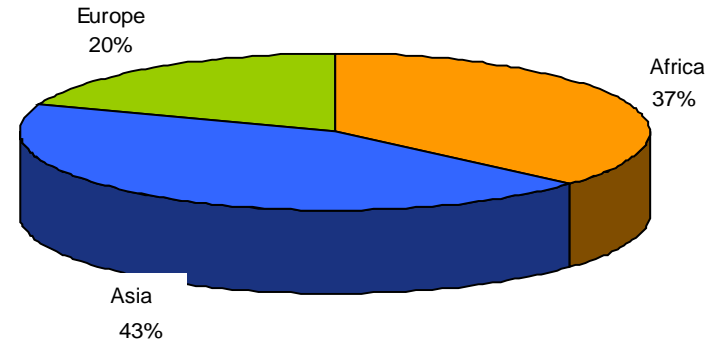


Applications and admissions per continent of birth – Year 2014

OFPRA – Applications for stateless status per continent of birth
Year 2014

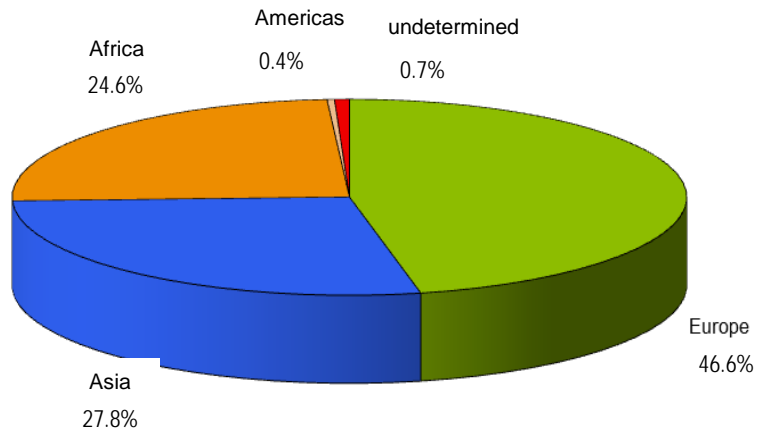


OFPRA – Admissions to stateless status per continent of birth
in 2014

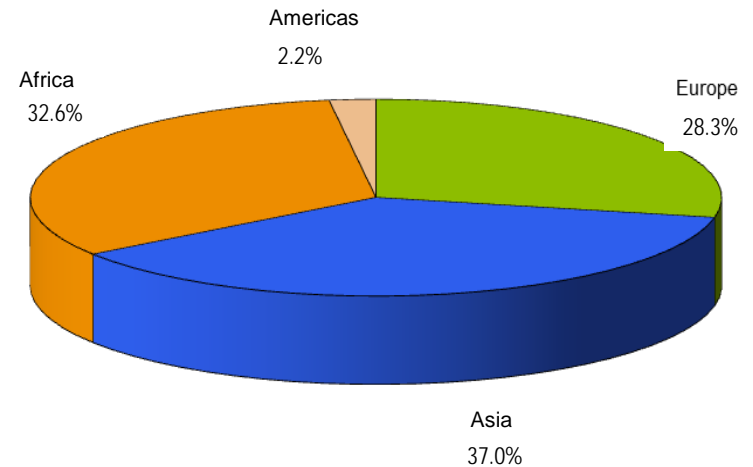


Applications and admissions per continent of birth – Year 2015

**OFPRA – First applications for stateless status per continent of birth
Year 2015**



**OFPRA – Admissions to stateless status per continent of birth
- Year 2015**



Activity of the stateless status department

	calls to interview	interviews	total decisions	admissions	% admitted	rejections
2006	285	215	219	75	34.2%	144
2007	276	231	173	51	29.5%	122
2008	220	193	217	65	30.0%	152
2009	170	150	165	59	35.8%	106
2010	177	155	180	61	33.9%	119
2011	163	143	167	55	32.9%	112
2012	134	119	87	30	34.5%	57
2013	190	162	153	45	29.4%	108
2014	218	177	164	41	25.0%	123
2015(*)	434	340	246	46	18.7%	200