



## STEP 7: EQUIPMENT WITH THE ID CARDS AND TRAVEL DOCUMENT

Upon the issuance of the positive decisions a person with granted status will make an appointment for application for a temporary residence ID card with the Department for Foreigners (address available below). Upon finalization of all administrative procedures a person will be issued a temporary residence ID card for a stateless person valid for one (1) year with possibility of extension.



## STEPS 8: RENEWAL OF IDENTITY CARD ON ANNUAL BASIS

The person who have been granted stateless status should personally submit a request for the extension of their Identity card to the Division for Foreigners, seven (7) working days before its expiration.



## STEP 9: ACCESS TO RIGHTS AND SERVICES UPON RECOGNIZED STATUS

Once an individual's statelessness status has been recognized, they are entitled to several Rights, including:

- Provision of civil status documents, except for citizenship documents.
- The right to stay in the Kosovo for a minimum of one year with a temporary residence permit.
- Issuance of a travel document for stateless persons.

Other rights that are granted by the Regulation for the Integration of Foreigners:

- health care;
- be equipped with an identity document (residence permit);
- be equipped with travel documents;
- education;
- employment, self-employment and vocational training;
- access to goods and services;
- freedom of thought and religion;
- family reunion;
- access to justice and free legal aid;
- to possess movable and immovable property;
- gaining citizenship on the basis of naturalization;
- rights to associate or membership in an organization representing the employees or employers or any other organization whose members are involved in a specific profession including the benefits deriving from those organizations.



## WHERE CAN YOU GET HELP FOR FREE?

The Civil Rights Program Kosovo (CRP/K) gives professional free legal assistance to applicants for stateless status that meet the criteria of the stateless persons, with the support of the United Nations High Commissioner for Refugees (UNHCR).

### FREE LEGAL AID AGENCY

TEL: 038 200 18 941; 038 200 18 950

EMAIL: INFO.ANJF@RKS-GOV.NET

Office in Pristina: Str "Zenel Salihu" no. 30

## CONTACTS

### DEPARTMENT FOR CITIZENSHIP ASYLUM AND MIGRATION (DCAM)

TEL: + 383 38 200 19 596

ADDRESS: STREET. "LUAN HARADINAJ" N.N

### DIVISION FOR FOREIGNERS

TEL: +383 38 200 19 027

ADDRESS: STREET. "LUAN HARADINAJ" N.N

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# STATELESS DETERMINATION PROCEDURE IN KOSOVO



REPUBLIKA E KOSOVËS  
MINISTRIA E PUNËVE TË BRENDSHME

# CONTENT

"Statelessness refers to a situation where an individual is not recognized as a national by any State under its laws. Statelessness can arise for various reasons, such as discriminatory laws and policies, administrative challenges in obtaining documentation, conflicts resulting in displacement, and gaps in nationality laws and procedures".  
**Source:** [https://www.unhcr.org/ibelong/wp-content/uploads/1954-Convention-relating-to-the-Status-of-Stateless-Persons\\_ENG.pdf](https://www.unhcr.org/ibelong/wp-content/uploads/1954-Convention-relating-to-the-Status-of-Stateless-Persons_ENG.pdf)

## STATELESS PERSON

Is a person who is not considered as a national by any State under the operation of its law.

## WHAT IS STATELESS DETERMINATION PROCEDURE

Stateless Determination Procedure (SDP) is an administrative process through which an individual can apply for a legal status as a stateless person.

## RESPONSIBLE AUTHORITY

The Department of Citizenship Asylum and Migration – Division of Citizenship within Ministry of Internal Affairs is the responsible authority.

## WHY IS THE SDP IMPORTANT?

SDP is important because it provides a legal pathway to people that cannot prove the nationality of any country under the operation of its laws to obtain the legal status in country of the residence. With the acquisition of the stateless status all eligible people will be provided with the access to basic rights and services. In the absence of the legal identity, the people with non-recognized stateless status may be at risk of exploitation, discrimination, and other human rights abuses. All people granted with stateless status will be able in five years of continuous stay will be eligible to apply for citizenship through naturalization.

## WHO CAN APPLY FOR SDP?

If you are stateless - you do not hold a nationality because you are not considered a national by any State, you have the right to apply for stateless status determination in Kosovo. This applies to individuals who lack proper documentation or evidence of their nationality, as well as those who are stateless or have an uncertain nationality due to conflicts, changes in nationality laws, or disputed territorial boundaries.

# LEGAL STEPS TO CLAIM STATELESS STATUS

## STEP 1: EVIDENCE GATHERING

Persons prior to applying for the status will gather all available evidence for the procedure and criteria of determining the status of the stateless person, the manner of acquisition of the citizenship by the stateless person and the person with refugee status such as:

- *birth certificate or another equivalent document;*
- *certificate issued by the hospital after the birth;*
- *travel document (including the expired one);*
- *marriage certificate;*
- *proof of military service;*
- *evidence of schooling;*
- *spouse's, parent's or children's identification or travel documents;*
- *immigration documents or residence permit from the previous state of residence;*
- *a document or statement issued by a foreign authority certifying that the person is not a citizen of the concerned State;*
- *certificate which proves that he/she has no criminal offence record issued by the Kosovo Police and evidence that there are no criminal proceedings ongoing and that he/she is not convicted for any criminal offence issued by the competent court of the Republic of Kosovo and other relevant documents.*
- *Other relevant documents*

**IMPORTANT:** In case of inability to submit above required evidence listed authorities shall ex officio verify and gather the necessary information or evidence.

## STEP 2: APPLICATION

The applicant submits a written application for stateless determination with the Department for Citizenship, Asylum and Migration - Division for Citizenship (MIA). The application includes personal information, family background, and reasons for statelessness. The application can be found here: <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=31137>

## STEP 3: INTERVIEW

The applicant will be called for an interview by the authorities to gather additional information to substantiate the claim for status of stateless person. Applicants will be scheduled for interviews in the order that their requests were submitted, and these interviews will be conducted within sixty (60) days from the date of submission.

## STEP 4: APPLICATION REVIEW/ASSESSMENT

The authorities will conduct an assessment of the application, verification of the presented evidence and the criminal background with the authorities in the last place of residence.

## STEP 5: FIRST INSTANCE DECISION:

Division for Citizenship brings the written decision on applications merits, positive or negative. The decision within a period between 180 - 365 days from the day of the application. If the applicant is determined to be stateless, they will be granted stateless status in Kosovo.

## STEP 6: APPEAL AT FIRST INSTANCE:

If an application for the recognition of stateless status or the acquisition of citizenship is rejected, applicants have the right to appeal the decision within thirty (30) days from the official date of the decision receipt. The appeal must be made to the Commission for Reviewing the Citizenship Complaints within the Ministry of Internal Affairs.

## APPEAL AT SECOND INSTANCE:

Against the decision of Commission for Reviewing the Complaints of citizenship within MIA, the applicant can initiate an administrative conflict before the competent court according to the Law on Administrative Conflict in accordance with the legal timeframe prescribed in the second administrative instance decision.