

Factsheet: Statelessness in North Macedonia

Joint submission to the Human Rights Council at the 46th Session of the Universal Periodic Review

REDUCTION OF *IN SITU* STATELESSNESS

North Macedonia has **taken significant steps recently towards reducing statelessness, but some gaps remain:**

- ➔ North Macedonia recently amended the law to regularise the situation of 700 people without personal documentation identified through a Government-led public call. However, some people remain without regulated civil status as they were not identified.
- ➔ It introduced a regularisation route for stateless people residing in North Macedonia since the dissolution of the former Yugoslavia.
- ➔ There is still a lack of comprehensive and accurate data on statelessness.

RECOMMENDATIONS

- I. Continue the effective implementation of the amended Law on Civil Registry and continue to strengthen measures to register persons with unregulated civil status, and provide them with civil documentation and a facilitated route to confirmation or acquisition of nationality.
- II. Improve the collection and monitoring of disaggregated quantitative data on stateless persons and build the capacity of officials to accurately identify and record statelessness across government agencies at all administrative levels.

CHILD'S RIGHT TO A NATIONALITY AND TO BIRTH REGISTRATION

RECOMMENDATIONS

- I. Amend the Law on Citizenship to ensure that all children born in North Macedonia who would otherwise be stateless acquire nationality automatically or right after birth, regardless of the status or identity of their parents.
- II. Effectively and comprehensively implement the amended Law on Civil Registry, to ensure the immediate registration of all children after birth regardless their parents' status or identity, by removing practical barriers to birth registration and addressing authorities' discriminatory practices.

North Macedonian law contains only **partial safeguards against childhood statelessness**, as it states that a child who is found or who was born on the territory automatically acquires nationality if the parents are unknown, of unknown nationality, or stateless. This does not cover children born to parents who may have a nationality but cannot confer it to their child. As there is no procedure for determining statelessness, proving the statelessness of the parents can be very challenging. Positively, the amendment to the legislation on civil registration introduced the obligation to **register the birth of all children born on the territory**, regardless of the parents' status or nationality.

ECONOMIC AND SOCIAL RIGHTS

Stateless people and those who are not registered in the birth register have **limited or no access to fundamental rights** such as healthcare, education, employment, financial assistance, and other social rights.

In a welcome move to address indirect discrimination against Romani populations, recent amendments introduced a simplified procedure for people without an official address to register their residence at social centres, regularise ownership of informal housing, and obtain identity documents.

RECOMMENDATIONS

- I. Ensure that all stateless people, including members of Roma, Ashkali and Egyptian communities, have access to fundamental rights in law and in practice without any discrimination, irrespective of documentation or citizenship status, including education, healthcare, maternity care, work, accommodation, and protection from rights violations such as child and early marriage.

STATELESSNESS DETERMINATION PROCEDURE FOR STATELESS MIGRANTS

RECOMMENDATIONS

- I. Establish a national statelessness determination procedure and protection status in law and in line with good practice to give full effect to the rights enshrined in the 1954 Convention to stateless people in North Macedonia, including residence rights.

There is **no statelessness determination procedure nor statelessness protection status** in North Macedonia. Options are limited to applying for asylum or a temporary residence permit at the discretion of the Government, which provides very limited rights. While most identified cases of statelessness in North Macedonia are *in situ*, the absence of a dedicated statelessness determination procedure prevents stateless refugees and migrants from being identified and accessing protection.