THE STATELESSNESS DETERMINATION PROCEDURE AND RIGHTS RELATING TO THE STATUS OF STATELESS PERSONS IN FRANCE

STATELESSNESS APPLICATION

The statelessness application is made directly to the French Office for the Protection of Refugees and Stateless Persons (OFPRA), without prior registration at the Prefecture. You must write a request in French to OFPRA including your last name(s), first name(s) and address. You must indicate the precise reasons for the request and send it as a registered letter with acknowledgement of receipt. Following receipt of this letter, OFPRA will send you a form, which must be completed in French and returned to OFPRA by registered letter with acknowledgement of receipt. You must enclose:

› 2 recent passport photos,
› If applicable, your passport, documents relating to your civil status, a copy of your valid residence document (if you have these documents).
› All information on procedure carried out and supporting documents indicating impossibility to access a nationality

When the submitted application is complete, the Secretariat of the Stateless Persons Office will register it and immediately issue a letter confirming the application has been lodged addressed to the applicant by regular mail.

Applicants for statelessness status are not granted legal stay on the French territory during the OFPRA procedure and the appeal stage. This means that the applicant can be removed and that the rights and reception conditions for asylum seekers do not apply to applicants for stateless status.

You can submit an asylum application and a statelessness application together. In this case, OFPRA will first examine the asylum application, then the application for statelessness. If a person reports that they do not have any nationality and demonstrates a fear of persecution in the event of return to his or her country of habitual residence, they can benefit from the status of «stateless-refugee» and the protection rules related to statutory refugees apply.

EXAMINATION PROCESS

You may be called for an interview at OFPRA (this is not mandatory). If called for interview, you will be heard in the language of your choice. OFPRA may authorise you to present yourself accompanied by a third party: either a lawyer or a representative of a support organisation.

L'OFPRA peut également recueillir des informations auprès des représentations consulaires des différents pays dont vous pourriez avoir la nationalité. Ces vérifications ne peuvent être effectuées que dans la mesure où aucun motif relatif à des craintes de persécution n'a été invoqué au cours de l'entretien.

There is no time limit for OFPRA to issue its decision. The procedure can take a long time, but silence from OFPRA is not an indication of a decision on an application for stateless status, so do not hesitate to contact the OFPRA Stateless Persons Office if the answer takes a long time to come.

WHERE TO APPLY?

OFFICE FRANÇAIS DE PROTECTION DES RÉFUGIÉS ET APATRIDES (OFPRA)

201 rue Carnot
94136 Fontenay-sous-Bois Cedex

+33 (0)1 58 68 10 10

https://www.ofpra.gouv.fr/fr/apatridie/procedure

To find authorised associations as third party, see:
**RECOGNITION OF STATELESS STATUS**

If you are recognised as stateless, you are placed under the administrative and legal protection of OFPRA. OFPRA will issue you with civil status documents (birth certificates, marriage certificates, etc. as applicable) if it cannot obtain them from the country where these life events occurred.

**RIGHTS RELATING TO STATELESS STATUS**

After being granted stateless status, persons recognised as stateless have the right to work, to access education services, and to universal health protection (PUMA) after three months of legal and regular stay in France. They also have access to social assistance according to their level of income and can benefit from the active solidarity income (revenu de solidarité active, RSA). Stateless persons can apply for family reunification under the same conditions as refugees and, after 5 years of stable legal residence in France, they can be naturalised. However, unlike refugees and persons benefiting from subsidiary protection, they cannot access government-funded integration programmes.

**APPLICATION FOR A RESIDENCE PERMIT AFTER OBTAINING THE STATUS OF STATELESS PERSON**

After being granted stateless status, you must submit your multi-year card application to the prefecture (or sub-prefecture) of your residence.

The multi-year residence permit (4 years) with stateless status authorises you to stay in France and to benefit from the rights related to your status. Members of your family may automatically benefit from the same card:

- Your partner with whom you are in a civil union if he/she has been authorised to stay in France following a family reunification procedure
- Your partner with whom you are in a civil union, if he/she is at least 18 years of age and if the marriage or civil union took place after you applied for statelessness, at least one year ago and cohabitation has not ceased
- Your children, in the year following their 18th year (or from 16 years old if they wish to work)
- Your parents (direct ascendants in the first degree), if you are a minor and unmarried.

If your file is complete, you will receive a receipt pending the response from the prefecture.

You have to pay 25 € per tax stamp. Proof of payment of the stamp duty is requested when you receive the card. The residence permit is given to you by the prefecture or sub-prefecture where you applied and is valid for a maximum of 4 years. After 4 years of residence in France, you can apply for a resident card.

The multi-year residence permit with the status of stateless person and the residence permit authorise you to work in France.

**DOCUMENTS TO BE PROVIDED**

1. 3 photos
2. Copy of the decision recognising the status of stateless person
3. Proof of residence dated less than 3 months ago
4. Declaration of non-polygamy if you are married and a national of a state that permits polygamy
APPLICATION FOR TRAVEL DOCUMENT AFTER BEING GRANTED STATELESS STATUS

If you wish to travel abroad, you can apply for a biometric travel document for stateless persons.

To find out where to apply for your travel document, see:
https://www.service-public.fr/particuliers/vosdroits/F15402

DOCUMENTS TO BE PROVIDED

1. Valid residence permit, original and photocopy
2. 2 identical, standard-compliant passport photos
3. Proof of residence of less than 3 months in your name or certificate of accommodation and a copy of the host’s identity card
4. Proof that you are stateless (e.g. OFPRA decision granting stateless status)
5. In case of renewal request, old travel document (original and photocopy)

END OF STATELESS STATUS

Stateless status ceases if you acquire a nationality or regain your original nationality.

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