



STATELESSNESS

Case Law Database

Belgium - Court of Cassation, judgment no. C.07.0385

The recognition of stateless status cannot be denied on the basis that the applicant has not undertaken the necessary steps in order to regain the lost nationality, even if it was voluntarily renounced.

Case name (in original language) : Arrêt no. C.07.0385

Case status: Decided

Case number: C.07.0385

Citation: Belgium, Court of Cassation, 6 June 2008, no. C.07.0385,
http://jure.juridat.just.fgov.be/pdfapp/download_blob?idpdf=F-20080606-4

Date of decision: 06/06/2008

State: Belgium

Court / UN Treaty Body: Court of Cassation

Language(s) the decision is available in: French

Applicant's country of birth: Romania

Applicant's country of residence: Romania

Legal instruments: 1954 Statelessness Convention

Key aspects: Standard of proof, Statelessness determination

Decision & Reasoning

The recognition of stateless status cannot be denied on the basis that the applicant has not undertaken the necessary steps in order to regain the lost nationality, even if it was voluntarily renounced.

Decision documents

[Arrêt no. C.07.0385](#)

Outcome

The judgment of the Court of Appeal refusing to recognise the applicant as stateless

was annulled and the case was sent back to the court.