



# 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](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.