

United Kingdom: Information for stateless people and those at risk of statelessness fleeing Ukraine



European
Network on
Statelessness

ENS Focal Point: [Jesuit Refugee Service UK](#)

Last updated: 25 May 2022

This briefing provides country-specific information for stateless people and those at risk of statelessness fleeing Ukraine. It is intended as a source of information for refugee response actors and affected individuals. The focus is on stateless people and people at risk of statelessness, including those who are undocumented. Links to more general information for refugees from Ukraine are provided throughout. We will endeavour to keep this information updated. Please contact Ukraine.crisis@statelessness.eu if you have relevant updates. Unless otherwise shown, the source of information provided is the ENS Focal Point.

1. ENTRY REQUIREMENTS & REGISTRATION

Although the UK authorities have expressed support for those arriving in the UK from Ukraine, the immigration rules are complex and restrictive. A visa is needed to enter the UK. The UK has set up the Ukraine Family Scheme and the Homes for Ukraine Scheme, which allow people fleeing the war in Ukraine to join their family members in the UK (or their family members) or a person who has offered to sponsor them. The schemes are mostly applicable to Ukrainian nationals. Although some stateless people and people at risk of statelessness may be eligible if they meet the family member criteria for the Ukraine Family Scheme, or if they have evidence of a Ukrainian immediate family member for the Homes for Ukraine Scheme, people who lack documentation may face practical difficulties in accessing the scheme. As of 17 May 2022, it was [reported](#) that 38,700 visas under the Ukraine Family Scheme and 68,700 under the Homes for Ukraine Scheme.

The UK Visa Application Centres in Ukraine are closed, applications may be made at a Visa Application Centre in any country where applicants are able to travel safely.

Stateless persons and persons at risk of statelessness, unless they are eligible to enter through another avenue (e.g. if they are family members of a Ukrainian national who may apply for a scheme or visa) may only enter the UK by applying for asylum. No data has been published on entry and protection granted to stateless persons fleeing Ukraine. Applications for asylum cannot be made from outside the UK, applicants should inform a Border Force Officer on arrival that they wish to claim asylum.

For more information on entry and UK border control, see: UK Government, [Entering the UK: Overview](#), [Ukraine Advice Project UK](#) and Fragomen, [Exiting Ukraine and immigration considerations for the UK](#).

Documents required	<ul style="list-style-type: none">• Stateless persons: no particular documentation required on arrival but entry may be restricted; if available, documents that may evidence the need for international protection, identity and/or the person's statelessness (see Sections 2 and 3)• Other adults and children: passport, visa
Entry and registration	<ul style="list-style-type: none">• Individuals may be detained on arrival, although this is unlikely; pregnant women can only be detained for up to 72 hours, unless extended by ministerial approval• On arrival at the border, entry is only permitted to people who present a visa or claim asylum• No systematic pattern of registration at the border• Asylum seekers: apply immediately at the border; screening interview within six months, but may take longer• Unaccompanied children: biometric data collected; identification of welfare concerns and risk or indicators of trafficking; notification to local authorities and child protection services; placement depends on age of the child
Documents issued	<ul style="list-style-type: none">• Asylum seekers: issued confirmation letter showing they are on immigration bail; an "ARC card" after screening interview (often delayed by several months)
Entry status	<ul style="list-style-type: none">• Asylum seeker, visa holder ('person subject to immigration control')

2. ROUTES TO INTERNATIONAL PROTECTION

Stateless persons and persons at risk of statelessness fleeing the conflict in Ukraine may apply for refugee status or humanitarian protection, including people who entered the UK through the Ukraine Family Scheme and the Homes for Ukraine Scheme. If asylum is granted, the refugee is granted a residence permit and indefinite leave to remain after five years. After one more year, they may apply for naturalisation. These routes to protection are summarised in the table below.

	Refugee Status (asylum) or Humanitarian Protection	Ukraine Family Scheme	Homes for Ukraine Scheme
What is it?	<p><u>Refugee Status</u>: protection for people eligible under the 1951 Convention Relating to the Status of Refugees</p> <p><u>Humanitarian Protection</u>: protection for people who do not meet the conditions for Refugee Status but would face a real risk of suffering serious harm if returned</p>	Temporary visa concessions for family members of British citizens and residents in the UK who are fleeing Ukraine; non-British nationals can act as sponsors under this scheme, subject to conditions on the sponsor's own immigration status; allows persons fleeing Ukraine to join family members in the UK or to extend their stay in the UK	Temporary visa concessions for Ukrainian nationals who have named people in the UK willing to sponsor them, and their family members
Can stateless and/or undocumented persons apply?	Yes	Yes, if they meet the eligibility criteria to be considered a family member; there is an extra step for applicants who do not hold a valid Ukrainian passport	Yes, if they meet the eligibility criteria to be considered a family member
Where to apply?	Inform immigration officials at the border about wish to claim asylum or register with the asylum intake unit (details on making an appointment)	Apply online	Apply online
Procedure & rights	Registration of the application; screening interview with an immigration officer; applicants to provide any documents they have (e.g. identity documents, police registration certificates, birth and marriage certificates, school records); issuance of an " ARC card " with information on (claimed) identity and asylum-seeker status; substantive interview (which can be delayed or dispensed);	Free to apply; online application form and uploading of document; if applicant does not have a valid Ukrainian passport then they must visit a temporary visa application centre	Free to apply; online application form and uploading of documents applicants must be outside the UK to apply

	written decision; no right to work while claim is pending (unless it has been pending for over 12 months through no fault of the applicant and permission is granted); right to accommodation and support to meet essential living needs		
Rights upon recognition	Right to stay in the UK for five years; right to work; study (subject to approval); social security; family reunion; after initial five years, applicants may apply for renewal of protection and/or naturalisation	Right to stay in the UK for up to three years; right to work; study (subject to approval); social security	Right to stay in the UK for up to three years; right to work; study (subject to approval); social security

For more information, see:

- UK Government, [Claim Asylum](#), [Ukraine Family Scheme](#), [Homes for Ukraine scheme](#)
- Fragomen, [Exiting Ukraine and immigration considerations for the UK](#)
- European Council on Refugees and Exiles, [Information sheet](#)
- Right to Protection, [Who are stateless persons who fled Ukraine after the Russian invasion on 24 of February, 2022](#)

3. STATELESSNESS DETERMINATION AND PROTECTION STATUS

For stateless people, it is important to determine both a claim for international protection and their statelessness. Each application should be assessed and both types of status should be explicitly recognised so that even if refugee status, humanitarian protection, or another form of temporary protection ceases, the person remains entitled to protection as a stateless person. Statelessness determination should be conducted either in parallel with or following the refugee status determination, with due regard to the primacy of the asylum claim and the principle of confidentiality for refugees in statelessness determination procedures. For more information, see: [ENS briefing on statelessness determination & protection in Europe](#).

The UK has a dedicated Statelessness Determination Procedure leading to a right to reside in the UK. The procedure is summarised in the table below. The question of statelessness may also arise within or as part of a claim for refugee status or humanitarian protection. For more information, see: [ENS Statelessness Index United Kingdom](#).

Stateless people and people at risk of statelessness are strongly recommended to seek specialist legal advice (e.g. from [Jesuit Refugee Service UK](#), [Asylum Aid](#), or [Liverpool University Law Clinic](#)).

Statelessness Status	
What is it?	Protection under the 1954 Convention Relating to the Status of Stateless Persons (although the scope of protection is narrower than the 1954 Convention). A person who claims that they are stateless may apply for a right to reside ('leave to remain') under Part 14 of the UK Immigration Rules , subject to certain conditions and exclusion criteria (including not being recognised as a national of any country, and being unable to live permanently in any other country). Applicants will be required to show they have sought and failed to obtain or establish nationality in another country.

Can stateless and/or undocumented persons apply?	Yes
Where to apply?	Application is free and must be made using an online form (only in English)
Procedure & rights	Individuals must be in the UK to apply; submit documentation within 10 days of completing the online application (if available, e.g. identity, immigration and travel documents, birth and/or marriage certificates, documents that prove where the applicant lived before arriving in the UK); authorities may request further information and an interview (interpreter available); legal aid is not available for applications in England and Wales, unless Exceptional Case Funding is granted (people are advised to find free legal advice (see contacts below)); no time limit for the procedure set in law; applications can take up to 18-24 months to decide ; no right to stay in the UK during the procedure; no guarantee against expulsion; no right to work pending application; administrative and judicial reviews possible but no automatic right to appeal
Rights upon recognition	Right to stay in the UK for five years (known as ‘leave to remain’, renewable); apply online for a Stateless Persons Travel Document; apply for work; right to access education; welfare benefits (e.g. public housing, subject to eligibility criteria); medical care; right to apply for naturalisation after five years’ lawful residence and one additional year of permanent residence (subject to high fees)

4. REQUIREMENTS FOR ONWARD TRAVEL TO THIRD COUNTRIES

Beneficiaries of refugee status or humanitarian protection, and recognised stateless persons in the UK who are granted leave to remain on that basis, can apply for a [refugee travel document](#) or [stateless person’s travel document](#), which allow travel to most countries. A refugee travel document will usually permit travel to all countries except the country of persecution. People should check that the destination country accepts such travel documents before travelling. Travel documents are usually valid for up to 10 years if the person is settled in the UK, and cost £75 for most adults and £49 for children aged 15 or under.

5. OTHER RELEVANT INFORMATION

The Home Office has [confirmed](#) that Ukrainian surrogate mothers of British intended parents will be entitled to travel to the UK outside of the usual immigration rules, which may help prevent cases of statelessness among children born through surrogacy.

6. ORGANISATIONS ASSISTING STATELESS PEOPLE

<p>Asylum Aid https://www.asylumaid.org.uk +44 20 7 354 9631 advice@asylumaid.org.uk</p>	<p>Jesuit Refugee Service UK https://www.jrsuk.net/ 020 7488 7310 uk@jrs.net</p>
<p>JustRight Scotland https://www.justrightscotland.org.uk Ukraine Advice Scotland 0800 995 6045 Legal Helpline: Tuesday & Thursday from 10am to 1pm (UK time) ukraine@justrightscotland.org.uk</p>	<p>Liverpool University Law Clinic https://www.liverpool.ac.uk/law/liverpool-law-clinic/ +44 (0)151 794 5782 or +44 (0)7774 779 132 or +44 (0)7385395681 clinic@liverpool.ac.uk</p>
<p>UK Government Immigration Helpline for Ukrainian nationals +44 808 164 8810 or +44 175 390 7510 Select Option 1</p>	<p>UNHCR https://www.unrefugees.org.uk/ +44 20 3761 8094</p>
<p>Asylum Support Appeals Project https://www.asaproject.org/resources/organisations-who-can-help List of UK helplines and networks, organisations that may help with asylum support enquiries, and links to lists of legal aid solicitors</p>	<p>Refugee Council Support and information for people affected by the crisis in Ukraine Freephone service to signpost support to refugees and people seeking asylum: 08081967272 9.30-12.30 on Mondays, Tuesdays & Thursdays.</p>
<p>British Red Cross https://www.redcross.org.uk/get-help/get-help-as-a-refugee/help-for-refugees-from-ukraine</p>	<p>Public Law Project List of legal aid providers https://publiclawproject.org.uk/content/uploads/2020/05/SIGNPOSTING-LIST-20.05.20.pdf</p>
<p>Ukraine Advice Project UK https://advice-ukraine.co.uk/projectu@dlapiper.com (English only)</p>	<p>Immigration Law Practitioners' Association (ILPA) Directory of immigration advisors: https://ilpa.org.uk/members-directory/</p>
<p>Migrant Help https://www.migranthelpuk.org/pages/category/asylum Free asylum helpline: 0808 8010 503 Webchat: https://ellis.custhelp.com/app/chat/chat_launch</p>	<p>Refugee Action https://www.refugee-action.org.uk/ 07753 325364 info@refugee-action.org.uk List of support services for people seeking asylum: https://www.refugee-action.org.uk/help-support-advice-services/</p>
<p>Scottish Refugee Council Ukraine Information and Advice https://www.scottishrefugeecouncil.org.uk/ukraine Helpline: 08081967274 ukraine@scottishrefugeecouncil.org.uk</p>	<p>Refugee Council https://www.refugeecouncil.org.uk/get-support/services/infoline/ Infoline, freephone England-wide signposting service: 0808 196 7272</p>
<p>The Law Society Register of Asylum and Immigration Solicitors https://www.lawsociety.org.uk/</p>	<p>Office of the Immigration Services Commissioner (OISC) Register of regulated immigration advisors http://home.oisc.gov.uk/adviser_finder/finder.aspx</p>