



European
Network on
Statelessness

WEBINAR

Protecting the rights of stateless Palestinians in the UK

23 October 2025, 12:00-12:45 UK time / 13:00-13:45 CET



Nina Murray

Head of Policy &
Advocacy,
European Network on
Statelessness
(Moderator)



Patricia Cabral

Legal Policy
Coordinator,
European Network
on Statelessness



Abdelrahman Touman

Legal Assistant and
ENS Community
Advisory Board
(CAB) Member



THE RIGHTS OF STATELESS PALESTINIANS IN THE UK

Patricia Cabral, Legal Policy Coordinator

European Network on Statelessness

October 2025



WHY THIS MATTERS



THE LEGAL BRIEFING

1. Palestinians and the search for protection

- 1.1. The need for protection: historical context and terminology
- 1.2. Routes to protection in the UK
- 1.3. Palestinians as stateless persons

2. Protection under the refugee convention

- 2.1. Protection under Article 1D
- 2.2. Protection under Article 1A(2) and human rights-based claims

3. Protection under the 1954 convention

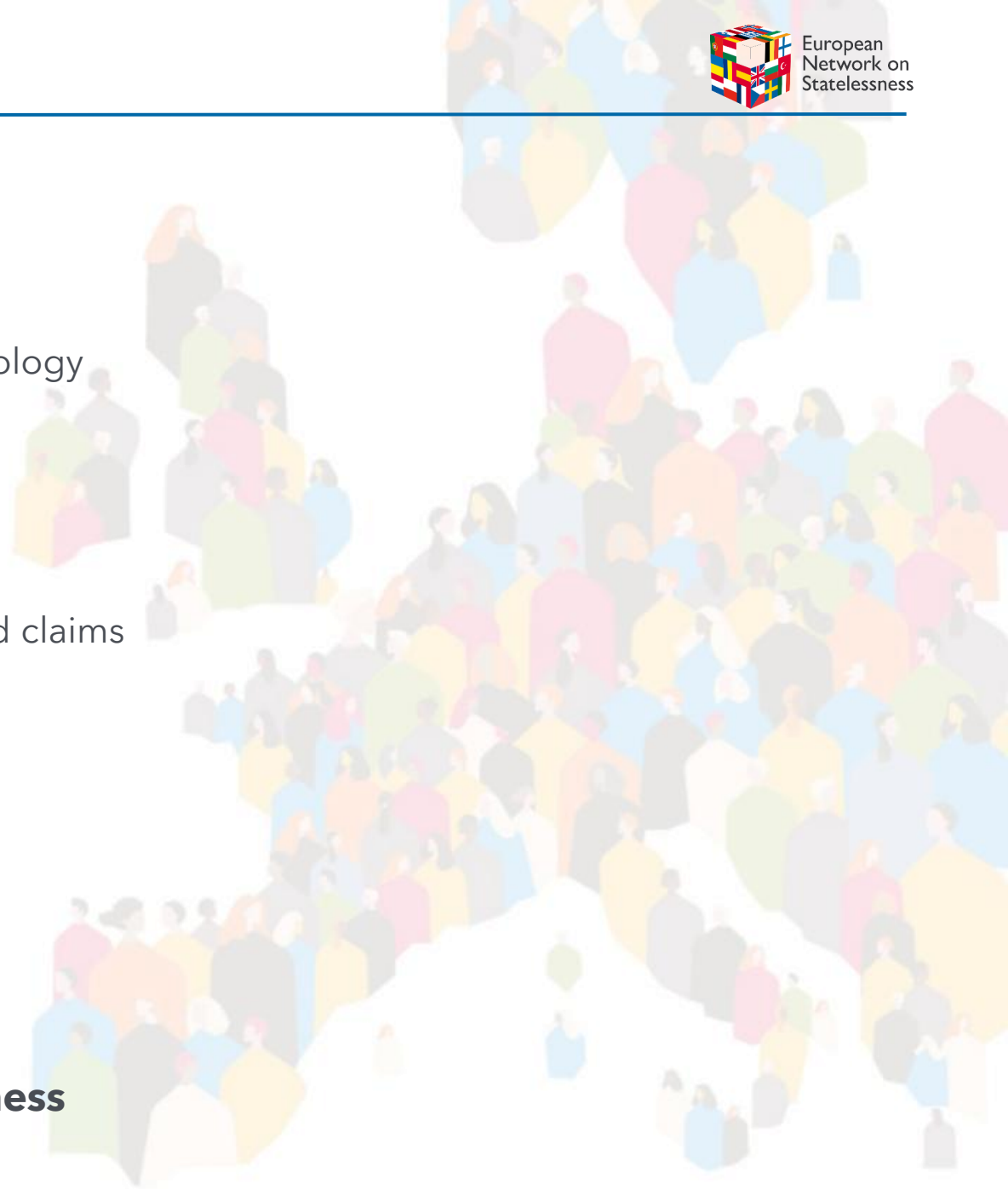
- 3.1. The rights of stateless persons in the UK
- 3.2. Leave to remain in the UK as a stateless person

4. Other considerations affecting Palestinians

- 4.1. Family reunification
- 4.2. Prevention of expulsion

Key Takeaways

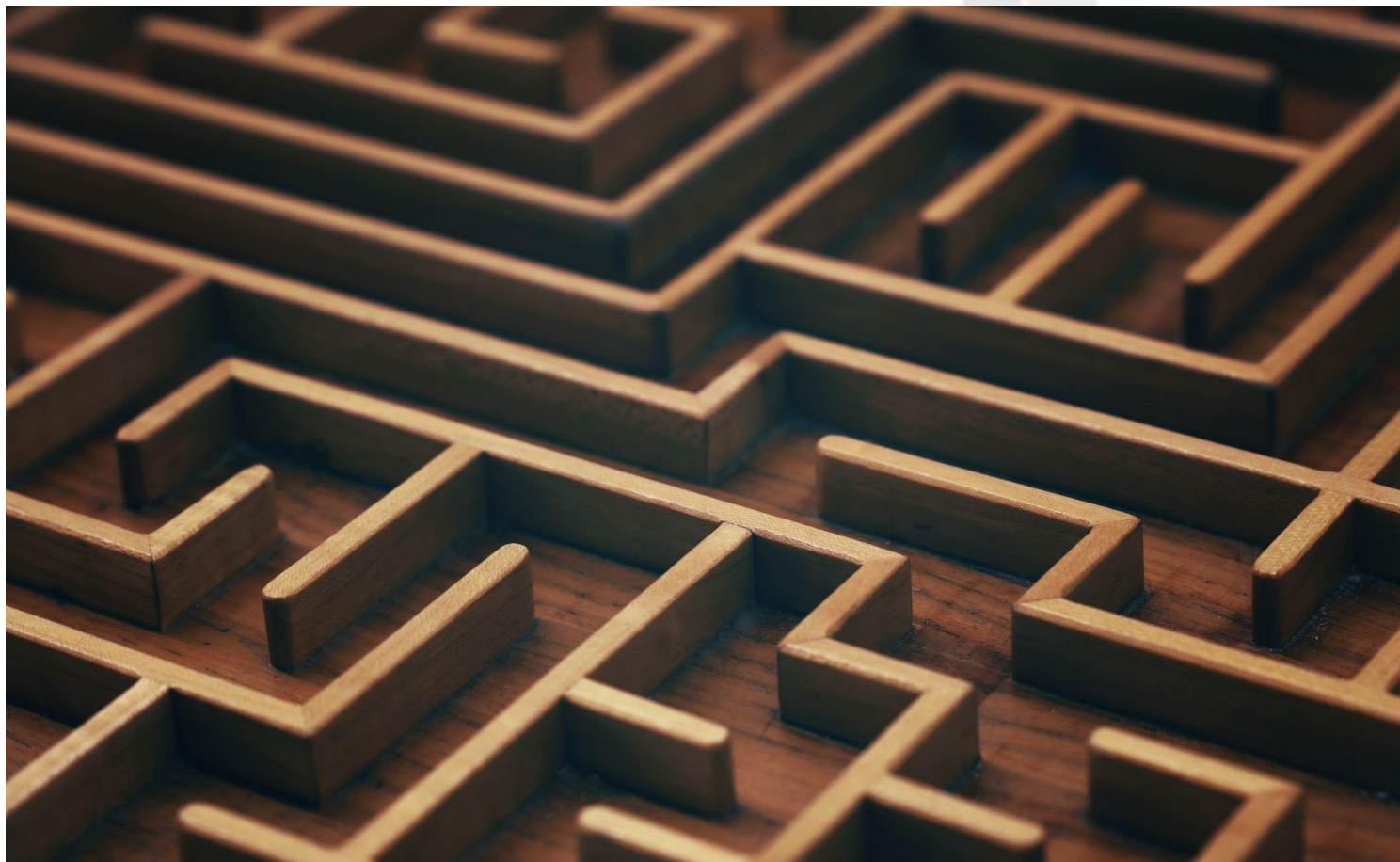
Annex I: Additional resources and COI on statelessness



WHY PALESTINIANS SHOULD BE CONSIDERED STATELESS

- **Nationality in the legal sense ≠ shared political and cultural identity**
- **Palestinians who do not hold the nationality of another country meet the definition of a stateless person under Article 1 of the 1954 Convention:**
 - Absence of a Palestinian nationality law
 - Palestine's lack of sovereign control over its population registry, issuance of documentation and borders due to the occupation by Israel
 - Recognition of Palestine as a State by other States does not alter the legal status of Palestinians as stateless under international law

CHOOSING THE APPROPRIATE ROUTE



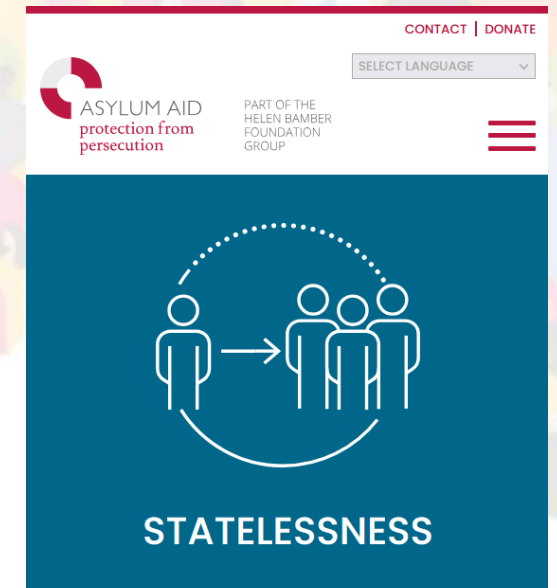
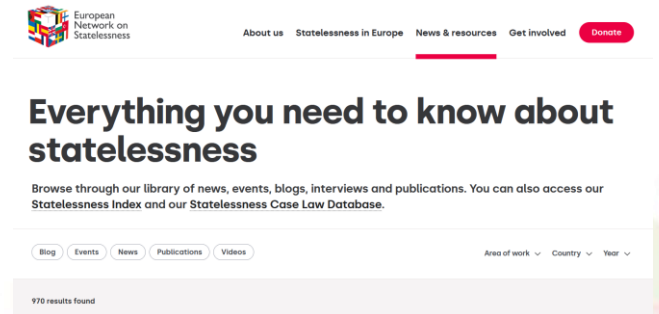
PROTECTION UNDER ARTICLE 1D REFUGEE CONVENTION

- *Exclusion* clause (para 2): conditionally excludes persons who are receiving protection or assistance from a UN agency other than UNHCR
- *Inclusion* clause (para 1): if protection/assistance ceases the person is automatically to asylum, triggered when:
 - Person is outside UNRWA area, and
 - Protection/assistance has ceased for any reason
 - UNRWA's lack of capacity and funding
- Palestinians who previously received assistance from UNRWA and are outside its areas of operation, or unable to receive its assistance, are **automatically** entitled to refugee status (no need to establish fear of persecution)

PROTECTION UNDER ARTICLE 1A(2) & HUMAN RIGHTS-BASED CLAIMS

- Asylum under Article 1A(2) Refugee Convention:
 - Well-founded fear of persecution, including on the basis of nationality
 - Assessment of country of habitual residence
 - Only if the applicant does not fall within the scope of Article 1D
- Human rights-based claims (Article 3 & 8 ECHR)
- Leave to remain as a stateless person (1954 Convention / UK Immigration Rules)

RESOURCES



Stateless Palestinians in Europe

Access to Rights, Protection, and the Need for Harmonised
Solutions

Abdelrahman Touman

October 2025

How Statelessness Affects Access to Human Rights

- Stateless Palestinians face severe barriers to:
- Employment - restricted right to work, inability to access certain professions
- Housing - difficulties renting or owning property, risk of homelessness
- Healthcare - limited or no access to public healthcare systems
- Education - barriers to enrollment, higher fees, limited opportunities
- Mental Health - trauma from displacement, uncertainty, discrimination

Psychological Stress and Intergenerational Trauma

Living in limbo creates profound psychological stress:

- Uncertainty about legal status and future prospects
- Anxiety from risk of detention or deportation
- Trauma from repeated displacement across generations
- Young Palestinians born in Europe face identity challenges
- Exclusion from social, civic, and political life
- Impact on family unity and ability to maintain relationships

Different State Practices Lead to Unequal Treatment

Inconsistent recognition of Palestinians as stateless:

- Some states base determination on recognition of State of Palestine
(incompatible with international law)
- Varying interpretations of Article 1D cessation of assistance
- Different standards for proving identity and statelessness
- Creates confusion and 'protection lottery' across Europe
- Barriers to accessing rights and moving between countries
- Need for harmonised interpretation of 1954 Convention

Challenges Faced by Stateless Palestinians

Difficulties in proving identity and statelessness:

- Lack of birth certificates, passports, or official documents
- Documents lost through displacement or confiscated
- Palestinian Authority documents don't prove nationality
- Higher burden of proof than asylum claims (balance of probabilities)
- Requirement to contact authorities of 'relevant countries'
- Complex family histories across multiple countries

Key Case Law on Palestinian Refugee Protection (2022–2025)

1. [OFPRA v SW \(2023\)](#)

- UNRWA's failure to provide life-saving healthcare = cessation of assistance

2. [SN & LN v Bulgaria \(CJEU, 2024\)](#)

- Stateless mother & child from Gaza: extreme poverty + insecurity = cessation

3. [NB & AB v SSHD \(UK, 2022\)](#)

- Burden shifts to State once forced departure shown

4. [RM & Others v SSHD \(UK, 2024\)](#)

- No Visa Centre = refusal incompatible with Article 8 ECHR

5. [CNDA Decision No. 23042203 \(France, 2025\)](#)

- Refugee status granted based on well-founded fear

Legal and Procedural Challenges

Barriers in the legal process:

- Limited access to quality legal advice and representation
- Lack of legal aid in many jurisdictions (e.g., England & Wales)
- Long waiting periods for decisions (sometimes years)
- No right to appeal in UK statelessness determinations
- Complicated proceedings requiring specialized knowledge
- Lack of adequate country-of-origin information
- Decision-makers lack training on Palestinian statelessness

Importance of Community Perspectives

Why we must centre Palestinian voices:

- Lived experience is essential for understanding real impacts
- Community knowledge identifies gaps in services and protection
- Participatory approach ensures resources meet actual needs
- Empowers stateless Palestinians to advocate for their rights
- Builds trust between communities and institutions
- Challenges assumptions and stereotypes in policy-making
- Nothing about us without us!

Recommendations: Harmonise Protection

- Recognise all Palestinians without other nationality as stateless
- Adopt consistent interpretation of Article 1D cessation of assistance
- Implement dedicated statelessness determination procedures
- Ensure access to free legal aid for vulnerable applicants
- Grant facilitated family reunification for stateless persons
- Uphold international obligations under 1954 and 1961 Conventions

Need for Awareness and Resources

This webinar and briefing are vital because:

- Raises awareness among lawyers, decision-makers, and civil society
- Provides tools for better legal representation
- Pushes for legislative and policy change

More training and workshops needed for:

- Legal practitioners on Article 1D and statelessness
- Judges and decision-makers
- Civil society organisations
- Development of practice guides and resources
- Regular updates on country-of-origin information

Conclusion

Key Takeaways:

- Palestinians without other nationality are stateless under international law
- Statelessness creates severe barriers to accessing human rights
- Inconsistent state practices lead to unequal treatment across Europe
- Community perspectives must be centered in solutions
- European states must harmonize protection and uphold obligations
- Everyone has the right to a nationality
- Together, we can advocate for justice and dignity for stateless Palestinians



European
Network on
Statelessness

THANK YOU

European Network on Statelessness

www.statelessness.eu

For more information:

info@statelessness.eu

