

STEP-BY-STEP GUIDE

REGISTERING AS STATELESS AT THE MUNICIPALITY

INFORMATION FOR STATELESS PEOPLE

This document is for people who want to be registered as stateless at their municipality in the Netherlands (in the Personal Records Database – BRP). This is possible for people who are **evidently stateless**. This means: your lack of nationality is clear from your documents, without doubt. This is for example the case for many **Palestinians**.

In clear cases, the municipality can register you as stateless. Other cases must go through the statelessness determination procedure at the court in The Hague. For that procedure you will need a lawyer or support organization.

Step 1

Check if your situation is “evident statelessness”

1

Municipalities are only allowed to register statelessness in **five specific situations**. Your case must clearly fit **one** of these.

1. You have a document from a foreign authority or court

- An official document saying that you are stateless
- The document is issued by a country recognised by the Netherlands for this purpose

2. You were born in the Netherlands and both parents are stateless

- You were born in the Netherlands
- Both parents are already officially registered as stateless

3. You are a child without a legal father

- No legal father is registered
- Your mother cannot pass on her nationality under her national law

4. You are a child of a registered stateless father

- Your father is officially registered as stateless
- Your mother cannot pass on her nationality under her national law

5. You are from a non-recognised territory (such as Palestine)

- You come from a place that is not recognised as a state by the Dutch government
- You have documents showing that no other country considers you its national

! Also applies to Palestinians born outside of Palestine



If your situation is not clearly one of these, the municipality cannot decide. You must go to court to the ‘**Vaststellingsprocedure Staatloosheid**’ to be registered as stateless. In that case you will need a lawyer or an organization to help you.

Step 2

Collect your documents

2

The municipality will decide based on the documents you provide. Bring everything you have to the appointment.

General rules

- Bring **original documents** as much as possible
- Bring **certified translations ('beëdigde vertaling')** for example from www.urgentvertalen.nl, into Dutch or English
- Submit all documents at the same time at your appointment
- The municipality usually processes everything together

If your documents are at the IND

Sometimes your original documents are still held by the IND (Bureau Documenten).

- After your procedure has ended and you received a permit, you can often request your originals back from the IND
- First try requesting them yourself
- You can also ask the municipality to request them from the IND
- If you are still in an asylum procedure, originals are often not returned. Bring copies and ask the municipality to request verification from the IND
- A verification statement (VVO) from IND Bureau Documenten can also help. It shows documents were checked for authenticity.

Documents from embassies

Some missing documents can be requested from embassies or authorities of the country concerned. **If you fear contacting those authorities, you are not required to do this.** Missing one document does not automatically mean your request will fail. For many Palestinians, **UNRWA documents and a birth certificate** are especially important.



UNRWA registration

If you are registered with UNRWA:

- Download the UNRWA app (called eUNRWA) (<https://play.google.com/store/apps/details?id=org.unrwa.identityvalidation>)
- Enter your registration details
- Bring the QR code or registration printout to the municipality

Possible documents to bring (depending on your situation)

General documents

- Identity documents (passport, ID card, birth certificate)
- Documents showing you do not have any nationality
- Proof of registration with UNRWA (if applicable)

Specific documents per category:

Situation / Category	Required documents / evidence
1. Foreign authority or court document	Original or certified document from a foreign authority or court confirming that you are stateless
2. Child born in the Netherlands to stateless parents	Dutch birth certificate and proof that both parents are stateless
3. Child without a legal father	Birth certificate and proof that no legal father is registered and information showing the mother cannot pass on her nationality
4. Child of a stateless father	Birth certificate and proof that the father is stateless and information about the mother's nationality law
5. From a non-recognised territory (e.g. Palestine)	UNRWA documents (e.g. Family Composition Printout), identity documents from Palestinian authorities (if available), and proof that no country with which you have a credible link considers you its national

Documents specific for Palestinians

First, the municipality must establish that you are Palestinian. Second, the municipality must assess whether you have any nationality other than the Palestinian nationality. For Palestinians from the specific countries listed below, the municipality can ask **documents from three document groups**. Not all groups are necessary, based on the evidence you provide.

Country / Origin	Document Group 1 (Identity / Travel document)	Document Group 2 (Civil status)	Document Group 3 (Additional proof)
Jordan	Jordanian passport without national number for Palestinians from the West Bank or Gaza	Birth certificate	UNRWA documents (Family Composition Printout accepted if stamped original)
Lebanon	Lebanese travel document for Palestinians (with Palestinian ID card) or Lebanese Palestinian ID card (blue card)	Lebanese birth certificate	UNRWA documents (e.g. UNRWA family card) or registration with DPRA
Syria	Syrian travel document for Palestinians/refugees or Palestinian ID card (temporary residence card)	Extract from Palestinian birth register, or individual/family civil registry extract (GAPAR)	GAPAR family booklet or UNRWA family registration card
Palestinian Territories (Gaza & West Bank)	Palestinian passport; or bilingual Palestinian ID card (Arabic-Hebrew / Arabic-English); or Egyptian travel document (Gaza); or Jordanian passport without national number	Birth certificate	UNRWA documents (if family falls under UNRWA mandate)
Iraq	Iraqi travel document (1948 group) or Palestinian ID card (red card for 1948 group / yellow card for post-1967 group)	Iraqi birth certificate	Iraqi ration card and/or Certificate of Residency and/or Residence Permit

Step 1 Establishing you are Palestinian

Evidence of Palestinian nationality

- A Palestinian passport issued by the Palestinian Authority is accepted as proof of Palestinian nationality. Documents from the other groups are not necessary.
- A statement from the Palestinian Mission in The Hague, together with an identity document, is accepted as proof of Palestinian nationality.
- An original UNRWA document, together with an identity document, may be accepted as proof of Palestinian nationality.

(Source: Handboek Burgerzaken Amsterdam (HBA), gemeente Amsterdam)

Step 2 Proving you don't have another nationality

The municipality may check:

- the nationality of your mother and father (if legally established)
- the country where you were born and it's nationality laws (e.g. is it possible for Palestinians to require a nationality there considering **The Casablanca Protocol** from 1965)
- whether you may have acquired another nationality later in life
- **Helpful documents** are those that state your parents' nationality and identity or residence documents from countries where you have lived.

If you have lived in another country for a longer period, for example for your studies, the municipality may also examine if you have that country's nationality. They will typically look at this from **3-5 years of residence in another country**. A municipality cannot assume that you have another nationality based only on a possibility. There must be concrete indications that you could have acquired another nationality.



"If the Palestinian cannot acquire the nationality of the country of birth or residence, then the Palestinian has not acquired any other nationality and possesses exclusively Palestinian nationality and is likely stateless"

(Handboek Burgerzaken Amsterdam (HBA), gemeente Amsterdam)

Make an appointment

- Make an appointment with the Civil Registry Office (Burgerzaken / BRP) in the municipality where you live or where the organisation hosting you is located.
- Use the website or call the municipality
- Say it concerns a BRP registration issue

What to say at the counter

- *"I would like to register as stateless in the BRP based on evident statelessness. I want to change my registration from 'nationality unknown' (or another country) to 'stateless'."*
- You can show the attachment of this brochure to the municipal officer. It states the relevant law that they can consult.

During the appointment

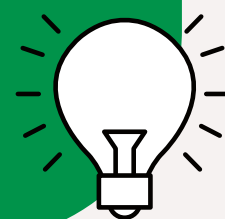
- Clearly state under which evident statelessness category you fall
- Submit all your documents
- Ask what the minimum required documents are if unsure
- If they keep your originals, make a clear agreement about when you get them back and always make sure you have a copy.
- Other questions to ask:
 - *How long will it take?*
 - *How will I receive the decision?*
 - *Will I receive a letter?*
 - *Who will contact me?*

If the municipality is unsure

- Some municipal staff are not yet familiar with statelessness registration.
- Show them the attachment to this guide
- Ask for a senior staff member or manager to assist
- Ask them to check their handbook on Evidently Statelessness, under the law that came into effect 1 October 2023
- Suggest they consult a larger municipality or specialist desk
- You should not be sent away without a clear answer
- Allow them some time to do their research and suggest you come back on another day.
- If the municipality concludes they are unable to provide this registration; ask for a written decision with reasons, if possible. This can help in a court procedure later.

Record your contact attempts

- Save the emails you have exchanged with the municipality
- Appointment confirmations (could be a screenshot if appointments are made online)
- Call logs
- Screenshots



Time and costs

- Registration as stateless at the municipality is free of cost
- You do not need a lawyer for this procedure
- The time needed is different per municipality
- It can take several months or longer

Step 4

Decision by the municipality

4

If the municipality agrees

- You will be registered in the BRP as “**stateless**” (“**staatloos**”)

If the municipality has doubts

- The municipality is **not allowed to decide in doubtful cases**
- You will be referred to the **court** for a formal statelessness procedure

If the municipality decides not to register you as stateless

- There is no formal objection procedure against a refusal to register a person as stateless based on evident statelessness. However, if the municipality did not properly review your documents or refused without issuing a formal decision, you should contact your legal case manager or a support organization like ASKV.

What registration as stateless means

- You are registered as stateless in the BRP
- This can help with access to certain rights and services like naturalization
- If you have legal residence, you may apply for a travel document (a 'vreemdelingenpaspoort')
- If you don't have legal residence you can apply for an identity card for stateless people (S-Document).
- Stateless children born in the Netherlands can apply for Dutch nationality after 3 years old (with a residence permit) or after 5 years old (without a residence permit and with additional requirements). For more information, see our [Optionprocedure](#) brochure.

What it does not mean

- It does not give you a residence permit
- It may not be binding for all authorities (only a court decision is)

Extra information

IND and municipality – who does what?

- At the start of asylum procedures, the IND sometimes registers someone as stateless.
- During or following asylum procedure, the IND often refers people to the municipality for BRP registration as stateless.
- Even when the IND has registered someone as stateless, the municipality may still conduct its own BRP assessment.

Important to know

- The applicant must provide the documents, but the municipality must check them carefully and ask for more information if something is unclear. If there is doubt, the case must go to court.
- This municipal procedure is an alternative to the Stateless Determination Procedure at the court, not a required first step. It is, however, generally easier, faster, and cheaper to go through the municipal procedure.

Need help or support?

If you are unsure or need help, contact:

- A lawyer
- A legal aid organization like ASKV
- A migrant or statelessness support organization like the Stateless Rights Collective (www.statelessrightscollective.nl)



You can also share your experience to help others and let us know whether your registration succeeded at rechtopennationaliteit@askv.nl

This document was made by ASKV with great care. If you find any factual inaccuracies or have feedback, you can contact us at rechtopennationaliteit@askv.nl. Find more information about our work on statelessness: www.askv.nl/staatloosheid. This guide is informational and does not replace legal advice.

Bijlage – Verzoek tot registratie als staatloos (BRP)
Ter informatie voor de gemeente

Geachte medewerker Burgerzaken,

De persoon die dit document overhandigt, verzoekt om registratie als “staatloos” in de Basisregistratie Personen (BRP) op grond van evidente staatloosheid.

Sinds 1 oktober 2023 is de vaststelling van staatloosheid wettelijk geregeld. Gemeenten zijn bevoegd om staatloosheid vast te stellen in evidente gevallen, zoals omschreven in artikel 1, eerste lid van het Besluit evidente staatloosheid. Onder artikel 1, eerste lid, onder e is sprake van evidente staatloosheid wanneer iemand uitsluitend de nationaliteit bezit van een staat die door Nederland niet wordt erkend.

Bij Palestijnen blijkt vaak sprake van evidente staatloosheid op deze grond. Nederland erkent Palestina niet als staat. Daarom kan in veel Palestijnse zaken de vaststelling via de gemeente plaatsvinden.

In lijn met Werkinstructie 2020/19 (Palestijnen) kunnen betrokkenen documenten overleggen die nodig zijn voor deze vaststelling voor Palestijnen uit verschillende gebieden
(https://puc.overheid.nl/ind/doc/PUC_1265258_1/1/).