



Home Office

Nationality: disputed, unknown and other cases

Version 8.0

Formerly (up to version 5): 'Nationality: doubtful, disputed and other cases'

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About this guidance

This guidance explains the procedures that must be followed by asylum decision-makers and other officers when considering issues in an asylum claim related to a person's claimed nationality, nationalities or statelessness.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you, or you think that the guidance has factual errors, please email the Asylum Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance, please email the Guidance, Rules and Forms team.

Clearance

Below is information on when this version of the guidance was cleared:

- version **8.0**
- published for Home Office staff on **30 September 2026**

Changes from last version of this guidance

This guidance has been substantially restructured as follows:

- updated all guidance and email links
- redrafted to give prominence to and reflect primacy of cross-cutting identity management guidance and the UKVI Operating Mandate
- content added to explain issues around the standard of proof, to reflect changes brought by the Nationality and Borders Act 2022
- removed references to CID
- removed references to 'removable to more than one country' processing (linking instead to the guidance 'Inadmissibility: safe third country cases')
- updated decision scenarios

Related content

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Introduction

Audience and purpose of instruction

This instruction is for all officers involved in the registration, consideration and overall management of asylum cases.

It explains and signposts the actions, considerations and wider guidance that must be applied in asylum cases that have been admitted to the UK asylum system for substantive consideration where there is an issue relating to a person's nationality.

The case types addressed in this instruction are:

- **unknown nationality:** where the person cannot establish their claimed nationality, but where the Home Office cannot establish their true nationality
- **disputed nationality:** where the person cannot establish their claimed nationality, but where the Home Office asserts and establishes a different nationality as being true
- **dual nationality:** where it is established that the person has 2 (or more) nationalities
- **unaccepted statelessness:** where the person cannot establish that they are stateless, but where the Home Office cannot establish their true nationality
- **disputed statelessness:** where the person cannot establish that they are stateless in the context of their asylum claim, but where the Home Office asserts and establishes that they have nationality in their last country of habitual residence or in another country

Statelessness in asylum claims

Any consideration of claimed statelessness in the context of an asylum claim is undertaken solely for the purpose of determining that claim and should not be treated as a determination of whether a person is stateless within the meaning of Article 1(1) of the 1954 Convention relating to the Status of Stateless Persons.

Formal determinations of statelessness are considered separately under Appendix Statelessness. See [Permission to stay as a stateless person](#) for further information.

Nationality and country of origin: terms

The term 'country of nationality' will be used where 'country of origin' might otherwise be used. See [paragraph 352G of the Immigration Rules](#) for further information.

Related instructions

Officers must apply all other relevant guidance, including (but not limited to):

- UKVI Identity Standards
- Biometric enrolment

- Retention of valuable documents
- Visa matches and handling asylum claims from UK visa applicants
- Biometric data-sharing process (Migration 5 biometric data-sharing process)
- Children's asylum claims
- Family asylum claims
- Asylum screening and routing
- EU and EEA asylum claims
- Inadmissibility: safe third country cases
- Asylum interviews
- Language analysis
- Assessing credibility and refugee status
- Drafting, implementing and serving asylum decisions
- Clearly unfounded claims – certification under section 94
- Implementing allowed appeals
- Country policy and information
- Permission to stay as a stateless person
- Disclosure and confidentiality guidance

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Application of this instruction in respect of children and those with children

Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the Home Office to carry out its existing functions in a way that considers the need to safeguard and promote the welfare of children in the UK. It does not impose any new functions or override them.

Officers must not apply the actions set out in this guidance to those with children without having due regard to the statutory guidance on section 55, [Every child matters: change for children](#), which sets out the key principles to take into account in all Home Office activities involving children.

Our statutory duty to children includes the need to demonstrate:

- fair treatment, which meets the same standard a British child would receive
- the child's interests being made a primary, although not the only, consideration
- no discrimination of any kind
- that asylum claims are dealt with in a timely fashion
- identification of those that might be at risk from harm

See also: Processing children's asylum claims for further information.

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Managing identity: overall approach

The actions and considerations in this guidance regarding a person's nationality must be applied and carried out in line with the lead guidance documents summarised in this section, which set out how issues around identity must be managed, considered and recorded, and the checks that must be made in respect of identity information.

Identity standards guidance

The UKVI Identity Standards guidance covers the way in which decision-makers must establish, verify and 'fix' a person's identity, to a standard that supports secure and lawful immigration decision-making, protecting the border and the integrity of the immigration system.

It sets out the evidence most likely to be secure and reliable, such as officially issued biometrically verifiable passports, but also notes how identity may be proven or indicated by other evidence, including other biometrically linked information on Home Office and other systems, official documentation from a credible issuing authority, other documentary evidence and the person's own statements.

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Home Office information sources, systems and other resources

Examples of the main information sources that are likely to be relevant to establishing nationality are set out in this section, but this list is not exhaustive.

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Atlas and Immigration and Asylum Biometric System (IABS)

All UK-based immigration and asylum claimants aged 5 and over must have their facial image and fingerprint biometrics recorded by the Home Office (other than where a person has been excused because they are physically unable to enrol them or exempted from providing fingerprint biometrics); see the guidance Biometric enrolment) for further information. Those under the age of 5 are only required to provide a facial image. These biometrics are recorded on the Immigration and Asylum Biometric System (IABS), and the checks done on this system are available on Atlas.

Atlas may contain information or note matches from previous applications and encounters, which can help to confirm or challenge a claimant's stated nationality.

This may include:

- personal details, including nationality and a photograph of the applicant
- previous application or screening information
- passport numbers and issuing authority information, or scanned images of passport biodata pages or other travel documents (see also the [Visa application information](#), below)
- decision letters and appeal determinations

Identity documents

Documents may be identified by the Home Office or presented by the claimant as evidence of nationality, either at the point of claim or subsequently.

All identity documents must be considered in line with UKVI Identity Standards guidance and related products. If officers have doubts about the integrity or genuineness of identity documents, appropriate checks must be carried out or commissioned. See also the guidance on 'Documentary evidence' in Assessing credibility and refugee status post 28 June 2022 and Retention of valuable documents.

Visa application information

When a person applies for a UK visa (and for some Irish visas), their biometrics, biographic and other information are recorded and retained. The fact of any match will be identifiable on Atlas and the information available may be valuable in helping to establish identity and in consideration of the wider asylum claim. See Visa matches and handling asylum claims from UK visa applicants for further information.

Biometric data-sharing (international)

The Migration 5 (M5) biometric data-sharing process enables the UK to match individuals who have been fingerprinted in partner countries (the United States, Canada, Australia and New Zealand). This information may support or undermine a claimant's stated nationality.

The biometrics of asylum claimants and specified other applicants are automatically checked with the US; checks with other partner countries may be requested on a case-by-case basis.

The Biometric data-sharing process guidance sets out the background and procedures for requesting and using this information.

Language analysis

Language Analysis (LA) may be requested at any time (including at asylum screening) if doubts are held about an individual's claimed nationality or place of origin.

The process involves trained language experts analysing a person's speech and providing reasoned conclusions about their likely place of linguistic origin, which may be valuable in helping to confirm an individual's true nationality. See the Language analysis guidance for further detail.

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Establishing nationality in the asylum claim

In many cases, nationality may be adequately established in an asylum claim from the outset, and not change thereafter, but decision-makers and others must be alert to evidence relevant to nationality throughout their handling of a case.

Nationality evidence relevant to the handling of the claimant's case or to others may also be identified post-decision. See the Revocation of protection status guidance.

As a reminder, nationality in the asylum claim must be established in line with UKVI Identity Standards guidance and related products.

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Asylum screening

The first time an asylum claimant states their nationality to the Home Office may be when they register their claim during the asylum screening process (see the Screening and routing guidance). However, the Home Office's knowledge of the person and their nationality may predate the asylum claim, for instance, if they made previous immigration applications or were subject to an enforcement encounter.

The screening interview asks basic questions around the person's identity, background, health, basis of claim and other relevant matters. Whilst the standard screening interview is not designed to cover the person's asylum claim in significant detail, where appropriate and time allows, officers may ask follow-up questions, including around nationality, particularly where there is reason for doubt or concern. Further questions may, for example, seek to clarify the person's screening interview responses, ask about earlier applications, or explore issues arising from documentary evidence presented by the claimant or from other system checks.

If there is any evidence from any source that the claimant has used or is known in more than one nationality, they must be challenged and asked to explain themselves. If there continues to be conflicting information regarding nationality, it must be considered, recorded and checked in line with [Managing identity – overall approach](#).

Further checks may be appropriate, depending on the particular facts. See, for example, the guidance Biometric data-sharing process and Language analysis.

The claimant's true nationality or nationalities must be established in line with UKVI Identity Standards guidance and related products. As a starting point, in the case of conflicts, the first nationality provided by the claimant or in which the claimant is known should be accepted as true unless there is sufficient evidence or reason to show that another is more reliable. In practice, detailed considerations around competing nationalities are more likely to be undertaken by decision-makers than by screening officers, but screening officers and others are not precluded from such consideration.

Disagreements regarding a claimant's nationality should not delay the registration of their claim. In such cases, claimants must be informed that if they have evidence to support their claimed nationality, they should present it as soon as possible, and the Home Office will consider it alongside the wider evidence.

If a person has dual nationality and one of the countries of nationality is a European Union (EU) member state, their asylum claim must be declared inadmissible on safe EU country of origin grounds, unless there are exceptional circumstances such that the claim should be admitted for substantive consideration. This action can be taken as early as at the asylum claim registration stage. See EEA and EU asylum claims for further detail.

Creating and updating Atlas records from asylum screening and subsequently in the event of changes or developments

Atlas records will be created from the point of a person's asylum claim being registered or updated at that time if the person is already known to the Home Office.

In asylum cases, the Atlas record must show the nationality information regarded as accurate at the time of asylum registration, with any alternative nationality clearly recorded as an alias. If a different nationality is later established to be the person's true identity, Atlas and all subsequent correspondence must be updated accordingly.

Relevant officers must complete all mandatory systems and security checks as outlined in the Screening and routing guidance and [Managing identity – overall approach](#), and update Atlas.

These checks include:

- searching for existing Atlas records using biometric and biographic data, including aliases
- verifying immigration history and identity, where information permits (for example, where reliable biometric evidence confirms a person's identity or location at a particular time)
- recording all checks and outcomes directly in Atlas
- manually merging records where separate Atlas profiles are located, ensuring that the merged profile reflects the identity details that have most recently been assessed as being accurate

- reviewing and updating the ‘main personal details’ after any merge, as the merge process may overwrite details previously considered correct
- applying non-nationality codes where required, and noting that in some cases, it will be appropriate to use a nationality code for the purpose of registration which is changed when the decision is implemented

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These steps support robust identity management and accurate case-linking, prevent duplication and help to ensure effective decision-making throughout the asylum process.

Asylum interviews and consideration

Where an asylum claim is being considered, the claimant must be given the opportunity to undertake a substantive asylum interview, unless one of the exceptions at [paragraph 339NA of the Immigration Rules](#) applies. All asylum interviews must be conducted in line with the Asylum interview guidance.

Decision-makers are expected to prepare thoroughly for interviews by reviewing all available evidence, including biometric matches, screening information, identity documents and relevant Country policy and information.

Where a claimant’s nationality is in doubt, the matter must be fully explored through robust questioning, tailored whenever possible to the person’s claimed background and particular place of origin. Claimants must be given adequate opportunity to substantiate their claim and nationality.

Depending on the particular issues raised and any doubts decision-makers may have regarding a claimant’s nationality, it may be appropriate to obtain further information, for instance, by requesting manual checks under the Biometric data-sharing process (in addition to the automated checks carried out with the US), or undertaking Language analysis.

Interviews may also be appropriate where revocation is under consideration. See the guidance Revocation of protection status.

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Family members in unknown or disputed nationality or statelessness cases

Claimants may cite family members who have previously been granted protection status as support for their nationality or statelessness in their asylum claim. However, the prior acceptance of a family member's nationality or statelessness does not oblige decision-makers to accept the same in the case of another claimant.

In such cases, decision-makers must review the available evidence relating to the asserted family members' nationality (including Home Office systems, documents, interview records, appeal determinations and any other relevant information), and consider whether the stated family relationships can be verified, whether the evidence (including relevant country information) supports a shared nationality or statelessness across the family, and whether the prior grants of status to family members were based on accurate and complete information.

If new evidence undermines the nationality or wider identity of a family member who has been granted protection status (for example, clear discrepancies between the claimed nationality and that indicated by sources such as an M5 biometric match), it may be appropriate to consider revocation action. See Revocation of protection status.

Decision-makers must ensure that any use of information relating to family members complies with the Home Office's Disclosure and confidentiality guidance.

Credibility

It is the duty of a decision-maker to treat a claimant's stated nationality as a material fact and to make a finding on it to the relevant standard of proof.

Decision-makers must also assess the use of inconsistent nationality as a credibility issue, in accordance with Section 8(2) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. This means that when assessing the credibility of a claim, decision-makers must consider behaviours such as providing false information or using multiple identities as potentially damaging to the claimant's credibility.

See also the [Burden and standard of proof](#) section and Assessing credibility and refugee status guidance.

Further submissions

If a claimant submits a protection or human rights claim under a different nationality from their original claim after that claim has been withdrawn or refused and any appeal rights associated with the decision exhausted, it must be treated as a further submission on the original claim, and in line with UKVI Identity Standards guidance and related products.

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See also Further submissions for more information.

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Asylum decisions: burden and standard of proof in nationality considerations

Nationality and place of origin are material facts in protection claims which require particular explanation in this guidance. The guidance [Assessing credibility and refugee status](#) and [Humanitarian protection](#) set out in detail how the burden and standard of proof apply more widely in other considerations in protection decisions.

Burden and standard of proof: nationality asserted by claimant

In all cases, **the burden of proof is on the claimant** to establish the material facts, such as nationality or statelessness, on which they rely in their asylum and humanitarian protection claims.

The **standard of proof** that applies to establishing material facts, such as nationality or statelessness, depends on what type of claim it is, and whether the claim was made before or after the commencement of section 32 of the Nationality and Borders Act 2022 on 28 June 2022.

Claims made before 28 June 2022

The material facts in both the asylum claim and humanitarian protection (HP) claim must be established to a reasonable degree of likelihood.

Claims made on or after 28 June 2022

The material facts in the asylum claim must be established to the balance of probabilities. However, for the HP claim, the material facts need only be established to a reasonable degree of likelihood.

Different conclusions between the asylum decision and HP decision

The way in which the different standards of proof operate for asylum and humanitarian protection (HP) claims made on or after 28 June 2022 may lead to some complex outcomes, of which decision-makers must be aware. It is possible that a person may, for their asylum claim, fail to establish their nationality to the balance of probabilities standard, and as such, that claim will fall to be refused. However, on the same evidence, the person could, when their HP claim is then considered, establish their nationality to the lower standard of reasonable degree of likelihood.

These cases are expected to be rare, but in view of the complexity, must be discussed with a technical specialist or senior caseworker before finalising the decision (which could be a grant or refusal, depending on the particular facts).

Burden and standard of proof: nationality disputed by the Home Office

In all cases, irrespective of the type of claim or date on which the claim was made, if the Home Office asserts an alternative nationality, it takes on the burden of proof to demonstrate the assertion to the balance of probabilities standard.

The claimant and the Home Office must each meet their own evidential burden: the failure of one does not automatically establish the position of the other. In other words, if the claimant fails to establish their nationality, that does not of itself mean that an alternative nationality asserted by the Home Office has been established. Similarly, if the Home Office establishes an alternative nationality, that does not of itself mean that the claimant has not or cannot establish their claimed nationality (this scenario could arise in cases of dual nationality).

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Asylum decisions: implementation

Inadmissibility

Before proceeding to substantively consider any asylum claim, decision-makers must consider whether inadmissibility action is appropriate.

If a person is an European Union (EU) national, even if holding another nationality, their asylum claim must be declared inadmissible unless exceptional circumstances apply. See EU and EEA asylum claims for further information.

If a person has a connection to a safe third country (for example, if they have been granted protection, or were present there and could reasonably be expected to have claimed asylum), if they could be removed to that country or another safe third country, or could reasonably be expected to travel to that country, it may be appropriate to declare their asylum claim inadmissible. See Inadmissibility: safe third country cases.

Decision implementation

In all substantive decisions, Home Office records must be updated and documents issued according to the nationality accepted at that time by the Home Office, and checks done or redone (see [Managing identity – overall approach](#) for relevant links and requirements).

If the claimed nationality or statelessness is not accepted but the claimant's true nationality or status cannot be determined (**an 'unknown nationality' or 'unaccepted statelessness' case**), Atlas must be updated to show their claimed nationality as an alias, and their nationality details updated to show their true nationality as 'XXX (Unspecified Nationality)'.

If the claimed nationality or statelessness is not accepted but the claimant's true nationality is established by the Home Office (**a 'disputed nationality' or 'disputed statelessness' case**), Atlas must be updated to show their claimed nationality as an alias, and their nationality details updated to show their true nationality.

In a refusal decision, the details and evidential basis for not accepting a person's claimed nationality and – where applicable – for asserting an alternative nationality, must be explained in the reasons for refusal letter. Similarly, in an outright grant decision, any evidence which casts doubt on nationality, notwithstanding its acceptance, must be highlighted in the grant consideration minute.

If a person has a safe country of nationality to which they could return, they will not qualify for a grant of refugee status or humanitarian protection. That includes dual nationals, **who will not qualify for protection unless they would be at risk of persecution or serious harm in both countries**.

See the guidance *Assessing credibility and refugee status* and *Drafting, implementing and serving decisions* for further information.

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If decision-makers are still unsure of how to address nationality issues, they must seek advice from a technical specialist or senior caseworker (SCW). If they cannot resolve the issue or need to discuss the issues arising, they may email Asylum Policy.

Appeal implementation

If a final appeal determination finds a person's nationality to be different from that set out in the Home Office decision, Home Office records must be updated accordingly: Atlas must be updated to show the person's final accepted nationality, with any other nationalities marked as aliases.

The appeal must be implemented according to normal procedures. See the guidance on Implementing allowed appeals for further information.

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Asylum refusal scenario 1: disputed nationality

The guidance in this section addresses asylum and humanitarian protection claims, and refusal decisions involving disputed nationality: cases where the person cannot establish their claimed nationality, but where the Home Office asserts and establishes a different nationality as being true.

It sets out the general approach likely to be appropriate, but it may not address all issues and considerations that may arise. If further advice is needed, decision-makers should contact technical specialists, senior caseworkers or Asylum Policy.

Atlas entries

Point of claim: create or update the Atlas 'personal details' screen to show the nationality regarded as correct. Any other nationality must be recorded as an alias.

Point of decision: update the Atlas 'personal details' screen to show the correct information: the nationality field should be updated to show the nationality asserted by the Home Office, and the nationality claimed by the claimant but disputed by the Home Office should be recorded as an alias.

Other times: as appropriate, if material nationality information is identified.

See the requirements and links at [Managing identity – overall approach](#).

Refusal letter considerations

In the initial address of nationality in correspondence, state:

- Nationality: X (claims to be); Y (believed to be)

In the asylum part of the decision, **where the person has not established their claimed nationality to the required standard of proof** (for claims made before 28 June 2022, the lower standard of a reasonable degree of likelihood applies; for claims made on or after 28 June 2022, the standard is the balance of probabilities):

- explain why the Home Office has concluded that the person has not established their nationality to the required standard of proof
- refuse the asylum claim on the basis that the person has not shown that they are outside their country of nationality owing to a well-founded fear of persecution
- set out the claimant's risk on return to the claimed country of nationality, as if they were in fact of the nationality claimed (to ensure that if the person's claimed nationality is accepted in any appeal, their need for protection in their claimed country of nationality has been fully addressed by the Home Office)

- establish on the balance of probabilities the nationality asserted by the Home Office
- set out why the claimant would not be at risk in the asserted country of nationality

In the HP part of the decision, **if the person has established their claimed nationality to the lower standard of a reasonable degree of likelihood:**

- set out that the Home Office accepts that the person has established their nationality to a reasonable degree of likelihood
- explain the conclusion regarding nationality, noting that different standards of proof have led to different outcomes
- consider the HP claim on its merits, according to usual procedures, based on risk on return to the accepted country of nationality

In the HP part of the decision, **if the person has not established their claimed nationality to the low standard of reasonable degree of likelihood:**

- explain why the Home Office has concluded that the person has not established their nationality to a reasonable degree of likelihood
- refuse the HP claim on the basis that the person has not shown that if returned to their country of nationality, they would face a real risk of suffering serious harm
- consider the wider claim and the person's risk on return to the country of claimed nationality as if that claim were true, in case the claimed nationality is accepted in any appeal

Removal proposals should:

- set out that when removal is arranged, it will only be to the specified country or countries that are believed to be the true countries of nationality and assessed to be places where the claimant would not face a risk of serious harm

Consider certification in line with the guidance Clearly unfounded claims – certification under section 94 (particularly the section 'Credibility') if:

- **the protection and human rights claims are clearly unfounded in respect of both the claimed country of nationality and the country of nationality asserted by the Home Office to which removal is proposed** – the claims in respect of both countries could be certified
- **the protection and human rights claims are clearly unfounded in respect only of the country of nationality asserted by the Home Office to which removal is proposed** – the claim will be certifiable only if any claim by the person not to be of the nationality asserted by the Home Office is clearly unfounded (that is, that nobody could believe that the person is not a national of that country), and only if any claim of serious harm or other human rights breach in the country can also be certified as clearly unfounded

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Asylum refusal scenario 2: unknown nationality

The guidance in this section addresses asylum and humanitarian protection claims, and refusal decisions involving unknown nationality: cases where the person cannot establish their claimed nationality, but where the Home Office cannot establish their true nationality.

It sets out the general approach likely to be appropriate, but it may not address all issues and considerations that may arise. If further advice is needed, decision-makers should contact technical specialists, senior caseworkers or Asylum Policy.

Atlas entries

Point of claim: create or update the Atlas 'personal details' screen to show the nationality regarded as correct. Any other nationality should be recorded as an alias.

Point of decision: update the Atlas 'personal details' screen to show the correct information: the nationality field should be updated to show 'XXX (Unspecified Nationality)', and the nationality claimed by the claimant but not accepted by the Home Office should be recorded as an alias.

Other times: as appropriate, if material nationality information is identified.

See the requirements and links at [Managing identity – overall approach](#) in this guidance.

Refusal letter considerations

In the initial address of nationality in correspondence, state:

- Nationality: X (claims to be)

In the asylum part of the decision, **where the person has not established their claimed nationality to the required standard of proof** (for claims made before 28 June 2022, the lower standard of a reasonable degree of likelihood applies; for claims made on or after 28 June 2022, the standard is the balance of probabilities):

- explain why the Home Office has concluded that the person has not established their nationality to the required standard of proof
- refuse the asylum claim on the basis that the person has not shown that they are outside their country of nationality owing to a well-founded fear of persecution
- set out the claimant's risk on return to the claimed country of nationality, as if they were in fact of the nationality claimed (to ensure that if the person's claimed nationality is accepted in any appeal, their need for protection in their claimed country of nationality has been fully addressed by the Home Office)

In the HP part of the decision, **if the person has established their claimed nationality to the lower standard of a reasonable degree of likelihood:**

- set out that the Home Office accepts that the person has established their nationality to a reasonable degree of likelihood
- explain the conclusion regarding nationality, noting that different standards of proof have led to different outcomes
- consider the HP claim on its merits, according to usual procedures, based on risk on return to the accepted country of nationality

In the HP part of the decision, **if the person has not established their claimed nationality to the low standard of reasonable degree of likelihood:**

- explain why the Home Office has concluded that the person has not established their nationality to a reasonable degree of likelihood
- refuse the HP claim on the basis that the person has not shown that if returned to their country of nationality, they would face a real risk of suffering serious harm
- consider the wider claim and the person's risk on return to the country of claimed nationality as if that claim were true, in case the claimed nationality is accepted in any appeal

Removal proposals should:

- set out that when removal is arranged, it will only be to a country where the claimant would not face a real risk of serious harm

Consider certification in line with the guidance Clearly unfounded claims – certification under section 94 (particularly the section 'Credibility') if:

- **the protection and human rights claims are clearly unfounded in respect of the claimed country of nationality** – the claim will be certifiable only if nobody could believe that the person is of the nationality claimed

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Asylum refusal scenario 3: disputed statelessness

The guidance in this section addresses asylum and humanitarian protection claims, and refusal decisions involving disputed statelessness: cases where the person cannot establish that they are stateless in the context of their asylum claim, but where the Home Office asserts and establishes that they have nationality in their last country of habitual residence or in another country.

It sets out the general approach likely to be appropriate, but it may not address all issues and considerations that may arise. If further advice is needed, decision-makers should contact technical specialists, senior caseworkers or Asylum Policy.

Atlas entries

Point of claim: create or update the Atlas ‘personal details’ screen to show the nationality as ‘XXX (Unspecified Nationality)’.

Point of decision: update the Atlas ‘personal details’ screen to show the correct information: the nationality field should be updated to show the nationality asserted by the Home Office, and the statelessness claimed by the claimant but disputed by the Home Office (usually XXX (Unspecified Nationality)) should be recorded as an alias.

Other times: as appropriate, if material nationality information is identified.

See the requirements and links at [Managing identity – overall approach](#) in this guidance.

Refusal letter considerations

In the initial address of nationality in correspondence, state:

- Nationality: Stateless (claims to be); Y (believed to be)

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In the asylum part of the decision, **where the person has not established their claimed statelessness to the required standard of proof** (for claims made before 28 June 2022, the lower standard of a reasonable degree of likelihood applies; for claims made on or after 28 June 2022, the standard is the balance of probabilities):

- explain why the Home Office has concluded that the person has not established their statelessness to the required standard of proof
- refuse the asylum claim on the basis that the person has not shown that they have no nationality and are outside their last country of habitual residence owing to a well-founded fear of persecution
- set out the claimant's risk on return to the claimed last country of habitual residence (to ensure that if the person's claimed statelessness is accepted in any appeal, their need for protection in the claimed last country of habitual residence has been fully addressed by the Home Office)
- establish on the balance of probabilities the nationality asserted by the Home Office
- set out why the claimant would not be at risk in the asserted country of nationality

In the HP part of the decision, **if the person has established their claimed statelessness to the lower standard of a reasonable degree of likelihood:**

- set out that the Home Office accepts that the person has established their statelessness to a reasonable degree of likelihood, for the consideration of their HP claim, the decision being made, and the Home Office records and correspondence associated with it; however, also set out that the acceptance of statelessness in the HP claim does not mean that the Home Office has accepted that the person is in fact stateless (see [Statelessness in asylum claims](#))
- explain the conclusion regarding statelessness in the HP claim, noting that different standards of proof have led to different outcomes
- consider the HP claim on its merits, according to usual procedures, based on risk on return to the accepted last country of habitual residence

In the HP part of the decision, **if the person has not established their claimed nationality to the low standard of reasonable degree of likelihood:**

- explain why the Home Office has concluded that the person has not established their claimed statelessness to a reasonable degree of likelihood
- refuse the HP claim on the basis that the person has not shown that they have no nationality and that if returned to their last country of habitual residence, they would face a real risk of suffering serious harm
- consider the wider claim and the person's risk on return to the claimed last country of habitual residence, in case the claimed statelessness in that country is accepted in any appeal

Removal proposals should:

- set out that when removal is arranged, it will only be to the specified country or countries that are believed to be the true countries of nationality and assessed to be places where the claimant would not face a risk of serious harm

Consider certification in line with the guidance Clearly unfounded claims – certification under section 94 (particularly the section 'Credibility') if:

- **the protection and human rights claims are clearly unfounded in respect of both the claimed last country of habitual residence and the country of nationality asserted by the Home Office to which removal is proposed** – the claims in respect of both countries could be certified
- **the protection and human rights claims are clearly unfounded in respect only of the country of nationality asserted by the Home Office to which removal is proposed** – the claim will be certifiable only if any claim by the person not to be of the nationality asserted by the Home Office is clearly unfounded (that is, that nobody could believe that the person is not a national of that country), and only if any claim of serious harm or other human rights breach in the country can also be certified as clearly unfounded

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Asylum refusal scenario 4: unaccepted statelessness

The guidance in this section addresses asylum and humanitarian protection claims, and refusal decisions involving unaccepted statelessness: cases where the person cannot establish that they are stateless, but where the Home Office cannot establish their true nationality.

It sets out the general approach likely to be appropriate, but it may not address all issues and considerations that may arise. If further advice is needed, decision-makers should contact technical specialists, senior caseworkers or Asylum Policy.

Atlas entries

Point of claim: create or update the Atlas 'personal details' screen to show the nationality as 'XXX (Unspecified Nationality)'.

Point of decision: update the Atlas 'personal details' screen to show the correct information: the nationality field should be updated to show 'XXX (Unspecified Nationality)'.

Other times: as appropriate, if material nationality information is identified.

See the requirements and links at [Managing identity – overall approach](#) in this guidance.

Official – sensitive: start of section

The information in this section has been removed as it is restricted for internal Home Office use only.

Official – sensitive: end of section

See also the UKVI Identity Standards guidance and UKVI Alias guidance for further information.

Refusal letter considerations

In the initial address of nationality in correspondence, state:

- Nationality: Stateless (claims to be)

In the asylum part of the decision, **where the person has not established their claimed statelessness to the required standard of proof** (for claims made before 28 June 2022, the lower standard of a reasonable degree of likelihood applies; for claims made on or after 28 June 2022, the standard is the balance of probabilities):

- explain why the Home Office has concluded that the person has not established their statelessness to the required standard of proof
- refuse the asylum claim on the basis that the person has not shown that they have no nationality and are outside their last country of habitual residence owing to a well-founded fear of persecution
- set out the claimant's risk on return to the claimed last country of habitual residence (to ensure that if the person's claimed statelessness is accepted in any appeal, their need for protection in the claimed last country of habitual residence has been fully addressed by the Home Office)

In the HP part of the decision, **if the person has established their claimed statelessness to the lower standard of a reasonable degree of likelihood:**

- set out that the Home Office accepts that the person has established their statelessness to a reasonable degree of likelihood, for the consideration of their HP claim, the decision being made, and the Home Office records and correspondence associated with it; however, also set out that the acceptance of statelessness in the HP claim does not mean that the Home Office has accepted that the person is in fact stateless (see [Statelessness in asylum claims](#))
- explain the conclusion regarding statelessness in the HP claim, noting that different standards of proof have led to different outcomes
- consider the HP claim on its merits, according to usual procedures, based on risk on return to the accepted last country of habitual residence

In the HP part of the decision, **if the person has not established their claimed statelessness to the low standard of reasonable degree of likelihood:**

- explain why the Home Office has concluded that the person has not established their claimed statelessness to a reasonable degree of likelihood
- refuse the HP claim on the basis that the person has not shown that they have no nationality and that if returned to their last country of habitual residence, they would face a real risk of suffering serious harm
- consider the wider claim and the person's risk on return to the claimed last country of habitual residence, in case the claimed statelessness in that country is accepted in any appeal

Removal proposals should:

- set out that when removal is arranged, it will only be to a country where the claimant would not face a real risk of serious harm

Consider certification in line with the guidance Clearly unfounded claims – certification under section 94 (particularly the section 'Credibility') if:

- **the protection and human rights claims are clearly unfounded in respect of the claimed last country of habitual residence** – the claim will be certifiable only if nobody could believe that the person was stateless and outside his country of former habitual residence

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Asylum refusal scenario 5: dual nationality

The guidance below addresses asylum and humanitarian protection claims, and refusal decisions involving dual nationality: cases where it is established that the person has 2 (or more) nationalities.

It sets out the general approach likely to be appropriate, but it may not address all issues and considerations that may arise. If further advice is needed, decision-makers should contact technical specialists, senior caseworkers or Asylum Policy.

Atlas entries

Point of claim: create or update the Atlas 'personal details' screen to record one of the claimant's genuine nationalities. Any other genuine nationality should be recorded as an alias (along with any nationalities known not to be genuine).

Point of decision: ensure the Atlas 'personal details' screen shows one of the claimant's genuine nationalities, and their other genuine nationalities (along with any other non-genuine nationalities) are marked as aliases.

Other times: as appropriate, if material nationality information is identified.

See the requirements and links at [Managing identity – overall approach](#) in this guidance.

Refusal letter considerations

In cases where the dual nationality is not contested, in the initial address of nationality in correspondence, state:

- Nationality: X and Y

In cases where the second or additional nationalities are not accepted by the claimant, in the initial address of nationality in correspondence, state:

- Nationality: X (stated and accepted) and Y (believed to be)

In the asylum part of the decision:

- accept any nationality the person has established on the balance of probabilities
- explain how any additional nationality asserted by the Home Office has been established on the balance of probabilities
- consider the claimant's risk on return to both countries of nationality (although see the '[removal proposals](#)' bullet point below)

Removal proposals should:

- set out that when removal is arranged, it will only be to the specified country or countries of nationality which have assessed to be places where the claimant would not face a risk of serious harm

Consider certification in line with the guidance Clearly unfounded claims – certification under section 94 (particularly the section ‘Credibility’) if:

- **the protection and human rights claims are clearly unfounded in respect of all countries of nationality** (the claims in respect of all countries could be certified)
- **the protection and human rights claims are clearly unfounded in respect only of one country of nationality** (the claim in respect only of that country could be certified; it will not be necessary to consider and decide the claim in respect of the other countries of nationality in such circumstances, however, the decision should set out that no concession is being made that the claimant could not also be safely removed to the other country of nationality, if such a decision were made in the future)

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