



# STATELESSNESS

## Case Law Database

### [Belgium - Court of Cassation, judgment no. C.06.0427](#)

When a Palestinian refugee has left the territory covered by UNRWA's mandate, she or he does no longer benefit from that protection. Thus, she or he cannot be legitimately excluded from the Statelessness Convention.

**Case name (in original language) :** Arrêt no. C.06.0427

**Case status:** Decided

**Case number:** C.06.0427

**Citation:** Belgium, Court of Cassation, 22 January 2009, no. C.06.0427, <https://www.refworld.org/docid/4a26475f2.html>

**Date of decision:** 22/01/2009

**State:** Belgium

**Court / UN Treaty Body:** Court of Cassation

**Language(s) the decision is available in:** Dutch, French

**Applicant's country of birth:** Palestine

**Applicant's country of residence:** Palestine

**Legal instruments:** 1954 Statelessness Convention

**Key aspects:** Statelessness determination

**Relevant Legislative Provisions:**

Art. 1 of the 1954 Convention

#### **Decision & Reasoning**

When a Palestinian refugee has left the territory covered by UNRWA's mandate, she or he does no longer benefit from that protection. Thus, she or he cannot be legitimately excluded from the Statelessness Convention.

#### **Decision documents**

[Court of Cassation, judgment no. C.06.0427 \(French\)](#)

[Court of Cassation, judgment no. C.06.0427 \(Dutch\)](#)

**Outcome**

The decision of the Court of Appeal excluding the applicant of the benefits of the 1954 Convention is cancelled, and the case is sent to another Court of Appeal.