

Convention Relating to the Status of Refugees and its 1967 Protocol¹
Adopted 28 July 1951
Entered into force 22 April 1954

The 1951 Convention defines who is a **refugee**, and sets out the rights of refugees in the host country. The most important of these rights is the right to be protected against *refoulement*. The convention also obliges States Parties to co-operate with UNHCR. Its 1967 protocol withdraws the time and geographical limits of the Convention.

Article 1 - Definition of the term "refugee"

A. For the purposes of the present Convention, the term "refugee" shall apply to any person who:

...

(2) [As a result of events occurring before 1 January 1951]² owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

In the case of a person who has more than one nationality, the term "the country of his nationality" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

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Article 31 - Refugees unlawfully in the country of refuge

1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

2. The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be

¹ 189 United Nations Treaty Series 150 and 606 United Nation Treaty Series 267.
<http://www.ohchr.org/english/law/refugees.htm>.

<http://www.ohchr.org/english/law/protocolrefugees.htm>.

² State Parties to the 1967 Protocol relating to the Status of Refugees accepted to lift the time limitation of the 1951 Convention. Art. 1(2) of the Protocol reads as follows: For the purpose of the present Protocol, the term "refugee" shall, except as regards the application of paragraph 3 of this article, mean any person within the definition of article I of the Convention as if the words "As a result of events occurring before 1 January 1951 and..." and the words "...as a result of such events", in Article 1 A (2) were omitted.

applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

Article 33 - Prohibition of expulsion or return ("*refoulement*")

1. No Contracting State shall expel or return ("*refouler*") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.

Article 35 – Co-operation of the National Authorities with the United Nations

1. The Contracting States undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of this Convention.