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Criteria for acquiring refugee status and restrictions on enjoying it

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Abstract. Given that States enjoy sovereignty over their territory, they have the right to individually adapt the issue of whether an individual is entitled to refugee status or not, following a series of procedures to determine refugee status. The term “determining refugee status” means asking whether someone is a refugee or not. Given the vital importance of answering this question for the person concerned, the importance of the procedures followed to determine his status becomes apparent. Any error in diagnosing his status may put his freedom or life at risk. The competent authorities in the country of asylum must conduct a thorough examination to determine whether the asylum seeker meets the conditions or not. The United Nations High Commissioner for Refugees monitors the extent to which the country of asylum adheres to the internationally applicable standards in this field. It may also actively participate in the procedures for determining refugee status if the country’s internal legislation is devoid of procedures in this regard, and it decides whether the asylum seeker is entitled to enjoy refugee status or not based on its 1950 Statute.

Keywords. Refugee status, sovereignty, procedures, asylum, UNHCR

The introduction

Given that States enjoy sovereignty over their territory, they have the right to individually adapt the issue of whether an individual is entitled to refugee status or not, following a series of procedures to determine refugee status. The term “determining refugee status” means asking whether someone is a refugee or not. Given the vital importance of answering this question for the person concerned, the importance of the procedures followed to determine his status becomes apparent. Any error in diagnosing his status may put his freedom or life at risk. The competent authorities in the country of asylum must conduct a thorough examination to determine whether the asylum seeker meets the conditions or not. The United Nations High Commissioner for Refugees monitors the extent to which the country of asylum adheres to the internationally applicable standards in this field. It may also actively participate in the procedures for determining refugee status if the country’s internal legislation is devoid of procedures in this regard, and it decides whether the asylum seeker is entitled to enjoy refugee status or not based on its 1950 Statute.

During this examination, it is ensured that none of the obstacles leading to exclusion from obtaining refugee status apply to the case under study. If the conditions are met and the obstacles are absent, the person will be subject to a special legal system that grants him many advantages and rights and imposes on him some obligations towards the country of refuge.

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Therefore, the main problem of the subject lies in "What are the international standards that give people the status of refugees? And what are the restrictions on acquiring this status?".

In this study, we will rely on the analytical approach as well as the descriptive approach in an attempt to clarify the standards of international law in protecting refugees and classifying them from others.

International refugee law has guaranteed the right to asylum, and linked it to a set of standards that must be met by a person in order to acquire refugee status, but enjoying it is linked to some restrictions, which we will explain in the following: The first requirement: The standards for acquiring refugee status. As for the second requirement: The restrictions on enjoying refugee status.

First requirement : Criteria for acquiring refugee status

The inclusion criteria contained in the 1951 Convention refer to the elements that form the positive basis for a decision to determine refugee status, and which an individual must meet in order to be recognized as a refugee. When examining asylum applications, States apply the criteria contained in the definition of a refugee according to the 1951 Convention and its 1967 Protocol, which are the same criteria applied by UNHCR as they are consistent with what is stated in its 1950 Statute.

By examining Article (1) of the 1951 Convention and its amended Protocol relating to the Status of Refugees, as well as the Convention Governing the Various Aspects of Refugee Problems of 1969, we conclude that they have set criteria that must be met by a person in order to become a refugee, namely being outside the borders of his country of origin, having a well-founded fear of being persecuted, and the absence of protection from the country of original origin ⁽¹⁾.

First: Being outside the country of original origin

Leaving the country of origin for the persecuted person constitutes the basic basis for obtaining refugee status ⁽²⁾. In this context, we must differentiate between the group of persons who have the nationality of a country and the group of stateless persons who are required to be outside the borders of their country of nationality. In order for refugee status to be recognized, any person who holds the nationality of a country must, as a rule, without any exception, be outside the borders of that country ⁽³⁾. The asylum seeker must prove his nationality in the country that he claims is related to the fear that he has and that he has a justified fear of being persecuted, by possessing the passport of that country. In the event that there is doubt about the ownership of a certain nationality because it is impossible for the person to prove its ownership, his status as a refugee must be determined in the same manner as for stateless persons. It is also sufficient that the justified fear of persecution be related to a part of the territory of his country of nationality, with the occurrence of persecution of an ethnic or national group therein, and it is not required that this occur in the entire territory of the country.

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¹ Iyad Yassin Hussein, *Asylum in Light of the Provisions of International Law and Islamic Sharia*, Zain Legal Publications, Beirut, 2017, p. 112

As for the person being outside the borders of his previous country of residence, this is the condition that must be met by a stateless person. In order for him to be recognized as a refugee, his fear of persecution must be related to this country. If his status as a refugee is determined with respect to his previous country of residence, any subsequent change in his usual residence will not affect his status⁽⁴⁾. It is worth noting that ordinary foreigners can apply for refugee status if there are circumstances and developments that have become prevalent during their absence, in their country of origin, resulting in the inability to return to it due to fear of persecution⁽⁵⁾. In the end, this condition remains an exception for an important category of people from the description of refugees who enjoy the rights and freedoms contained in the 1951 and 1969 agreements, namely the category of those who have not crossed the borders of their country, who are called internally displaced persons despite the fact that the rest of the conditions apply to them, and it is unfair to deprive a large category like them of protection simply because the condition of being outside the borders of the country of persecution is not met, especially since the 1951 agreement is considered a global declaration to support and protect the rights of the most deprived peoples in the world and those affected by problems and crises.

Second: Well-founded fear of persecution

The 1951 United Nations Convention considered the well-founded fear of being persecuted as a basic criterion for granting refugee status⁽⁶⁾, but this fear is considered a psychological state of the asylum seeker, and therefore it is not sufficient alone as a subjective element to grant refugee status, especially since this fear is linked to persecution, which is in itself a vague concept, so an objective element was added to it, which is the existence of reasons that justify this fear. As for the subjective element represented by the fear of being persecuted, it revolves around the internal psychological state related to the human self, and fear can be known by assessing the psychological state of the asylum seeker, and estimating his personality and belonging to a social, religious or political group, and everything that indicates that fear is what drove him to leave his country⁽⁷⁾.

This fear must be linked to persecution, the concept of which is not defined by international refugee law, but is limited to referring to it implicitly in the text of Articles (31/1) and (33/1) of the 1951 Convention relating to the Status of Refugees, as it is understood from them that persecution is any threat to life or freedom on account of race, religion, nationality, political opinion or membership in a particular social group⁽⁸⁾.

² Sherif Altam and Muhammad Maher Abdel Wahid, *Encyclopedia of International Humanitarian Law Agreements*, Cairo, Publisher: International Committee of the Red Cross, Cairo, 2015, p. 669.

³ Hassan Ahmed Lotfy Khaled, *Refugee Rights between Islamic Jurisprudence and International Law within the Framework of the 1951 Geneva Convention and the 1967 Protocol*, Dar Al Fikr Al Jami'i, Alexandria, 2017, p. 72.

⁴ Ziad Abdul Wahab Al-Naimi, *Protection of the Rights of Displaced Persons and Refugees in Public International Law*, a research published in the *Journal of Al-Rafidain University*, Baghdad, Issue 5, 2020, p. 207.

⁵ Muayad Jabbar Muhammad Al-Zubaidi, *International and National Guarantees for the Rights of Iraqi Refugees*, Legal Library, Baghdad, 2012, p. 90.

⁶ Ayman Adeb Salama Al-Halsa, *International Protection for Asylum Seekers*, Dar Al-Nahda Al-Arabiya, Cairo, 2014, p. 70.

⁷ Burhan Amr Allah, *The Right to Political Asylum*, Dar Al Nahda Al Arabiya, Cairo, 2018, p. 125.

The guide issued by the United Nations High Commissioner for Refugees regarding the procedures and standards to be applied to determine refugee status came with the same meaning, with the addition of other serious violations of human rights for the same reasons mentioned in Article (33/1) of the Convention, as another form of persecution ⁽⁹⁾.

The inference about the extent to which other violations or threats can reach the level of persecution depends on the circumstances of each case individually, taking into account the subjective element (i.e. the existence of a fear of being persecuted). In order to determine the rights whose violation constitutes persecution, we must refer to the text of Article (4/2) of the International Covenant on Civil and Political Rights, which states that: “Nothing in this text shall permit any derogation from the obligations stipulated in Articles 6-7-8/1/2-11-15-16-18. Among the rights referred to in this text are: the right to life, the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment. We can also rely on the text of Article (2/1) of the United Nations Convention against Torture ⁽¹⁰⁾, which stipulates that no exceptional circumstances whatsoever, whether war, a threat of war, internal political instability, or any public emergency, may be invoked to justify Torture ⁽¹¹⁾.

From these texts it is clear that these rights may not be violated, and that any violation of them constitutes a type of persecution, but this analysis is controversial and has not been unanimously agreed upon.

It is noted that the refugee is not defined by the occurrence of persecution, but by his fear of suffering persecution as well, and this description does not come from events that actually happened to him, but rather the protection system is based on the hypothesis.

As for the idea of the persecutor, the text of Article 1 of the 1951 Convention defining persecution did not refer to it, as the criterion is the state of vulnerability in which the asylum seeker is, and not the extent of the involvement of the country of origin in acts of persecution, and the logical reason for not raising this issue is the inevitability of linking all persecution within the meaning of this Convention to the absence of protection by the country of origin, and the deficiency and neglect of this duty is the basis for recognizing refugee status ⁽¹²⁾.

The objective element of the existence of a justified fear of being persecuted is based on the relationship between this condition and the five reasons (race, religion, nationality, membership in a particular social group, and political opinion) that were defined in the 1951 Convention and the 1969 Convention. This element is achieved by the existence of a set of objective facts that justify such fear of persecution. In order for the authorities granting refugee status to be able to know the justified nature of the existence of persecution, they evaluate the credibility of the statements made by the asylum seeker and compare them with the known elements of the situation in the country of origin. It does not matter whether the persecution is the result of one or more of these reasons, which often overlap. Discrimination on the basis of race has been condemned internationally ⁽¹³⁾ as a flagrant violation of human rights. It should be noted that mere membership in an ethnic group - as a general rule - is not a basis for acquiring refugee status, but rather it must be An asylum seeker must have a fear of being persecuted because of his or her ethnic background.

Merely belonging to a certain religious group does not constitute a serious justification for seeking asylum, but the asylum seeker must have a justified fear of being persecuted because of his religious affiliation. As for persecution due to nationality, it takes the form of negative

⁸ Article 7/2 of the Statute of the International Criminal Court defines persecution as: “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity.”

hostile attitudes against a particular race that represents a national minority. It is worth noting that persecution based on nationality can be a justification for seeking asylum again for refugees and stateless persons who are persecuted in the country of refuge because of their status as foreigners therein. Fear of being persecuted due to belonging to a certain social group may be a justification for seeking asylum, because the government does not trust the latter's loyalty to it, and that the political aspirations or economic activities of this group or even its very existence constitutes an obstacle to the policy of this government. However, by referring to the text of Article (2) of both the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, we find that they prohibit discrimination or ill-treatment based on social reasons ⁽¹⁴⁾.

It is not necessary to engage in a specific political activity in order for a person to fear being persecuted because of his political opinion. Rather, it is sufficient for him to adopt certain political opinions, although political activities are often the most effective means of proving the political opinion of an asylum seeker ⁽¹⁵⁾.

We can conclude from the above that the failure to establish a specific concept for the term persecution was for the purpose of giving it flexibility to keep pace with developments that may occur after the drafting of the 1951 Convention, so that it includes forms of persecution that change over time. However, this opened the door wide for the misuse of this flexibility by states, by giving it a broad or narrow interpretation in line with what serves their personal interests and political aims, and the nature of their relationship with the state of origin of the asylum seekers. In addition, the refugee is defined on the basis of the fear of being persecuted and not the occurrence of persecution, which means that the protection system is based on the hypothesis, but this fear, which is subjective and internal, "is it meant to be anxiety that escalates to panic? And what is the real fear that justifies fleeing the country?" In fact, the issue of proof is linked to the credibility of the presentation of reasons, which in turn were mentioned exclusively, which excludes from the protection system other categories that were deserving of protection.

Third: Lack of protection of the country of origin

The principle is that the state to which the refugee belongs is responsible for protecting its citizens, such that its failure to perform this duty represents a basic criterion or reason for granting refugee status, and this is the same whether the person is unable to benefit from the protection of his country of origin or unwilling to do so ⁽¹⁶⁾. The person is unable to benefit from the protection of his government due to reasons beyond his control, such as in emergency circumstances such as international and civil wars, or serious disturbances, which make his country unable to extend and provide protection to him, or this is the result of his government's refusal to grant him protection, which takes many forms such as refusing to give him a national passport or extend its validity, or refusing to accept him on his homeland, which reinforces this person's fear of being persecuted ⁽¹⁷⁾. Unwillingness to benefit from the protection of the country of original origin translates into a person's refusal to protect the country of his nationality, or the country in which he has his usual residence for a stateless person, and this refusal must be linked to the existence of a justified fear of being exposed to persecution ⁽¹⁸⁾.³

¹⁶ Shaima Hassan Ali Amani Salem, *The Issue of Syrian Refugees in the Gulf Cooperation Council Countries*, previous reference, p. 17.

¹⁷ Sabah Muhammad Jabr, *Judicial Protection for Refugees*, Academic Center for Publishing, Alexandria, 2019, p. 50.

¹⁸ Ahmed Al-Rashidi, *International Protection of Refugees*, Research and Studies Center, Cairo, 2010, p. 40.

In the end, after examining all the criteria related to granting refugee status, we conclude that the latter is only granted by the States Parties to the 1951 Convention, to those who can be called regular refugees within the meaning of Article 1 of the Convention, which means excluding other categories that cross international borders for reasons not mentioned in this article, and which in reality live in the same circumstances, perhaps more severe, and are in dire need of protection. These categories include those who migrate to their countries for economic reasons and who are worthy of protection, especially with the difficulty of accurately separating these considerations from the political considerations that can sometimes contain them, the category of internally displaced persons who have not crossed the borders of their countries of origin, as well as the categories that have chosen to migrate by sea and are called "boat refugees", as well as those categories that move from one port or airport to another without finding a host country and are called "refugees without a country of asylum or refugees in transit", resulting from the strict preventive measures taken by countries towards the huge delegations of asylum seekers heading to them. The most important category that has not been mentioned is the category of "war refugees" who flee their countries due to armed conflicts or are displaced from them to the territories of other countries by force and threat ⁽¹⁹⁾.

The second requirement: Restrictions on enjoying refugee status

Sometimes, meeting the criteria set out above is not sufficient to benefit from the protection provided to refugees, as two barriers prevent the person seeking asylum from benefiting from this protection, which are considered restrictions that limit the enjoyment of refugee status. These are the cases of exclusion from refugee status and the reasons for its expiration:

First: Cases of exclusion from refugee status

The 1951 United Nations Convention relating to the Status of Refugees ⁽²⁰⁾ addressed cases in which some categories are not protected despite the availability of the criteria on the basis of which refugee status is granted. These can be summarized in two cases: the case of enjoying some form of protection, as the protection guaranteed by refugee status is not sacrificed for a person who enjoys the protection or assistance of bodies or agencies affiliated with the United Nations other than the United Nations High Commissioner for Refugees, which is the case of Palestinian refugees who are concerned with the United Nations Relief and Works Agency for Palestine Refugees in the Near East ⁽²¹⁾.⁴

Nor do these persons who are not in need of international protection and are considered by the competent authority in the country in which they have taken up residence as possessors of rights and obligations linked to the nationality of that country enjoy this protection. Despite the lack of a precise definition of the rights and obligations that cause exclusion from refugee status, the person must have "a status substantially similar to that of nationals in the country in which he resides. In particular, he must enjoy full protection against deportation or expulsion" in order to be excluded from refugee status ⁽²²⁾. The other case is the case of not being entitled

¹⁹Iyad Yassin Hussein, *Asylum in Light of the Provisions of International Law and Islamic Sharia*, previous reference, p. 62.

²⁰ Article 1/d/e/f of the 1951 Convention.

²¹ United Nations General Assembly, Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East: Programme budget for the biennium 2010-2011, Supplement 13A (A64/13A/dd.1), p. 1.

to international protection. In this regard, we ask whether the refugee status stipulated in international agreements can be granted to an asylum-seeking person accused of committing human rights violations that constitute crimes subject to international criminal law? ⁽²³⁾.

It is established in international agreements that the description of a refugee applies to a person who meets the criteria for acquiring refugee status, but this description does not apply to someone accused of committing international crimes and human rights violations, because he is originally a "persecutor" and not a "persecuted", and therefore recognizing this right for him is a permission for him to escape punishment, and a reward for committing these crimes. The Geneva Convention of 1951 was the first agreement of its kind, containing provisions that exclude criminals from obtaining refugee status, and considers them undeserving of international protection because they committed a crime against peace, a war crime, or a crime against humanity in the sense used for crimes in international instruments, or committed a serious non-political crime outside the country of asylum before being accepted by that country as a refugee, or committed acts contrary to the goals and principles of the United Nations ⁽²⁴⁾.

It is sufficient to establish this that there are serious reasons calling for considering the asylum seeker as a perpetrator of these crimes and violations, even if it has not been officially proven that he is being prosecuted ⁽²⁵⁾. As for perpetrators of war crimes, crimes against peace and crimes against humanity, their exclusion from refugee status requires defining what is meant by these crimes, which the Geneva Convention referred us to in international instruments that include provisions regarding them ⁽²⁶⁾.⁵

As for perpetrators of general, non-political, serious crimes, the purpose of excluding them from refugee status was to protect the asylum country from the danger they pose to society. It should be noted that the crime that constitutes a reason for exclusion is the one committed in the original country of origin or any other country other than the country in which the person seeks asylum. As for the refugee who commits a serious crime in the asylum country, he is subject to the laws of the latter, and it can return him to the country of his former homeland if its authorities see that he poses a danger to its society by convicting him by a final judgment of committing a "very serious" general crime. This is in application of the provisions of Article 33 of the Convention ⁽²⁷⁾.

As for perpetrators of acts inconsistent with the objectives and principles of the United Nations, the wording of this clause suggests a kind of overlap between it and the clauses of perpetrators of crimes that are also considered inconsistent with these principles.

Accordingly, the purpose of establishing this case is to exclude persons who commit acts not included in the two previous cases, which are certainly criminal in nature even if this is not specifically stated ⁽²⁸⁾.

Since the objectives and principles of the United Nations are in continuous development, combating terrorism, for example, has recently acquired great importance, as the

²² Ahmed Al-Rashidi, *International Protection of Refugees*, previous reference, p. 47.

²³ Ali Abdul Razzaq Saleh, *Refugees in Public International Law*, previous reference, p. 129.

²⁴ Article 1/f of the 1951 Convention. Abdul Rasool Abdul Ridha Al-Sadi, *International Standards in the Refugee Deportation Mechanism*, *Al-Muhaqqiq Al-Hilli Journal of Legal and Political Sciences*, Issue 2, College of Law, University of Babylon, Iraq, 2019, p. 138.

²⁵ An example of this is the outbreak of an armed conflict in a certain country, as a result of which a person who was in a leadership position in one of the parties to the conflict requests asylum in a neighboring country. When the country rejects his request, it can be said that it relied on serious reasons for rejecting the request because this person may have committed human rights violations, as internal conflicts often witness such things.

²⁶ Ahmed Al-Rashidi, *International Protection of Refugees*, previous reference, p. 47.

General Assembly considered that States must verify that the asylum seeker is not involved in any terrorist acts, and ensure that refugee status is not used to prepare or organize terrorist acts against any State, when it is granted to any person, and this is what is stipulated in Article 3 of the General Assembly Declaration of 1997 supplementing the Declaration on Measures to Eliminate International Terrorism of 1994 ⁽²⁹⁾.

Second: Reasons for the expiration of refugee status

The 1951 Convention included in its provisions reasons under which a person's refugee status is revoked, and it based this on the consideration that international protection expires with the expiration of the reasons justifying its grant, and these reasons are either reasons related to the refugee or due to a change in circumstances in the refugee's country of origin ⁽³⁰⁾.

As for the reasons for expiration related to the refugee, they revolve around: voluntary return to benefit from national protection ⁽³¹⁾, provided that the refugee's intention is proven by his voluntary performance of a specific act to benefit from the protection of his nationality state, and verifying that his state actually responds to his request, but according to the United Nations High Commissioner for Refugees, making the decision to terminate refugee status for this reason remains the duty of the competent body after studying each case individually due to the difficulty.

Voluntary restoration of nationality after losing it. In general, caution must be exercised when applying this reason for terminating refugee status, as a state may impose its nationality on a person in order to be able to return him to it to persecute him ⁽³²⁾.

Acquiring a new nationality and protection ⁽³³⁾, whereby a person loses refugee status if he acquires a new nationality provided that it includes the protection of the country of that nationality, whether it is the country of asylum or another.

Voluntary return to settle in the country of origin or the previous country of residence ⁽³⁴⁾ for those with multiple nationalities, with the intention of permanent residence, knowing that there is nothing to prevent a refugee who has returned to his country of origin or the previous country of residence from seeking asylum again, based on new reasons that have arisen after his return.

As for the reasons related to changing circumstances in the country of origin of the refugee, the Geneva Convention did not specify the circumstances that would, if changed, be a justifiable reason for the decision to expire refugee status, but by returning to the preparatory work and statements of the High Commissioner for Refugees, it becomes clear that what the drafters of the Convention had in mind when formulating this clause were political circumstances. As the Commission is responsible for monitoring the implementation of this Convention ⁽³⁵⁾, it intervenes to determine the circumstances that would justify the termination of refugee status. The States Parties to the Convention also have the ability to decide on cases in which political changes have actually occurred, which must be fundamental, permanent and effective so that there is no longer any justification for fear of being persecuted. The case of each refugee must be studied individually, and the burden of proving that these changes have occurred falls on the State of asylum, while the burden of proving that the well-founded fear of being persecuted continues to be very serious. They do not lose refugee status despite the fact that such important changes have actually occurred, because this may not lead to an improvement in their psychological state.⁶

³¹Article 1/C/1 of the 1951 Convention.

³²Article 1/c/2 of the same agreement.

³³Article 1/c/3 of the same agreement.

Conclusion

At the end of our study, it became clear to us that the issue of refugees is an important issue, both internationally and internally for any country, given the negative effects of this asylum on the country in general, and the humanitarian responsibility placed on the international community. In conclusion, we find that many countries in the world are increasingly taking some traditional measures to deter refugees. A group of countries have coordinated with each other with the aim of limiting the arrival of refugees, without this coordination being accompanied by an examination of the reasons that prompted them to seek asylum, until these policies came to describe refugees as people trying to circumvent the law.

Therefore, the international community must realize that asylum seekers and displaced persons have been driven by dangers and reasons beyond their control to search for a safe place, and that states are concerned with implementing the obligations imposed on them under international agreements, which requires dealing with the refugee issue in its humanitarian dimensions away from political variables. The scope of application of the concept of refugee in relevant international documents must also be expanded to include every person who has fled his country because he is exposed to a threat to his life, security or freedom due to comprehensive violence, foreign aggression, internal conflicts, human rights violations, or due to the dominance of racist dictatorial regimes with their unjust authority that violates human rights, or due to other circumstances that have led to a serious disruption of public order in his country of origin.

References

First: Books

1. Ahmed Al-Rashidi, *International Protection for Refugees*, Research and Studies Center, Cairo, 2010
2. Iyad Yassin Hussein, *Asylum in Light of the Provisions of International Law and Islamic Sharia*, Zain Legal Publications, Beirut, 2017.
3. Ayman Adeeb Salama Al-Halsa, *International Protection for Asylum Seekers*, Dar Al-Nahda Al-Arabiya, Cairo, 2014
4. Enas Mohamed Al-Bahiji, *International Foundations of the Right to Political and Humanitarian Asylum between States*, National Center for Legal Publications, Cairo, 2013.
5. Burhan Amr Allah, *The Right to Political Asylum*, Dar Al-Nahda Al-Arabiya, Cairo, 2018.
6. Tamara Ahmed Brou, *Political Asylum between Theory and Practice in Light of Public International Law*, Zain Legal Publications, Beirut, 2013.
7. Hassan Ahmed Lotfi Khaled, *Refugee Rights between Islamic Jurisprudence and International Law within the Framework of the 1951 Geneva Convention and the 1967 Protocol*, Dar Al-Fikr Al-Jami'i, Alexandria, 2017.
8. Sherif Altam Muhammad Maher Abdel Wahid, *Encyclopedia of International Humanitarian Law Agreements*, Cairo, Publisher: International Committee of the Red Cross, Cairo, 2015.
9. Shaima Hassan Ali Amani Salem, *The Issue of Syrian Refugees in the Gulf Cooperation Council Countries*, Arab Office for Knowledge, Cairo, 2018.

³⁴ Article 1/c/4 of the same agreement.

³⁵ Article 35 of the same agreement.

10. Sabah Muhammad Jabr, *Judicial Protection for Refugees*, Academic Center for Publishing, Alexandria, 2019.

11. Aqaba Khadrawi, *The Right to Asylum in International Law*, Al-Wafa Legal Library, Alexandria, 2014.

12. Ali Abdul Razzaq Saleh, *Refugees in Public International Law*, Al-Ani Press, Baghdad, 2010.

13. Faiza Barkan, *Mechanisms to Address Illegal Immigration*, Dar Al-Nahda Al-Arabiya, Cairo, 2014.

14. Mu'ayyad Jabbar Muhammad Al-Zubaidi, *International and National Guarantees for the Rights of Iraqi Refugees*, Legal Library, Baghdad, 2012.

Second: Magazines and periodicals

1- Ziad Abdul Wahab Al-Naimi, *Protection of the Rights of Displaced Persons and Refugees in Public International Law*, a research published in the *Journal of the University of Rafidain*, Baghdad, Issue 5, 2020.

2- Abdul Rasool Abdul Ridha Al-Sadi, *International Standards in the Refugee Deportation Mechanism*, *Al-Muhaqqiq Al-Hilli Journal for Legal and Political Sciences*, Issue 2, College of Law, University of Babylon, Iraq, 2019.

Third: International agreements

1. United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984.

2. United Nations Charter of 1945.

3. Statute of the International Criminal Court of 2000.