

The Migrants' Law Project

Factsheet: Basic principles of refugee law

- The 1951 Convention Relating to the Status of Refugees and the 1967 Protocol arose out of the human rights abuses committed during the Second World War. Refugee status is a form of 'international protection' status.
- In the UK an application for asylum is normally made to the Home Office who will then carry out an initial screening interview followed by a detailed asylum interview where the applicant should put forward all the reasons why they fear to return to their country of origin.
- If the applicant is recognised as a refugee he or she will normally be granted 5 years limited leave to remain, can apply for a refugee travel document and family reunion. If refused, there is a right of appeal.
- The Refugee Convention also contains provisions for cessation of refugee status in certain circumstances e.g. the person has acquired a new nationality or there is a significant change of circumstances in the country of origin (Article 1C)
- The Refugee Convention also makes provision for exclusion from refugee status where serious crimes have been committed (Article 1F) and permits removal, despite refugee status, where there is evidence to show a person poses a danger to the host community (Article 33(2))

