









# 3

## Who is a Refugee?

### Session 3 Manual

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# Objectives

In the area of knowledge acquisition, after this Session, participants will:

- Understand the relevant refugee definitions
- Understand the basic elements of refugee status determination
- Know who is responsible for deciding whether someone is a refugee and what procedure may be applied for this purpose.

In relation to skills and attitudes, participants will:

- Differentiate between a *potential* refugee and the broader category of migrants.



## Session Outline

Methodology	Material required	Duration (Total: 1h 30min)
<b>3.1. Presentation: “The refugee definition”</b>	<ul style="list-style-type: none"><li>- Power point: “Understanding the refugee definition”</li><li>- Key messages for facilitator</li><li>- Handouts with key messages</li></ul>	45 mins
<b>3.2. Film “To be a Refugee”</b>	<ul style="list-style-type: none"><li>- (to be obtained from the Division of International Protection, UNHCR HQs)</li><li>- key messages</li></ul>	45 mins (incl. Q&A)



## 3.1. Presentation: Understanding the refugee definition

The **Power Point presentation** is available by means of the [current link](#).

Before the presentation, the facilitator should distribute to the participants a [handout](#) with the key messages of the presentation.

See *Facilitation Tip 2: Delivering effective presentations, in Session 1*: In preparing for the presentation, facilitators are encouraged to go once again through Session 1.2 of this manual. For this particular Session, it is important that facilitators introduce as many concrete examples as possible, based on their own experience and knowledge of country of origin information. This will greatly help the participants to retain the key points of the refugee definition.



### Key Messages

1. A person is a refugee *as soon as* he or she fulfils the criteria contained in the definition of the 1951 Convention. A person may also deserve international protection if he or she qualifies for “subsidiary protection”.
  - The UNHCR Handbook on Procedures and Criteria for Determining Refugee Status states that *“a person is a refugee within the meaning of the 1951 Convention as soon as he fulfils the criteria contained in the definition”*.
  - UNHCR has also the competence to provide international protection to refugees who come within the **extended refugee definition** under UNHCR’s mandate because they are outside their country of origin or habitual residence and unable or unwilling to return there owing to serious and indiscriminate threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order.
  - In order to see whether a person fulfils or not the criteria contained in the definition for refugee status, the States parties to the 1951 Convention have developed what is known as “refugee status determination procedures” or “asylum procedures”. An asylum procedure will verify whether the person’s claim of fear of persecution falls within the definition of the 1951 Convention.
  - An asylum-seeker is therefore an individual who says he/she is a refugee, but whose claim has not yet been definitely evaluated. In countries with individualized procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which he/she has submitted it (or by another responsible state, e.g. under the EU Dublin Regulation). Not every asylum-seeker will ultimately be recognized as a refugee, but most refugees are initially asylum-seekers.
  - The 1951 Convention does not have any specific procedural requirements for the refugee determination process. Therefore, States have developed differing procedures and standards.
  - There are a number of regional definitions that build on the 1951 Convention. In Europe legislation provides protection for persons who have been found not to meet the criteria of the 1951 Convention, but who are nevertheless in need of international protection.
  - The EU Qualification Directive sets the minimum standards for interpreting the 1951 Convention on the Status of Refugees and provides for “subsidiary protection”, for persons who need international protection but do not fall strictly under the refugee definition of the 1951 Convention:

*“Person eligible for subsidiary protection» means a third country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the*

*person concerned, if returned to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence, would face a real risk of suffering serious harm as defined in Article 15, and to whom Article 17(1) and (2) do not apply, and is unable, or, owing to such risk, unwilling to avail himself or herself of the protection of that country;”*

This Directive recognises the fact that persons fleeing the indiscriminate effects of violence associated with armed conflicts but who do not fulfil the 1951 Convention criteria still need international protection.

- The Asylum Procedures Directive foresees minimum standards for national procedures for the determination of refugee status. Asylum-seekers still undergo a national procedure in each EU Member State. Governments are responsible for the integrity and effectiveness of the application of the 1951 Convention, alongside the implementation of EU law.
- If recognized as a refugee, an individual will enjoy a specific legal status. This means that he or she will be entitled to a number of important rights and benefits as well as assistance and protection measures which, taken together, constitute what is known as “international refugee protection”. Refugees also have certain obligations towards the host State, notably that of abiding by the laws of the host country.
- EU and national asylum legislation and procedures establish that a national institution will be responsible for determining asylum claims. In this context they **do not** foresee a role for entry officials with regard to *refugee status determination*. However, a good understanding of the refugee definition will make entry officials more sensitive to the needs of persons who seek asylum after crossing the border. It will also allow them to better identify those who do not explicitly lodge an asylum application. It will help them perform their key role of referring asylum-seekers to competent national asylum authorities.

## 2. UNHCR monitors the national status determination procedures and the criteria applied to determine if an asylum-seeker is a refugee

- Under paragraph 8 of the 1950 Statute and Article 35 of the 1951 Convention, UNHCR has a responsibility to supervise the application of the provisions of the 1951 Convention and 1967 Protocol in States which are Party to these instruments. UNHCR exercises its supervisory role by monitoring both the procedures and the criteria applied, and through interventions on behalf of applicants, as and where appropriate.
- In most States, provision has been made for the involvement of UNHCR, at least in an advisory/consultative capacity. In some countries, UNHCR actually participates in the national refugee status determination procedure. Depending on the circumstances, this may take different forms, for example:
  - Preparing a case for consideration by the national eligibility authority (e.g. registration, preliminary interview, file preparation, presentation to the national authority);
  - Expressing its view on the asylum application or participating as an observer/advisor at the first instance stage;
  - Expressing its view on the asylum application or participating as an observer/advisor at the appeal or review stage;
  - Reviewing inadmissibility or rejection decisions with regard to applicants who are due to be forcibly returned.
- Moreover, in certain countries which are Party to the 1951 Convention and/or 1967 Protocol, but where national asylum determination procedures have not yet been established, UNHCR conducts refugee status determination on behalf of the State (e.g. in Turkey).

### 3. According to the 1951 Convention, a number of criteria must be met for a person to qualify as a refugee:

- Well-founded fear of persecution
- For reasons of race, religion, nationality, membership of a particular social group, or political opinion)
- is outside the country of his nationality
- is unable or, owing to such fear, is unwilling to avail himself of the protection of that country
- 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.

**The following explanations are provided by way of background to help participants understand the nature of refugee status and procedures. However, it should be clearly understood that the task of entry officials is NOT to conduct refugee claim assessment or examine claims in substance; BUT to refer asylum-seekers to competent asylum authorities.**

#### Well-founded Fear of Persecution

- **The subjective element: fear**

Fear is, by definition, a state of mind and hence a subjective condition, which will depend on the individual's personal and family background, his or her personal experiences, and the way in which he or she interprets his or her situation. In practice, any expression of unwillingness to return is normally sufficient to establish the "fear" element of the refugee definition.

If an applicant does not expressly state that he or she is afraid, this may often be inferred from the objective circumstances, for example where there is a clear risk of persecution upon return. In most cases, the mere fact of having applied for refugee status is sufficient to indicate a fear of return.

- **The objective element: well-foundedness**

Whether or not the fear is "well-founded" must be assessed in the context of the situation in the applicant's country of origin and in light of his or her personal circumstances. The decision-maker also needs to develop a detailed understanding of the applicant's background, profile and experiences. Experiences of family members and/or other persons with a comparable profile will also be relevant.

The applicant's credibility and his or her fear must then be evaluated against objective information on the conditions in the country of origin. Reliable country-of-origin information is an essential resource in this regard.

Asylum-seekers are not required to prove their fear "beyond reasonable doubt", or that it would be "more probable than not" that the feared harm will materialize. The adjudicator should consider the applicant's fear well-founded if there is a reasonable possibility that the applicant would face some form of harm if returned to the country of origin or habitual residence.

- **Persecution**

The applicant's well-founded fear must relate to persecution. The concept of "persecution" is not defined in the 1951 Convention. From Article 33 of the 1951 Convention it can be inferred that a threat to life or physical freedom constitutes persecution, as would other serious violations of human rights.

When determining whether particular acts amount to persecution, decision-makers are aware that under international human rights instruments, States may never legitimately restrict certain fundamental rights. These are referred to as "non-derogable". Examples of such core rights include:

- The right to life;
- The right to freedom from torture or cruel, inhuman or degrading treatment or punishment;

- The right to freedom from slavery of servitude;
- The right to recognition as a person before the law;
- The right to freedom of thought, conscience and religion.

Not every violation of an applicant's human rights or instance of discrimination or harassment is serious enough to be considered persecution. In general, serious violations of non-derogable rights would normally constitute persecution. Serious breaches of other rights would generally also be considered persecution, particularly if these have a systematic or repetitive element.

The threshold of persecution is clearly met if the applicant's enjoyment of fundamental human rights – for example, access to the basic means of survival – is seriously restricted. Moreover, discriminatory measures which, taken separately, would not amount to persecution, may have the combined effect of rendering the situation for the applicant intolerable. This would be considered persecution on “cumulative grounds”.

## Reasons

### • Race

“Race” should be broadly interpreted as any kind of distinctive ethnic characteristic, whether real or perceived. Minority groups are more likely to be persecuted than majorities, but this is not always the case: for example, in apartheid South Africa, the racial majority was oppressed by the minority. Men and women in “mixed” marriages, in which each spouse comes from a different ethnic or racial background, may face problems which in some cases may amount to persecution. In such cases, it is particularly important to understand the underlying social context.

Another form of persecution which is frequently based on race is denial of citizenship and the loss of rights which this entails.

### • Religion

The right to have (or not to have) a religion is absolute and non-derogable, while international human rights law permits certain restrictions to the right to manifest one's religion. Examples of persecution for reason of religion include the following:

- Serious restrictions on the exercise of religious freedom, for example prohibition of membership in a religious community or of religious instruction;
- Serious discrimination because of religious practice or membership in a given religious community;
- Forced conversion, or forced compliance or conformity with religious practices, provided that such measures have a sufficiently serious impact on the individual concerned.

### • Nationality

“Nationality” as a ground for refugee status does not only refer to “citizenship”, but also extends to groups of people defined through their real or perceived ethnic, religious, cultural or linguistic identity, regardless of whether this difference has been formalized legally.

### • Membership of a particular social group

This Convention ground applies where an applicant belongs to a group of persons who share a common characteristic other than the risk of being persecuted, or who are perceived as a group by society. The characteristic will often be one which is:

- Innate – such as sex, race, caste, kinship ties, linguistic background, or sexual orientation;
- Unchangeable – for example, because it relates to the individual's past history, such as former military officer, former trade union member, or former landowner; or

- Otherwise fundamental to identity, conscience or the exercise of one's human rights, such that the person should not be expected to change or reject it. The group must be set apart in some way from others, either because it sees itself as being different, or because it is perceived as such by the persecutor. It does not matter whether the members of the group know each other and associate together, nor is it necessary that it be a small group – thus, for example, there may be situations in which it is appropriate to recognize “women” generally as a particular social group.

#### • Political opinion

The concept of “political opinion” as a ground for recognition as a refugee should be interpreted in a broad sense, as encompassing any opinion concerning matters on which the machinery of the state, government or society is engaged. It goes beyond identification with a specific political party or recognized ideology, and may include for example an opinion on gender roles.

The mere fact of holding a political opinion which is different from that of the government is not in itself a ground for claiming refugee status. The key question is whether the applicant holds – or is perceived to hold – opinions which are not tolerated by the authorities or by the community, and whether he or she has a well-founded fear of persecution for this reason.

### Outside Country of Nationality/Former Habitual Residence

- A person can only be a refugee if he or she is outside his or her country of nationality, or for those who are stateless (that is, without citizenship of any country), their country of habitual residence. This is a factual issue, which is to be established on the basis of documents, statements or any other information submitted by the applicant or obtained from other sources.
- Grounds for recognition as a refugee may arise when the individual concerned is already out of the country – in such situations, the person may become a refugee while being in the host country (“*sur place*”).

### 4. A person's gender may seriously affect the reasons why and the form in which he or she could suffer persecution

- Traditionally, the 1951 Convention has been interpreted through a framework of male experiences. This meant that harm which occurred in the “private sphere”, for example domestic violence, female genital mutilation or rape, was not necessarily acknowledged as persecution, or not considered to be linked to a 1951 Convention ground.
- Since the mid-1980s, however, there has been increasing recognition of the ways in which an applicant's gender may have an effect on his or her claim for refugee status. Whereas “sex” is defined by biology (male or female), “gender” refers to the socially or culturally defined identities, status, roles and responsibilities that are assigned to individuals on the basis of their sex, and to the way in which these shape the power relations between men and women. The applicant's gender may affect:
  - The **form** which persecution takes (for example sexual violence and rape of men or women, forced marriage, female genital mutilation, trafficking for the purposes of forced prostitution or sexual exploitation, dowry and other marriage-related harm and discriminatory laws or practices); and/or
  - The **reasons** for which persecution is experienced (for example, a homosexual may experience violence or severe discrimination on account of his or her sexual orientation, or a woman may be exposed to punishment by her family or her community as a result of her failure to adhere to the codes of behaviour assigned to her on the basis of her sex).
- Not all persecution experienced by women is linked to gender, and in many cases women will experience persecution in the same ways, and for the same reasons, as men. Nor does gender-related persecution only affect women: claims based on persecutory treatment linked to gender may be submitted by men as well as women.
- The EU's Qualification Directive importantly recognises that acts of persecution can take the form of acts of a gender-specific nature and “acts of physical and mental violence, including acts of sexual violence”.<sup>1</sup>

<sup>1</sup> EU Qualification Directive, Article 9.2 (a) & (f).



## 5. There are certain individuals who meet the initial criteria for refugee status, but who do not deserve such protection, and are excluded from it

- The conditions in which this is the case are defined in Article 1F of the 1951 Convention. These provisions are usually referred to as the exclusion clauses.
- The primary purpose of Article 1F of the 1951 Convention is to deprive those guilty of heinous acts, and serious common crimes, of international refugee protection and to ensure that such persons do not abuse the institution of asylum in order to avoid being held legally accountable for their acts.
- Like all exceptions to human rights provisions, the exclusion clauses of the 1951 Convention must be interpreted restrictively and applied restrictively, with extreme caution and additional procedural safeguards.
- Those to whom an exclusion clause of the 1951 Convention applies are not eligible for refugee status. However, such persons continue to enjoy protection under other instruments, particularly international and regional human rights law.
- Article 1F of the 1951 Convention, thus, provides for the exclusion of those for whom there are serious reasons for considering that they:

### **a) Have committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes; crimes against peace:**

- Crimes against peace: According to the 1945 Charter of the International Military Tribunal (“London Charter”), a crime against peace involves the “planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements, or assurances, or participation in a common plan of conspiracy for the accomplishment of the foregoing.” Given the nature of this crime, it can only be committed by those in a high position of authority representing a State or a State-like entity, and only in the context of an international armed conflict.
- War crimes: only acts which are committed during times of armed conflict, and which are linked to the conflict (the so-called “nexus” requirement), can constitute war crimes. War crimes may be committed by, and against, civilians as well as military persons. War crimes cover such acts as wilful killing and torture of civilians, launching indiscriminate attacks on civilians, and wilfully depriving a civilian or a prisoner of war of the rights of fair and regular trial.
- Crimes against humanity are inhumane acts (such as, for example, genocide, murder, rape and torture), when committed as part of a systematic or widespread attack against a civilian population. Crimes against humanity may take place during an armed conflict or in peacetime. Any person can commit crimes against humanity, if his or her acts meet the aforementioned criteria.

### **b) Have committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;**

- When determining whether an act constitute a “serious crime” it is necessary to judge the seriousness of a crime against international standards. Whether or not a crime is “non-political” within the meaning of Article 1F(b) will depend on a number of factors, including, in particular, the motivation, context and methods, as well as the proportionality of the crime in relation to its objectives.

### **c) Have been guilty of acts contrary to the purposes and principles of the United Nations.**

- The purposes and principles of the United Nations are spelt out in Articles 1 and 2 of the UN Charter. This exclusion ground would apply to acts which, on account of their gravity and impact, are capable of affecting international peace, security and peaceful relations between States, or to serious and sustained human rights violations.
- In principle, only persons in positions of authority in a State or State-like entity could commit such acts.

- Once it has been determined that the applicant is associated with conduct within the scope of Article 1F, competent asylum decision-makers must examine whether he or she incurred **individual responsibility** for the acts in question. This will be the case if there is credible and reliable information on the basis of which it can be established that the applicant perpetrated the crime(s) him or herself, or that he or she participated in the commission of crimes by others, for example through planning, ordering or instigating, or by making a substantial contribution, which may take the form of aiding or abetting, or participating in a joint criminal enterprise. Moreover, under certain circumstances, persons in a position of authority in a military or a civilian hierarchy may be held responsible for crimes committed by their subordinates.
- If there are serious reasons for considering that the applicant is individually responsible for acts within the scope of Article 1F, the final step in the exclusion analysis consists of assessing whether exclusion would be in keeping with the general legal **principle of proportionality**: decision-makers must weigh the seriousness of the crime(s) in question against the potential consequences of exclusion for the individual concerned, that is, the treatment which the applicant is likely to face, if he or she were to be excluded.

The existence of effective protection mechanisms under international or regional human rights instruments is an important factor in this regard. If it is found that the seriousness of the crimes in question outweighs the risks resulting from denial of refugee status, the applicant should be excluded.

## 6. Profiling and Referral should take place to identify the category of the persons arriving at the border and provide them with adequate support

Once new arrivals have been registered and provided with temporary documentation, an initial determination will have to be made with regard to who they are, why they have left their own country and where their intended destination is. This channelling or referral arrangement would not constitute a refugee status determination. Rather, its role is to give an indication of a person's motives for departure and to ensure the person's situation is met with the most appropriate response. This process can be called "profiling and referral" and aims to try to differentiate between categories of persons arriving as soon as possible after arrival. It includes providing information to and gathering information on new arrivals, through questionnaires and informal interviews. A simple "profiling and referral" exercise should be undertaken in any protection-sensitive entry procedure, generally by the "first contact" entry officials.

## 7. Country of Origin Information has an important role in helping to determine if a person is a refugee

Country of Origin Information (COI) constitutes the main, and often the only available factual evidence in refugee status determination. Gathering appropriate country of origin information is central to ensuring an objective evaluation of an asylum claim, as well as to determine the well-foundedness of the applicant's fear of persecution, and its key importance as a way to provide an "objective element" or factual evidence in refugee status determination is widely recognised by all actors in this field.

Few if any asylum-seekers are trained to tell their stories with view to being granted asylum. Asylum seekers are often traumatized and the violations may not surface immediately or clearly in their stories.

Fear of being persecuted or risk of suffering serious harm and lack of protection may be expressed in metaphors or in ways that are hard to recognize by a person from a different culture or by a person used to a legal language. It is therefore crucial that the official responsible for determining an asylum application has the capacity to identify the possible human rights violations in the story and look for related country of origin information.



## Facilitation Tip 4: Answering adequately participants' questions

### 1. Answer directly to questions requesting information that the rest of participants are not likely to have or that request the facilitator's opinion

Facilitators should foster the participants thinking or problem-solving skills by trying to induce learning through other questions [see *Facilitation Tip 3: Asking participants questions to induce learning or commitment, in Session 2*]. However, if the participants are not likely to reach the answer easily, directly answering the question may be more practical and rewarding to the group. The answer then should be kept brief and exact.

### 2. Redirect questions to which participants are likely to know the answer

If you think that somebody might now the answer, you may redirect the question to the group, asking for an answer or comment, or an elaboration upon the issue. This procedure not only encourages more participation by the class but it also implies that peers are a resource for learning.

### 3. Postpone the answer when you are very short of time, especially if the answer is complex, or when the material will be covered in an upcoming session, or when the answer is of interest to only a few participants

Participants are more likely to learn and remember if the facilitator answers their questions **when** they ask them. However, when the material is covered later, the facilitator should call it to the participants' attention and give the answer without further explanation. If the answer is not covered in the course, then the facilitator could offer to answer it after the session or make an appointment to discuss the question later. This also tells the group of your willingness to try and answer their questions. Generally the facilitator should answer more questions than he/she postpones or else the participants may ask fewer and fewer questions.

### 4. Gently discourage questions that are inappropriate

Usually participants ask questions because they wish to learn but sometimes a participant will ask a question to sidetrack the group, to get attention or even to put the facilitator in a difficult situation. Handling such questions presents a dilemma. If the facilitator treats them like other questions, it may encourage the participant to ask more of the same, but if the facilitator turns that participant down abruptly, then he/she may discourage not only that participant but also the rest of the group from asking any kind of question. In reacting it, is probably best to tactfully indicate what about the question is inappropriate.

It is not uncommon for a group to have at least one participant who appears to be antagonistic toward the facilitator or hostile to the subject matter and who asks questions that serve only to express the participant's disagreements, which often are of little interest to the rest of the group. Because such questions usually stem from emotional rather than intellectual concerns, answering only on a cognitive level serves little purpose. It is probably best to see that participant outside of the session and explain what seems to be going on from the facilitator's point of view. Often such a talk is sufficient to enable the participant at least to censor the questions he or she asks in the room, although it may do little to solve the underlying problem.

### 5. Acknowledge it when you do not know the answer

If the facilitator does not know the answer to a participant's question, then it is important to say so. Although one of the roles of a facilitator is to be the "expert" and "information source", admitting that he/she does not know the answer to a question will probably not damage the confidence of the group in the facilitator. On the other hand, if the facilitator fakes it, there is a good chance that the participants will find out and the facilitator's credibility will be seriously damaged. The facilitator should assume the responsibility for finding the answer to the question and reporting back with the answer to the group.

### 6. Creating an accepting atmosphere and encouraging learning

If encouraging participants to ask questions is desirable behaviour in a workshop, then it is also desirable that the facilitator creates an atmosphere where participants are not afraid to ask questions for fear of embarrassment, etc. The facilitator should avoid anything which would embarrass the participant who asks the question.

Rather than responding with a value judgement to a participant's question or comment, ask a probing question. The facilitator may help the participant arrive at the correct answer, or an acceptable one; in which case, rather than proving the participant "wrong", the facilitator has helped him or her to be "right".



## 3.2. Watching a film: *To be a Refugee*

The group will watch the UNHCR film '*To be a refugee*' (22 mins)<sup>2</sup>

The film consists of four different stories told by children, who have a unique way of expressing the pain suffered and the events witnessed. Through their stories, participants can start getting an idea of the reasons that force refugees to leave their homes and the hardships they undergo during their initial flight.

After watching the film, the facilitator should invite the participants to reflect on the key messages that one can draw from it. The way to ask the questions can follow the scheme proposed for Session 1 [See 1.1 Sharing experiences], as follows:

- **Questions to help organize the facts mentioned in the stories:** “What are some of the aspects of these stories that caught your attention?”
- **Questions to trigger personal reflection:** “What was your inner response to the stories?” “When did you get intrigued?” “Have you ever come across an asylum-seeker that reminds you of any of these stories?”
- **Questions on the impact of the exercise for the workshop:** “What is the significance of these stories for our workshop?”
- **Questions that may open the way for some kind of inner commitment:** “If we now start with the next session, what conclusions of the stories should we carry as a reminder throughout the workshop?”

In the ensuing discussion, the facilitator **should try to draw the following key messages from the group**, steer the debate towards these issues, or convey some of them personally if they do not come up spontaneously:



### Key messages

- A refugee does not become one voluntarily. They are forced to leave their countries of origin in most cases because of fear for their lives, their freedom or their physical integrity.
- The grounds for their fear or the violence they suffer can be of very different types. Yet, one common denominator is that they are forced to leave abruptly and have little opportunity to take their belongings with them. They are uprooted and dispossessed and must start completely from scratch.
- Not all refugees arrive in Europe; on the contrary, the largest proportion of the refugee population stays in neighbouring countries to their country of origin. The majority of them are developing countries. Large refugee arrivals pose a heavy burden on their limited resources and infrastructure.
- Most refugees want to go back to their countries of origin. That is where they have their land, their homes, family and friends.
- Living as a refugee is not easy even for children. Already at that young age, they suffer stigmatization for being refugees. Refugees live with a very strong sense of loss. They find it difficult to live in sub-standard living conditions. They would like to be treated with the same level of respect as when they were back in their countries, living a normal life.

<sup>2</sup> This film can be found in DVD Five in a compilation of documentaries named “Viewing Protection” that can be obtained from the Division of International Protection, UNHCR HQs, Geneva.



## Background documents and further reading for facilitators

- UNHCR, Interpreting in a refugee context, January 2009 [↗](#)
- EU COUNCIL DIRECTIVE 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee [↗](#)
- UNHCR, Self-Study Module 2 on Refugee Status Determination, Identifying who is a refugee, September 2005 [↗](#)
- UNHCR, Providing International Protection including through Complementary Forms of Protection, EC/55/SC/CRP.16, 2 June 2005 [↗](#)
- EU COUNCIL DIRECTIVE 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted. [↗](#)
- UNHCR, Procedural Standards for Refugee Status Determination under UNHCR's Mandate, November 2003 [↗](#)
- EU COUNCIL DIRECTIVE 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof [↗](#)
- UNHCR, Note on International Protection, UN doc. A/AC.96/830, 7 September 1994 [↗](#)
- UNHCR, Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol on the Status of Refugees, HCR/IP/4/Eng/REV.1 Reedited, Geneva, January 1992, 1979 [↗](#)
- Convention relating to the Status of Refugees of 28 July 1951 [↗](#)
- Protocol relating to the Status of Refugees, New York, 31 January 1967 [↗](#)
- Statute of the Office of the United Nations High Commissioner for Refugees, 1950 [↗](#)