

ARAB CONVENTION ON REGULATING STATUS OF REFUGEES IN THE ARAB COUNTRIES

Adopted by the League of Arab States, 1994

The Governments of the Member States of the League of Arab States, Invoking their religious beliefs and principles deeply rooted in the Arab and Islamic history, which make man such a great value and a noble target that various systems and legislation cooperate to ensure his happiness, freedom and rights,

Recognizing that they represent a civilized nation that have kept pace with all stages of human history and have always played a significant role in directing, influencing and responding to events,

Confirming the provisions of the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, the International Covenant of Economic, Social and Cultural Rights, the 1951 Convention relating to the Status of Refugees, the 1967 Protocol relating to the Status of Refugees and the 1992 Cairo Declaration on the Protection of Refugees and Displaced People,

And with a view to cementing bonds of fraternity amongst them,

The Member States have agreed as follows:

GENERAL PROVISIONS

Article 1

For the purposes of this present Convention, a refugee means:

Any person who is outside the country of his nationality or outside his habitual place of residence in case of not having a nationality and owing to well-grounded fear of being persecuted on account of his race, religion, nationality, membership of a particular social group or political opinion, unable or unwilling to avail himself of the protection of or return to such country.

Any person who unwillingly takes refuge in a country other than his country of origin or his habitual place of residence because of sustained aggression against, occupation and foreign domination of such country or because of the occurrence of natural disasters or grave events resulting in major disruption of public order in the whole country or any part thereof.

Article 2

The provisions hereof shall not apply to any person who:

1. Has been convicted of having committed a war crime, a crime against humanity or a terrorist crime as defined in the international conventions and covenants.

2. Has been convicted to a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee and has not been acquitted under a final peremptory verdict.

Article 3

The Contracting States of this Convention shall undertake to exert every possible effort, within the limits of their respective national legislation, to accept refugees defined in Article 1 hereof.

Article 4

The provisions hereof shall cease to apply to any refugee if:

1. He voluntarily re-avails himself to the protection of the country of his nationality; or
2. He has acquired a new nationality and enjoys the protection of the country of such new nationality; or
3. He has voluntarily re-established himself in the country, which he had earlier left owing to fear of persecution; or
4. Having lost his nationality, he has voluntarily re-acquired it; or
5. Because the circumstances in connection with which he has been recognized as a refugee have ceased to exist, he can no longer continue to refuse to avail himself of the protection of the country of his nationality; or
6. Being a person of no nationality (stateless), and because the circumstances in connection with which he has been recognized as a refugee have ceased to exist, he is able to return to his former habitual place of residence.

Article 5

The Contracting States to this Convention shall undertake to exert every possible effort, to ensure that refugees are accorded a level of treatment no less than that accorded to foreign residents on their territories.

Article 6

Granting asylum is a peaceful and humanitarian act and shall not be deemed by any state as a hostile act against it.

Article 7

The Contracting States of this Convention shall undertake to refrain from discriminating against refugees as to race, religion, gender and country of origin, political or social affiliation.

Article 8

1. A refugee lawfully residing on the territory of a Contracting State shall not be expelled save on grounds of national security or public order. A refugee may, however, appeal before the competent judicial authority against the expulsion decision. In such case, the Contracting State shall allow such refugee a reasonable period within which to seek legal admission into another country. The Contracting State reserves the right to apply during that period such internal measures as it may deem necessary.

2. A Contracting State shall temporarily accept a refugee should his expulsion or return (refoulement) threaten his life or freedom.

Article 9

Subject to the provisions of Article 4 hereof, the will for return to country of origin in all cases shall be respected and the refugee shall not be involuntarily repatriated to his country of origin.

The country of asylum, in cooperation with the country of origin, shall make appropriate arrangements for the safe return of refugees willing to return home.

Article 10

Contracting States shall issue to refugees lawfully residing in their territories identification cards and travel documents in conformity with the United Nations Convention relating to the Status of Refugees and its supplements, in order to enable them to travel from and return to such territories, except in cases where this is barred for reasons related to national security or public order.

Article 11

The refugee shall respect and abide by the provisions of laws and regulations of his host country.

Article 12

The refugee shall refrain from performing any terrorist or subversive activity levelled against any country including his country of origin.

Article 13

In practicing his freedom of opinion and expression, a refugee shall refrain from attacking any country including his country of origin, nor shall he/she convey, by any means whatsoever, any such opinions or news that may create tension between the host country and other countries.

Article 14

Should a Contracting State face difficulty in granting or continuing to grant right of asylum under this Convention because of sudden or mass influx or for any other compelling reasons, the rest of the Contracting States shall, at the request of such State, take such appropriate measures, severally or jointly as to alleviate the burden to the asylum-providing State.

Article 15

The Secretary-General of the League of Arab States shall monitor the implementation of this Convention. To this end, he may request the Governments of the Contracting States to furnish him with copies of laws, regulations and decisions issued thereby in connection with refugees. He may also request such Governments for all information and details related to their living and residence conditions.

Article 16

Any dispute arising between parties to this Convention around its interpretation or application shall be settled through negotiation, conciliation or arbitration. If settlement cannot be reached through this means, the dispute shall be submitted to the League of Arab States Council for settlement according to the League's Charter.

Article 17

This Convention shall be ratified by the signatory States in accordance with respective constitutional systems and ratification instruments shall be deposited with the General Secretariat of the League of Arab States. States that have not signed this Convention may accede to it by a notice to be sent to the Secretary-General of the League, who shall notify the Contracting States of such accession.

The Convention shall go into effect thirty days from depositing with the General Secretariat of the League of Arab States ratification or accession instruments by one third of the member-states of the League of Arab States.