SELECTED DOCUMENTS RELATING TO NATIONAL SECURITY AND COUNTER-TERRORISM RELEVANT TO INTERNATIONAL REFUGEE PROTECTION

PROTECTION POLICY AND LEGAL ADVICE SECTION (PPLAS) / STATUS DETERMINATION AND PROTECTION INFORMATION SECTION (SDPIS) 
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This list, including weblinks that lead directly to the individual documents, is accessible in Refworld at http://www.unhcr.org/refworld/docid/49feaa62.html. It will be updated whenever necessary.
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I. United Nations High Commissioner for Refugees (UNHCR)

A. General

a) Counter-Terrorism

1. “Terrorism as a Global Phenomenon”, UNHCR presentation to the Joint Seminar of the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) and Committee on Article 36 (CATS), 17 January 2008
URL: http://www.unhcr.org/refworld/docid/4794c7ff2.html

2. “Preserving the Institution of Asylum and Refugee Protection in the context of Counter-Terrorism: the Problem of Terrorist Mobility”, Key Note Speech, 5th Special Meeting of the Counter-Terrorism Committee with international, regional and subregional organizations, 29-31 October 2007, Nairobi (Kenya)
URL: http://www.unhcr.org/refworld/docid/475feb292.html

3. “Preserving the Institution of Asylum and Refugee Protection in the context of Counter-Terrorism: the Problem of Terrorist Mobility”, Background Paper submitted to 5th Special Meeting of the Counter-Terrorism Committee with international, regional and subregional organizations, 29-31 October 2007, Nairobi (Kenya)
URL: http://www.unhcr.org/refworld/docid/475fec412.html

URL: http://www.unhcr.org/refworld/docid/3e0b880e0.html

b) Exclusion

5. UNHCR Guidelines on the Application in Mass Influx Situations of the Exclusion Clauses of Article 1F of the 1951 Convention relating to the Status of Refugees, 7 February 2006
URL: http://www.unhcr.org/refworld/docid/43f48c0b4l.html

URL: http://www.unhcr.org/refworld/docid/440ff6944l.html

URL: http://www.unhcr.org/refworld/docid/440eda694.html

8. Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees, HCR/GIP/03/05, 4 September 2003
URL: http://www.unhcr.org/refworld/docid/3f5857684.html
   URL: http://www.unhcr.org/refworld/docid/3f5857d24.html

c) Principle of Non-Refoulement

   URL: http://www.unhcr.org/refworld/docid/3f5857d24.html

   URL: http://www.unhcr.org/refworld/docid/43de2da94.html

   URL: http://www.unhcr.org/refworld/docid/470a33af0.html

   URL: http://www.unhcr.org/refworld/docid/470a33b00.html

14. Manickavasagam Suresh (Appellant) and the Minister of Citizenship and Immigration, the Attorney General of Canada (Respondents). Factum of the Intervenor, United Nations High Commissioner for Refugees (“UNHCR”), 8 March 2001
   URL: http://www.unhcr.org/refworld/docid/3e71bbe24.html

d) Extradition

   URL: http://www.unhcr.org/refworld/docid/481ec7d92.html

16. UNHCR Note on Diplomatic Assurances and International Refugee Protection, 10 August 2006
   URL: http://www.unhcr.org/refworld/docid/44dc81164.html

17. The Interface Between Extradition and Asylum, by Sibylle Kapferer, PPLA/2003/05, November 2003
   URL: http://www.unhcr.org/refworld/docid/3fe846da4.html

e) Asylum

URL: [http://www.unhcr.org/refworld/docid/3bfa81864.html](http://www.unhcr.org/refworld/docid/3bfa81864.html)

20. **Asylum Processes (Fair and Efficient Asylum Procedures)**, Global Consultations on International Protection/Third Track: EC/GC/01/12, 31 May 2001
URL: [http://www.unhcr.org/refworld/docid/3b36f2fa6.html](http://www.unhcr.org/refworld/docid/3b36f2fa6.html)

URL: [http://www.unhcr.org/refworld/docid/3c2b3f844.html](http://www.unhcr.org/refworld/docid/3c2b3f844.html)

URL: [http://www.unhcr.org/refworld/docid/3ae6b3314.html](http://www.unhcr.org/refworld/docid/3ae6b3314.html)

f) **Cancellation of Refugee Status**

23. **Note on the Cancellation of Refugee Status**, 22 November 2004
URL: [http://www.unhcr.org/refworld/docid/41a5dfd94.html](http://www.unhcr.org/refworld/docid/41a5dfd94.html)

g) **Local Integration and Self-reliance**

24. **Local Integration and Self-Reliance**, Standing Committee, 33rd Meeting, EC/55/SC/CRP.15, 2 June 2005

h) **Travel Documents**

25. **Note on Travel Documents for Refugees**, EC/SCP/10, 30 August 1978

i) **European Union (EU) Context**

URL: [http://www.unhcr.org/refworld/docid/473050632.html](http://www.unhcr.org/refworld/docid/473050632.html)

URL: [http://www.unhcr.org/refworld/docid/4200d8354.html](http://www.unhcr.org/refworld/docid/4200d8354.html)

Procedures Between Member States (COM(2001) 522 final - 2001/0215 (CNS)),
October 2001
URL: http://www.unhcr.org/refworld/docid/3c6a663f2.html

URL: http://www.unhcr.org/refworld/docid/42492b302.html

B. Amicus Curiae Briefs on Article 33(2) and Article 1F

URL: http://www.unhcr.org/refworld/docid/486230652.html

URL: http://www.unhcr.org/refworld/docid/48622dd72.html

URL: http://www.unhcr.org/refworld/docid/47503a952.html

C. Executive Committee of the High Commissioner’s Programme

33. General Conclusion on International Protection, No. 102 (LVI) – 2005, 7 October 2005
URL: http://www.unhcr.org/refworld/docid/43575ce3e.html

34. General Conclusion on International Protection, No. 99 (LV) – 2004, 8 October 2004
URL: http://www.unhcr.org/refworld/docid/41750ef74.html

35. Conclusion on Protection Safeguards in Interception Measures, No. 97 (LIV) – 2003, 10 October 2003
URL: http://www.unhcr.org/refworld/docid/3f93b2894.html

36. Conclusion on the civilian and humanitarian character of asylum, No. 94 (LIII) – 2002, 8 October 2002
URL: http://www.unhcr.org/refworld/docid/3dafdd7c4.html

37. Conclusion on Registration of Refugees and Asylum-seekers, No. 91 (LI) – 2001, 5 October 2001
URL: http://www.unhcr.org/refworld/docid/3bd3e1d44.html

URL: http://www.unhcr.org/refworld/docid/3ae68c6e30.html
   URL: [http://www.unhcr.org/refworld/docid/3ae68c690.html](http://www.unhcr.org/refworld/docid/3ae68c690.html)

40. **Safeguarding Asylum, No. 82 (XLVIII) – 1997, 17 October 1997**
   URL: [http://www.unhcr.org/refworld/docid/3ae68e958.html](http://www.unhcr.org/refworld/docid/3ae68e958.html)
II. International Instruments Related to Counter-Terrorism

A. Universal Instruments related to the Prevention and Suppression of Terrorism


   


   


These universal instruments were all adopted by the UN General Assembly, and are deposited with the UN Secretary-General, unless otherwise stated. The status of these instruments is reflected in: UN General Assembly, Measures to eliminate international terrorism: report of the Secretary-General, Part III: Status of Universal Instruments related to the Prevention and Suppression of International Terrorism”, A/63/173, Sixty-third Session, 25 July 2008, http://www.unhcr.org/refworld/docid/48db911f2.html. Summaries of these instruments are available at http://untreaty.un.org/English/tersumen.htm.


B. Regional Instruments related to Counter-Terrorism

a) Council of Europe


URL: http://www.unhcr.org/refworld/docid/47fdfb039.html

URL: http://www.unhcr.org/refworld/docid/47fdfb1ed.html

URL: http://www.unhcr.org/refworld/docid/47fdfb1f0.html

URL: http://www.unhcr.org/refworld/docid/47fdfb1fd.html

18. 2001 Recommendation of the Commissioner for Human Rights Concerning the rights of aliens wishing to enter a Council of Europe member State and the enforcement of expulsion orders, CommDH/Rec(2001)1, 19 September 2001
URL: http://www.unhcr.org/refworld/docid/42569b524.html

URL: http://www.unhcr.org/refworld/docid/47fdfb202.html

2003 Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (in force 1 March 2006)
URL: http://www.unhcr.org/refworld/docid/47fdfb20f.html

URL: http://www.unhcr.org/refworld/docid/47fdfb220.html

URL: http://www.unhcr.org/refworld/docid/47fdfa0d.html

URL: http://www.unhcr.org/refworld/docid/47fdbe80.html

b) European Union

URL: http://www.unhcr.org/refworld/docid/47fdbe30.html

measures directed against certain persons and entities with a view to combating terrorism (2001/927/EC), Official Journal L 344/83, 28 December 2001
URL: http://www.unhcr.org/refworld/docid/47fdfb23d.html


URL: http://www.unhcr.org/refworld/docid/47fdfb240.html


26. 2002 Council Regulation (EC) No. 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, Official Journal L 139/9, 29 May 2002
URL: http://www.unhcr.org/refworld/docid/47fdfb24d.html


URL: http://www.unhcr.org/refworld/docid/3f5342994.html

URL: http://www.unhcr.org/refworld/docid/3ddcfc495.html

29. 2005 European Union Counter-Terrorism Strategy, 14469/4/05 REV 4, 30 November 2005
URL: http://www.unhcr.org/refworld/docid/47fdfb28d.html

c) Organization for Security and Co-operation in Europe (OSCE)

30. 2001 Bucharest Plan of Action for Combating Terrorism, MC(9).DEC/1, adopted 4 December 2001 by OSCE Ministerial Council
URL: http://www.unhcr.org/refworld/docid/47fdfb250.html
URL: http://www.unhcr.org/refworld/docid/47fdfb25d.html

d) Other Regional Organizations

32. 1971 Organization of American States, Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes against Persons and Related Extortion that are of International Significance (in force 16 October 1973)
URL: http://www.unhcr.org/refworld/docid/47fdfb260.html

33. 1987 South Asian Association for Regional Cooperation (SAARC), Regional Convention on the Suppression of Terrorism (in force 22 August 1988)
URL: http://www.unhcr.org/refworld/docid/3dd8ab3a4.html
  o 2004 SAARC, Additional Protocol to the SAARC Regional Convention on Suppression of Terrorism (in force 12 January 2006)
URL: http://www.unhcr.org/refworld/docid/49f6b7ad2.html

34. 1998 League of Arab States, Arab Convention on Combating Terrorism (in force 7 May 1999)
URL: http://www.unhcr.org/refworld/docid/3de5e4984.html

URL: http://www.unhcr.org/refworld/docid/3f4b1f714.html
URL: http://www.unhcr.org/refworld/docid/493fe4d92.html

URL: http://www.unhcr.org/refworld/docid/47fdfb290.html

URL: http://www.unhcr.org/refworld/docid/3de5e6646.html

URL: http://www.unhcr.org/refworld/docid/49f5d9f92.html

URL: http://www.unhcr.org/refworld/docid/3de4cc674.html
C. Other Instruments and Tools

a) United Nations Office on Drugs and Crime (UNODC)

URL: http://www.unhcr.org/refworld/docid/3b00f55b0.html

  o 2000 Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplemen-
URL: http://www.unhcr.org/refworld/docid/479dee062.html

  o 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplemen-
URL: http://www.unhcr.org/refworld/docid/4720706c0.html

URL: http://www.unhcr.org/refworld/docid/3dec85104.html

URL: http://www.unhcr.org/refworld/docid/3fd4d3e7.html

42. Model Treaty on Extradition (General Assembly resolution 45/116, as amended by General Assembly resolution 52/88)

43. Model Treaty on Mutual Assistance in Criminal Matters (General Assembly resolution 45/117, as amended by General Assembly resolution 53/112)

44. Revised Manuals on the Model Treaties on Extradition and Mutual Assistance in Criminal Matters

b) International Criminal Police Organization (INTERPOL)

45. Constitution and General Regulations, 1956
URL: http://www.interpol.int/Public/ICPO/LegalMaterials/constitution/constitutionGenReg/constitution.asp
III. **International Law**?

A. **International Refugee Law**

   
   URL: [http://www.unhcr.org/refworld/docid/3be01b964.html](http://www.unhcr.org/refworld/docid/3be01b964.html)

   
   URL: [http://www.unhcr.org/refworld/docid/3ae6b3ae4.html](http://www.unhcr.org/refworld/docid/3ae6b3ae4.html)

   
   URL: [http://www.unhcr.org/refworld/docid/3ae6b3628.html](http://www.unhcr.org/refworld/docid/3ae6b3628.html)

   
   URL: [http://www.unhcr.org/refworld/docid/3ae6b36018.html](http://www.unhcr.org/refworld/docid/3ae6b36018.html)

5. *Cartagena Declaration on Refugees*, Adopted by the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama, held at Cartagena, Colombia from 19-22 November 1984
   
   URL: [http://www.unhcr.org/refworld/docid/3ae6b36ec.html](http://www.unhcr.org/refworld/docid/3ae6b36ec.html)

   
   URL: [http://www.unhcr.org/refworld/docid/4157e75e4.html](http://www.unhcr.org/refworld/docid/4157e75e4.html)

B. **International Human Rights Law**

   
   URL: [http://www.unhcr.org/refworld/docid/3ae6b3930.html](http://www.unhcr.org/refworld/docid/3ae6b3930.html)

   
   URL: [http://www.unhcr.org/refworld/docid/3ae6b3712c.html](http://www.unhcr.org/refworld/docid/3ae6b3712c.html)

   
   URL: [http://www.unhcr.org/refworld/docid/3ae6b3aa0.html](http://www.unhcr.org/refworld/docid/3ae6b3aa0.html)

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This section contains a non-exhaustive list of international instruments. Only the most relevant instruments, for the purposes of this document, have been included.
   URL: [http://www.unhcr.org/refworld/docid/3ae6b36c0.html](http://www.unhcr.org/refworld/docid/3ae6b36c0.html)

   URL: [http://www.unhcr.org/refworld/docid/49c226dd0.html](http://www.unhcr.org/refworld/docid/49c226dd0.html)

   URL: [http://www.unhcr.org/refworld/docid/3ae6b3a10.html](http://www.unhcr.org/refworld/docid/3ae6b3a10.html)

12. **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)**, 10 December 1984, 1465 U.N.T.S 85 (in force 26 June 1987)
   URL: [http://www.unhcr.org/refworld/docid/3ae6b3a94.html](http://www.unhcr.org/refworld/docid/3ae6b3a94.html)

   o **Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**, 18 December 2002, UN GA Resolution A/RES/57/199 (in force 22 June 2006)
   URL: [http://www.unhcr.org/refworld/docid/3de6490b9.html](http://www.unhcr.org/refworld/docid/3de6490b9.html)

   URL: [http://www.unhcr.org/refworld/docid/3ae6b38f0.html](http://www.unhcr.org/refworld/docid/3ae6b38f0.html)

   URL: [http://www.unhcr.org/refworld/docid/3ae6b38bc.html](http://www.unhcr.org/refworld/docid/3ae6b38bc.html)


   URL: [http://www.unhcr.org/refworld/docid/3ae6b3b04.html](http://www.unhcr.org/refworld/docid/3ae6b3b04.html)

URL: [http://www.unhcr.org/refworld/docid/3ae6b36510.html](http://www.unhcr.org/refworld/docid/3ae6b36510.html)

URL: [http://www.unhcr.org/refworld/docid/3de4b4884.html](http://www.unhcr.org/refworld/docid/3de4b4884.html)

URL: [http://www.unhcr.org/refworld/docid/3ae6b3630.html](http://www.unhcr.org/refworld/docid/3ae6b3630.html)

C. **International Criminal Law**

URL: [http://www.unhcr.org/refworld/docid/3dda28414.html](http://www.unhcr.org/refworld/docid/3dda28414.html)

18. **Statute of the International Criminal Tribunal for Rwanda**, 8 November 1994 (as last amended on 13 October 2006)
URL: [http://www.unhcr.org/refworld/docid/3ae6b3952c.html](http://www.unhcr.org/refworld/docid/3ae6b3952c.html)

URL: [http://www.unhcr.org/refworld/docid/3ae6b3a84.html](http://www.unhcr.org/refworld/docid/3ae6b3a84.html)

20. **Statute of the Special Court for Sierra Leone**, 16 January 2002
URL: [http://www.unhcr.org/refworld/docid/3dda29f94.html](http://www.unhcr.org/refworld/docid/3dda29f94.html)

D. **International Humanitarian Law**

URL: [http://www.unhcr.org/refworld/docid/3ae6b3694.html](http://www.unhcr.org/refworld/docid/3ae6b3694.html)

URL: [http://www.unhcr.org/refworld/docid/3ae6b37927.html](http://www.unhcr.org/refworld/docid/3ae6b37927.html)
URL: [http://www.unhcr.org/refworld/docid/3ae6b36c8.html](http://www.unhcr.org/refworld/docid/3ae6b36c8.html)

URL: [http://www.unhcr.org/refworld/docid/3ae6b36d2.html](http://www.unhcr.org/refworld/docid/3ae6b36d2.html)

URL: [http://www.unhcr.org/refworld/docid/3ae6b36b4.html](http://www.unhcr.org/refworld/docid/3ae6b36b4.html)

- International Committee of the Red Cross (ICRC), *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)*, 8 June 1977, 1125 UNTS 609 (in force 7 December 1978)  
URL: [http://www.unhcr.org/refworld/docid/3ae6b37f40.html](http://www.unhcr.org/refworld/docid/3ae6b37f40.html)

- International Committee of the Red Cross (ICRC), *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III)*, 8 December 2005  
URL: [http://www.unhcr.org/refworld/docid/43de21774.html](http://www.unhcr.org/refworld/docid/43de21774.html)
IV. United Nations

A. UN General Assembly (UNGA)

1. Resolution 63/185, Protection of human rights and fundamental freedoms while countering, A/RES/63/185, 3 March 2009
URL: http://www.unhcr.org/refworld/docid/49b8c9f10.html

URL: http://www.unhcr.org/refworld/docid/497849ce2.html

URL: http://www.unhcr.org/refworld/docid/48e5df232.html

URL: http://www.unhcr.org/refworld/docid/47e8f71d2.html

URL: http://www.unhcr.org/refworld/docid/47876cb2.html

URL: http://www.unhcr.org/refworld/docid/45fe5ea12.html

URL: http://www.unhcr.org/refworld/docid/468364e72.html

URL: http://www.unhcr.org/refworld/docid/4459bfa92.html

9. Resolution 60/1, 2005 World Summit Outcome, A/RES/60/1, 24 October 2005
URL: http://www.unhcr.org/refworld/docid/44168a910.html

URL: http://www.unhcr.org/refworld/docid/47dfb212.html

URL: http://www.unhcr.org/refworld/docid/49997ae127.html

12. Resolution 49/60, Measures to eliminate international terrorism, A/RES/49/60, 17 February 1995
URL: http://www.unhcr.org/refworld/docid/3b00f3171c.html
   URL: [http://www.unhcr.org/refworld/docid/49997ae10.html](http://www.unhcr.org/refworld/docid/49997ae10.html)

14. **Resolution 44/29, Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes**, A/RES/44/29, 4 December 1989
   URL: [http://www.unhcr.org/refworld/docid/49997ae06.html](http://www.unhcr.org/refworld/docid/49997ae06.html)

15. **Resolution 42/159, Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes**, A/RES/42/159, 7 December 1987
   URL: [http://www.unhcr.org/refworld/docid/49997ae21c.html](http://www.unhcr.org/refworld/docid/49997ae21c.html)

16. **Resolution 40/61, Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes**, A/RES/40/61, 9 December 1985
   URL: [http://www.unhcr.org/refworld/docid/3b00f228c.html](http://www.unhcr.org/refworld/docid/3b00f228c.html)

**B. UN Security Council (UNSC)**

   URL: [http://www.unhcr.org/refworld/docid/48747d9929.html](http://www.unhcr.org/refworld/docid/48747d9929.html)

   URL: [http://www.unhcr.org/refworld/docid/45c30c6d0.html](http://www.unhcr.org/refworld/docid/45c30c6d0.html)

   URL: [http://www.unhcr.org/refworld/docid/468372832.html](http://www.unhcr.org/refworld/docid/468372832.html)

   URL: [http://www.unhcr.org/refworld/docid/43f308d9c.html](http://www.unhcr.org/refworld/docid/43f308d9c.html)


   URL: [http://www.unhcr.org/refworld/docid/411357be4.html](http://www.unhcr.org/refworld/docid/411357be4.html)
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