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**REPORT**

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from : Working Party on Asylum

meeting on: 8 February 1994

to : Steering Group I (Asylum/Immigration)

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Subject: Harmonized application of the definition of refugee within the meaning of Article 1A of the 1951 Geneva Convention (WGI 1633)

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The plan of action and work programme for 1994 includes, by way of priority action, the question of the harmonized application of the definition of refugee within the meaning of Article 1A of the 1951 Geneva Convention.

On 7 and 8 February 1994 the Working Party on Asylum held the first reading of a document from the Netherlands delegation on certain guidelines for applying the criteria for determining refugee status (WGI 1633).

The document touches on a number of aspects outside the scope of Article 1A of the Geneva Convention, namely:

- loss of refugee status, Article 1C (point 8 of the document);
- the exclusion clause relating to persons already receiving protection or assistance from the United Nations, Article 1D (point 9 of the document);
- the exclusion clause relating to persons who it is thought should not receive international protection, Article 1F (point 10 of the document).

The Working Party took the view that these aspects went beyond the terms of reference that had been laid down but that they were inherently linked to the consideration of Article 1A of the Convention.

Some delegations were in favour of the issues envisaged in Articles 1D and 1F being given particular consideration by CIREA.

The Working Party hereby submits to Steering Group I the following questions:

- whether the Working Party should examine, in the general discussion of Article 1A, the aspects relating to Articles 1C, 1D and 1F of the Geneva Convention;
- whether the Working Party on Asylum is the appropriate forum for making this examination or whether, in the case of Articles 1D and 1F, the discussions should rather take place in the context of CIREA.