

## Factsheet

# THE 1967 PROTOCOL

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*This treaty ensures that the protections in the Refugee Convention, originally limited to post-World War II Europe, are extended to any refugees.*

### **What is the 1967 Protocol relating to the Status of Refugees?**

The [1967 Protocol relating to the Status of Refugees](#) is an international treaty. It is to be read alongside the [1951 Convention relating to the Status of Refugees](#) (known as the Refugee Convention).

The Refugee Convention was drafted in the aftermath of World War II, which saw many millions of people displaced across Europe. It applied only to people who had been displaced as a result of events occurring before 1 January 1951. When ratifying (becoming a party to) the Convention, countries could choose to restrict its application even further so that it applied only to refugees displaced by events within Europe before 1 January 1951.

After 1951, new refugee situations arose, and these new refugees did not fall within the scope of the Refugee Convention. This protection gap led governments to create the 1967 Protocol, because they considered it 'desirable that equal status should be enjoyed by all refugees covered by the definition in the Convention, irrespective of the dateline of 1 January 1951' (Protocol Preamble).

### **What is the effect of the 1967 Protocol?**

The 1967 Protocol removed the Refugee Convention's temporal and geographical restrictions so that the Convention applied universally. Article 1 of the Protocol says that countries that ratify it agree to abide by the Refugee Convention as well – even if they are not a party to it. For instance, the United States has not ratified the Refugee Convention but it has ratified the 1967 Protocol. This means that it is bound to apply the Convention's provisions, which commit it to treating refugees in accordance with internationally recognized legal and humanitarian standards. These include respecting the principle of *non-refoulement* – that is, not sending refugees to a place where they are at risk of persecution, or to a country which might send them to such a place; providing refugees with a legal status, including rights such as access to employment, education and social security; and not punishing refugees for entering 'illegally' – that is, without a passport or visa.

The effect of the Protocol means that the Refugee Convention now applies universally amongst those States which have adopted the Protocol. The only exceptions are in Turkey, which expressly maintains the geographical restriction; Madagascar, which maintains the geographical restriction and has not adopted the Protocol; and Saint Kitts and Nevis, which has not adopted the Protocol.

See also our factsheet on The Refugee Convention.