
STATUTORY INSTRUMENTS

2006 No. 2525

**The Refugee or Person in Need of International
Protection (Qualification) Regulations 2006**

Act of persecution

- 5.—(1) In deciding whether a person is a refugee an act of persecution must be:
- (a) sufficiently serious by its nature or repetition as to constitute a severe violation of a basic human right, in particular a right from which derogation cannot be made under Article 15 of the Convention for the Protection of Human Rights and Fundamental Freedoms⁽¹⁾; or
 - (b) an accumulation of various measures, including a violation of a human right which is sufficiently severe as to affect an individual in a similar manner as specified in (a).
- (2) An act of persecution may, for example, take the form of:
- (a) an act of physical or mental violence, including an act of sexual violence;
 - (b) a legal, administrative, police, or judicial measure which in itself is discriminatory or which is implemented in a discriminatory manner;
 - (c) prosecution or punishment, which is disproportionate or discriminatory;
 - (d) denial of judicial redress resulting in a disproportionate or discriminatory punishment;
 - (e) prosecution or punishment for refusal to perform military service in a conflict, where performing military service would include crimes or acts falling under regulation 7.
- (3) An act of persecution must be committed for at least one of the reasons in Article 1(A) of the Geneva Convention.

(1) Agreed by the Council of Europe at Rome on 4th November 1950 as it has effect for the time being in relation to the United Kingdom.