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Legal framework

Geneva Convention and qualification directive

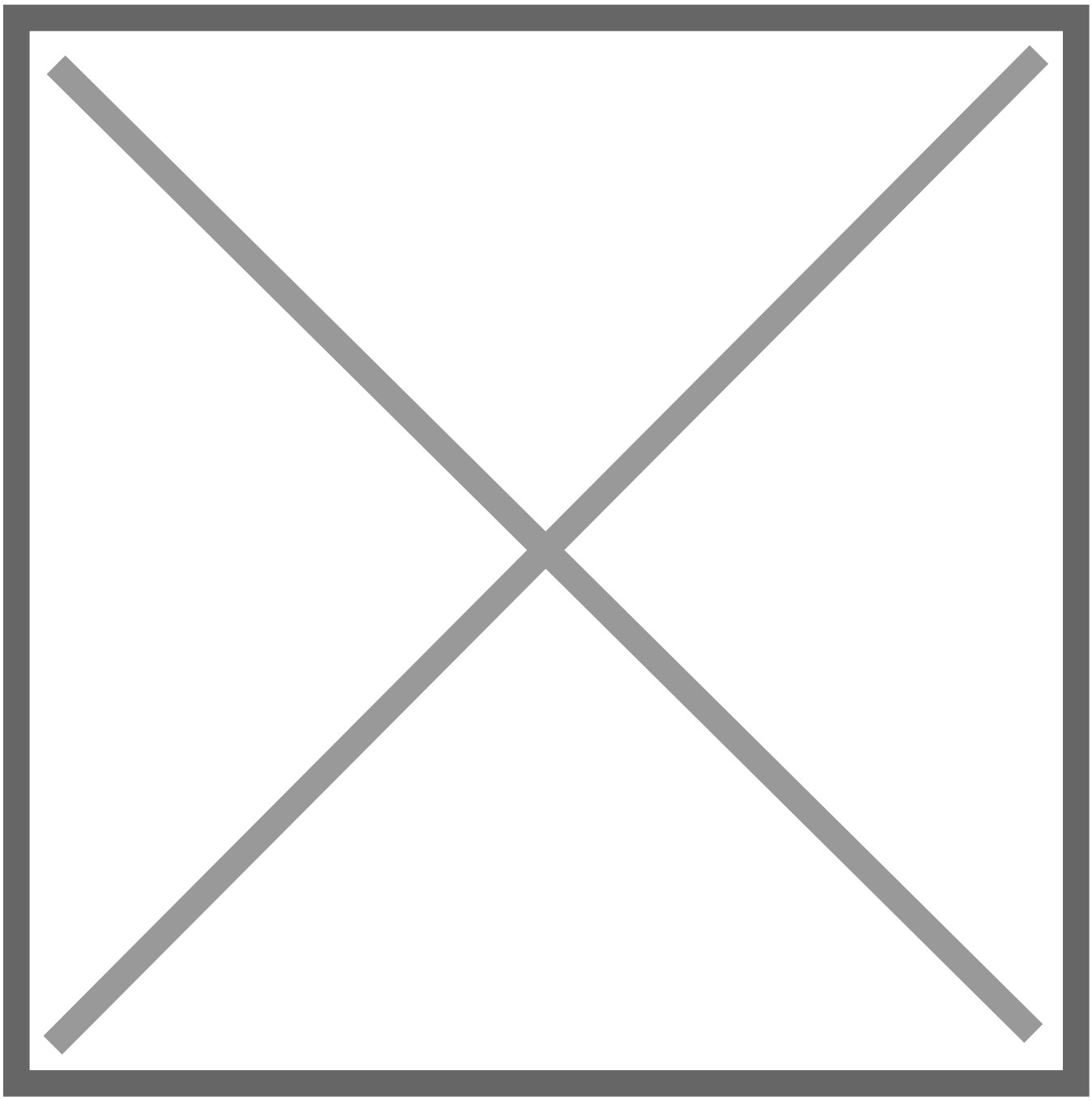
It should be underlined that international protection only comes into consideration where there is no protection by the country of origin; it is thus a substitute for national protection.

The 1951 Geneva Convention relating to the status of refugees and its 1967 Protocol are the main international legal instruments in the field of international protection, in particular with regard to refugee status and the principle of *non-refoulement*. Subsequently, and through the adoption of the qualification directive (QD), a new form of protection, subsidiary protection, was introduced in the EU. The QD stipulates the legal criteria for qualification for subsidiary protection and further develops the criteria for refugee status. With regard to the latter, the implementation of the provisions of the QD should be based on the full and inclusive application of the Geneva Convention.

Refugee status and subsidiary protection in accordance with the QD.



Qualification for refugee status should always be examined first.



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