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Refugee status: well-founded fear of persecution

Legal references	Jurisprudence

Article 1A(2) GC **Article 9 QD** **Article 4(4) QD** **Universal Declaration of Human Rights, UN General Assembly, Resolution 217 (IIII), 10 December 1948** **International Covenant on Civil and Political Rights, 999 UNTS 171, 16 December 1966** **International Convention on the Elimination of All Forms of Racial Discrimination, 660 UNTS 195, 7 March 1966** **Convention on the Elimination of All Forms of Discrimination against Women, 1249 UNTS 13, 18 December 1979** **Convention on the Rights of the Child, 1577 UNTS 3, 20 November 1989** **Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 25 May 2000** **Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 25 May 2000** **Convention on the Rights of Persons with Disabilities, 2515 UNTS 3, 13 December 2006** **International Covenant on Economic, Social and Cultural Rights of 1966, 993 UNTS 3, 16 December 1966** **European Social Charter of 1961, ETS No 35, 18 October 1961 and Revised European Social Charter, ETS No 163, 3 May 1996**	• CJEU, *Andre Lawrence Shepherd v Bundesrepublik Deutschland, Case C-472/13, judgment of 26 February 2015, EU:C:2015:117, paras 25-26 (individual assessment of persecution)*, paras 46, 49 and 52-56 (military desertion) • CJEU, Bundesrepublik Deutschland v Y and Z, Joined Cases C-71/11 and C-99/11, judgment of 5 September 2012, Grand Chamber, EU:C:2012:518, para. 57, paras 60-67 (severity of interference with the right to religious freedom), para. 72 (sufficient seriousness to qualify as persecution), paras 78-80 (well-foundedness) • CJEU, Minister voor Immigratie en Asiel v X and Y and Z v Minister voor Immigratie en Asiel, Joined Cases C-199/12 to C-201/12 judgment of 7 November 2013, EU:C:2013:720, paras 53-61 (sufficient seriousness to qualify as persecution, criminalisation of homosexual acts), paras 63-64 (past persecution), paras 73-76 (well-foundedness)

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