



Official Gazette of Iraq

Political Refugee Law

No. (51) Of 1971

قانون اللاجئين السياسيين

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Laws

In the name of the people Revolutionary Command Council

Based on the provisions of Paragraph (a) of Article (42) of the Interim Constitution, and pursuant to what was presented by the Minister of Interior, the Revolutionary Command Council decided in its session held on 28/3/1971 issuing the following law:

No.(51) of 1971 Political Refugee Law

Article 1

For the purposes of this law, the following expressions have the meanings indicated next thereto:

1. Minister: Minister of Interior.
2. The Committee: The Permanent Committee for Political Refugees
3. Refugee: Everyone who takes refuge in the Iraqi Republic for political or military reason.

Article 2

Asylum to Iraq shall be by submitting a request to the competent authorities by:

1. Arab citizens or foreigners residing outside Iraq.
2. Arab citizens or foreigners residing in Iraq.



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3. The persons displacing from the border area to Iraqi territory.

Article 3

A person's asylum application shall not be accepted unless after making sure of the following:

1. Being a refugee;
2. Evidence of his/her good faith in resorting to the Iraqi Republic;
3. That his/her sole purpose of asylum is not to find a means of earning and living.
4. There is nothing forbidden or doubtful about his/ her request.

Article 4

1. Surrendering a refugee to his/ her country under any circumstances shall be prohibited.
2. When a person's request regarding the acceptance of his/ her asylum in Iraq is rejected, he/ she may be deported to a country other than his/ her own, in accordance with recommendations of the competent departments and with the approval of the Minister.

Article 5

1. A permanent committee shall be formed in Baghdad under the name (Permanent Committee for Political Refugees) headed by the Undersecretary of the Ministry of Interior for the general administration or his/ her representative, provided that his/her rank is not less than a director general and the membership of each of:
 - a. A representative of the (dissolved) Revolutionary Command Council - Public Relations.



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- b. A representative of the Ministry of Interior headquarters.
 - c. A representative of the Military Intelligence Directorate.
 - d. A representative of the General Security Directorate.
 - e. A representative of the General Nationality Directorate.
2. The committee shall be linked to the Ministry of Interior from an administrative and financial aspect, including salaries, allocations and expenses that are spent for refugees.
 3. The committee shall undertake considering refugee cases in accordance with the instructions issued by the Minister. The investigation of persons residing outside Iraq may be deposited with the Iraqi diplomatic bodies.
 4. The committee shall hold at least one meeting every fifteen days on a regular basis, as well as whenever needed, and the director of the office of Political Refugees at the Ministry of Interior shall be its secretary.

Article 6

1. The committee shall submit its recommendations to the minister to accept or reject the person's asylum, accompanied by a statement of the justified reasons, after soliciting the opinion of the competent departments and discussing the asylum seeker.
2. The minister's decision regarding the committee's recommendation shall be subject to objection by the President of the Republic within fifteen days from the date of notification.
3. The decision of the President of the Republic regarding the objection stipulated in Paragraph (2) of this article shall be final.



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Article 7

1. The asylum seeker shall surrender his/ her weapon to the Iraqi authorities upon entering the Iraqi territory, and the weapon shall remain their trust and to be returned to him/ her upon revocation of his/ her asylum or be compensated if he/ she so desires.
2. A refugee shall be prohibited from carrying a firearm except with the approval of the Minister.

Article 8

1. The following shall be exempt from the provisions of the Foreigner Residence Law:
 - a. Whoever it is decided to accept his/ her asylum in Iraq.
 - b. Whoever enters Iraq seeking asylum there.
٢. When the application of a person covered by the provisions of Article (2) of this law regarding the acceptance of his/ her asylum in Iraq is rejected, the Minister may accept or reject his/ her residence application under the Foreigner Residence Law, and the minister's decision in this regard shall be final.

Article 9

١. He/ she (I.e. Asylum seeker. Translator) shall, before he/ her asylum in Iraq, provided with a special document by the Office of Political Refugees, in accordance with the form issued by the Minister, after he/ she takes the oath of loyalty to the Iraqi Republic for the duration of his/ her stay in Iraq by the committee or whomever it assigns.



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2. The wording of the oath shall be drawn up in accordance with instructions issued by the Minister.

Article 10

The Political Refugee Affairs Office shall:

1. Organize a special file for each refugee.
2. Keep records related to refugee affairs and the decisions of the committee.
3. Providing the Directorates of General Security and Military Intelligence with the required information about every refugee, and these two directorates shall keep a record of this information for the purposes related to the affairs of their departments.

Article 11

Whoever is granted asylum in Iraq shall enjoy the rights of an Iraqi citizen in the following matters:

- a. Taking advantage of all of the health, cultural and social services.
 - b. The exercising professions and businesses.
 - c. Providing him/her with agricultural land in accordance with the provisions of the Agrarian Reform Law, provided that the land is not registered in his/ her name until after he/ she has Iraqi nationality.
 - d. Employing or using him/ her after the approval of the Minister.
2. The President of the Republic, based on the minister's proposal, may grant some or all of the refugees other rights that the Iraqi citizen enjoys.



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3. Those who have been granted asylum in Iraq shall be allowed to bring in their family members who are legally assigned to support them, and who is coming of them shall be granted the right of residence as long as his/ her family enjoys the right of asylum.

Article 12

Refugees shall be charged with all duties imposed on Iraqis in accordance with applicable laws, excepting the military service, barring after the approval of the President of the Republic, subject to the laws in force.

Article 13

1. The refugee shall receive monthly financial allocations when he/ she is not able to manage his/ her livelihood or if he/ she is used in an official or semi-official department, and the Minister may, upon the committee's recommendation, determine the monthly financial allowances that are paid to the refugee.
2. The Minister's authority to pay the refugee's monthly financial allocations shall be limited to a maximum of one year, and they shall be suspended before this period in the event that he/ she is able to manage or his/ her livelihood or if he/ she is used, and it is not permissible to pay refugee's financial allocations after the aforementioned period has passed, except in urgent cases determined by the President of the Republic.
٣. The minister or whomever he/ she authorizes may grant the asylum seeker a lump financial allocation as minister desires for a period not exceeding three months, until the decision on his/ her asylum matter is decided.
4. Every family shall be covered by one financial allocation, and it may not allocate these financial allocations to each of them separately.



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Article 14

Refugees' monitoring, administration, costs and social orientation shall be vested in the Ministry of Interior.

Article 15

1. The Minister may designate the place of residence of the refugee and change it when necessary.
2. A refugee may leave his/ her place of residence to move within the Republic of Iraq with the approval of the Director of the Office of Political Refugees Affairs after consulting the opinion of the competent departments.

Article 16

1. If a refugee breaches the security of the state or its political interests, the minister may repeal his/ her asylum decision and order his/ her deportation, in addition to referring him/ her to the courts if his/ her act is punishable by law, subject to the provision of Paragraph (2) of Article (4) of this law.
2. The Minister may issue an order to arrest a refugee in the event of his/ her breach of security or order for a period not exceeding two months, pending a decision to deport him/ her.



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Article 17

1. A refugee may not leave Iraq without the approval of the minister.
2. The Minister may grant a refugee a leave to spend outside Iraq, provided that it does not exceed one month.
3. A refugee may be granted a leave to spend outside Iraq exceeding one month with the approval of the President of the Republic.

Article 18

If the refugee escapes, his/ her properties and money in Iraq shall be confiscated by a decision of the Minister and the approval of the President of the Republic.

Article 19

Refugee Law No. (114) of 1959 and the instructions issued pursuant to it shall be repealed.

Article 20

The Minister may issue instructions to facilitate the implementation of this law.

Article 21

This law shall be effective once it is published in the Official Gazette.



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Article 2٢

Ministers shall implement this law.

Written in Baghdad on the twenty-fifth day of Muharram of 1391 AH, which, corresponding to the twenty-third day of March of 1971 AD.

Ahmed Hassan Al-Bakr

Chairman of the Revolutionary Command Council

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