



# UNHCR

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

UNHCR

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Notre/Our code: PRL00

Dear Sir,

Further to our previous correspondence, I am writing to confirm UNHCR's view that people who are persecuted based on their absence of religious belief may fall within the 1951 Convention Relating to the Status of Refugees, where they meet all of the eligibility criteria in the definition of a refugee, set out in Article 1A.

In UNHCR's 2004 Guidelines on Religious-based Refugee Claims,<sup>1</sup> it is indicated that claims based on "religion" may involve religion as belief, or non-belief. This is further interpreted as including inter alia nontheistic and atheistic beliefs. The Guidelines further state that "[b]eliefs may take the form of convictions or values about the divine or ultimate reality or the spiritual destiny of humankind", which can be understood as a belief in non-theistic reality (see paragraphs 5 and 6 of the Guidelines).

In some contexts, non-belief may also be associated with particular political positions or movements, which could mean that non-believers are persecuted for reason of their actual or perceived political opinions in some cases.

Furthermore, UNHCR has stated recently in a number of country-specific guidelines that the failure or refusal to adhere to a particular religious doctrine may be seen to contravene national legal codes based on religious principle.<sup>2</sup>

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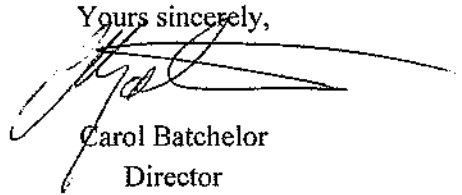
<sup>1</sup> UN High Commissioner for Refugees (UNHCR), *Guidelines on International Protection No. 6: Religion-Based Refugee Claims under Article 1A(2) of the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees*, 28 April 2004, HCR/GIP/04/06, available at: <http://www.refworld.org/docid/4090f9794.html>

<sup>2</sup> UN High Commissioner for Refugees (UNHCR), *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan*, 6 August 2013, HCR/EG/AFG/13/01, available at: <http://www.refworld.org/docid/51ffdca34.html>, section 5.

Mr John Hamill  
Secretary  
Atheist Alliance International

Should you have further queries please feel free to contact Ms. Madeline Garlick, Head, Protection Policy and Legal Advice Section.

Yours sincerely,



Carol Batchelor  
Director

Division of International Protection