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Persecution

Geneva Convention
Article 1A(2)

Qualification directive
Article 9, Article 4(4)

'Persecution' is not defined in the Geneva Convention. The notion is flexible, adaptable and sufficiently open in order to reflect ever-changing forms of persecution.

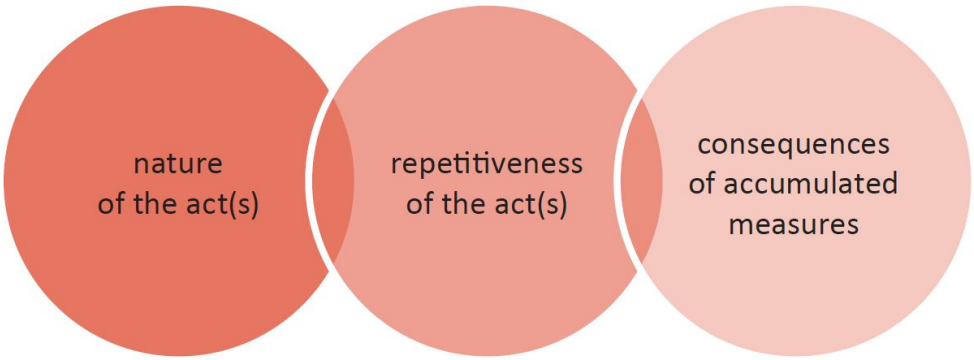
In order to be regarded as persecution within the meaning of the QD, an act must be:

a. **Sufficiently serious** by its nature or repetition as to constitute a **severe violation of basic human rights**, in particular the rights from which derogation cannot be made under Article 15(2) of the ECHR

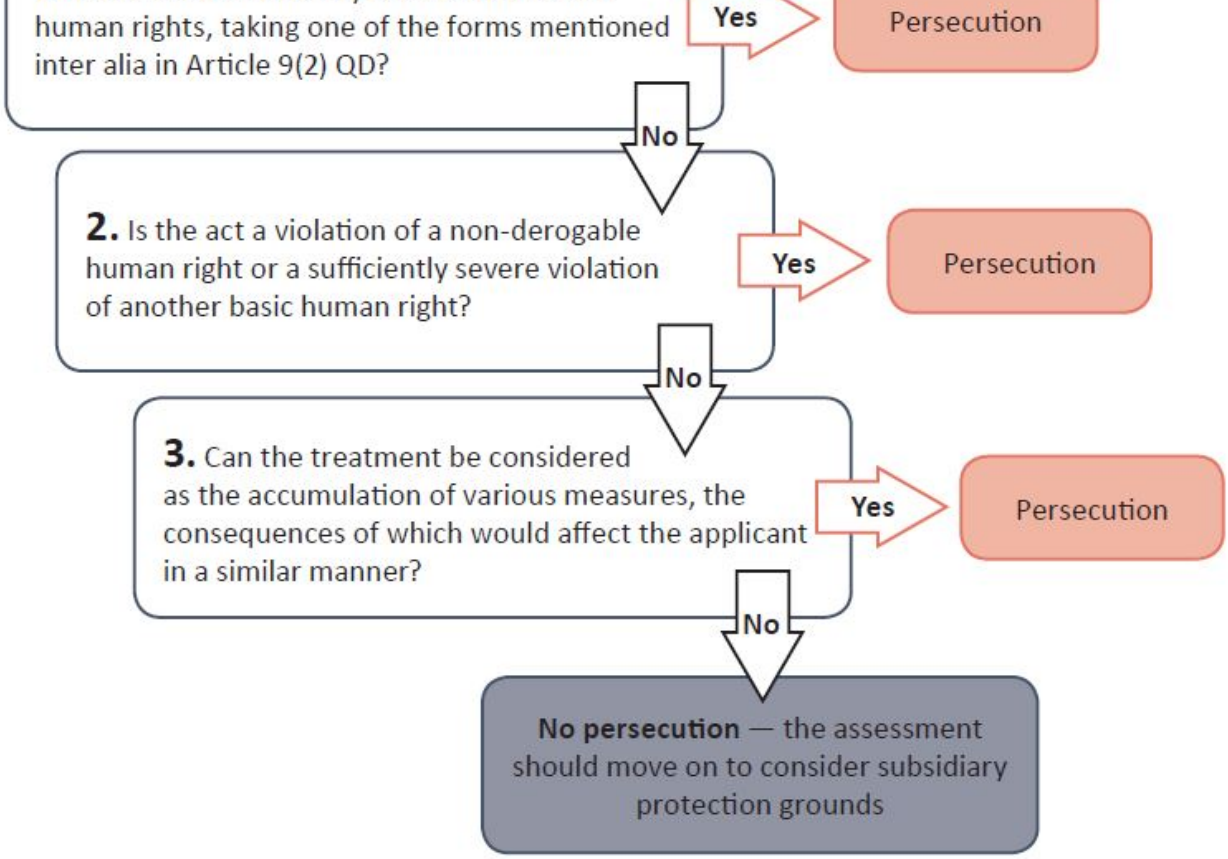
or

b. **An accumulation of various measures**, including violations of human rights, which is sufficiently severe as to affect an individual **in a similar manner** as mentioned in the first point

Therefore, not every form of mistreatment constitutes persecution. The elements that should be taken into account are:



Case officers can follow a three-step practical approach in order to assess whether a particular form of treatment amounts to persecution, as follows.



These steps are further developed below. They aim to provide practical assistance to the case officer. In order to establish that the treatment would constitute persecution, the threshold of severity in accordance with Article 9(1) QD should always be reached.

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