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Islamic law major influence on modern global refugee law – UN study



UN High Commissioner for Refugees António Guterres

22 June 2009 – The 1,400-year-old Islamic custom of welcoming people fleeing persecution has had more influence on today’s international refugee law than any other traditional source, according to a new study sponsored by the United Nations High Commissioner for Refugees (UNHCR).

High Commissioner António Guterres said that more than any other historical source, Islamic law and tradition underpin the modern-day legal framework on which [UNHCR](#) bases its global activities on behalf of the tens of millions of people forced from their homes around the world.

This includes the right of everyone to seek asylum as well as prohibitions against sending those needing protection back into danger, Mr. Guterres said in the foreword to “The Right to Asylum between Islamic Shari’ah and International Refugee Law: A Comparative Study.”

In the study, Professor Abu Al-Wafa, Dean of the Law Faculty at Cairo University, describes how Islamic law and tradition respects refugees, including non-Muslims; forbids forcing them to change their beliefs; avoids compromising their rights; seeks to reunite families; and guarantees the protection of their lives and property.

“The international community should value this 14-century-old tradition of generosity and hospitality and recognize its contributions to modern law,” wrote Mr. Guterres.

He said that “racism, xenophobia and populist fear-mongering manipulate public opinion and confuse refugees with illegal migrants and even terrorists.”

These attitudes have contributed to misperceptions about Islam, and Muslim refugees – who account for the majority – have paid the price, said Mr. Guterres. “Let us be clear: refugees are not

terrorists. They are first and foremost the victims of terrorism. This book reminds us of our duty to counter such attitudes.”

The study, published by UNHCR in cooperation with Naif Arab University and the Organisation of the Islamic Conference (OIC), is scheduled to be launched on 23 June at Naif Arab University in Riyadh, Saudi Arabia.

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