

## Territorial Asylum

The aim of this thesis is to analyse the topic of territorial asylum as an ancient and withstanding institute of international law. The main research questions are as follows: What constitutes territorial asylum? Can it be considered a basic human right from the viewpoint of each individual? Does this right include asylum or only the opportunity to seek it? Does the state of origin have a right to respond in some way to the granting of asylum? Can it be considered an unfriendly act?

This thesis is divided into six main chapters, each of which attempts to view this institute from a different perspective and answer the given questions.

The first chapter separates asylum and refugee status, institutes that are often mistaken, and defines the fundamental differences between them. It also describes the historical development of asylum and the differentiation between religious, territorial, political and diplomatic asylum.

The following chapter focuses on the definition of territorial asylum and how it is described by various law dictionaries. From these definitions, society's view on territorial asylum is conveyed.

The third chapter examines the three parts of territorial asylum, which theoretically come into consideration under this institute. The three parts include: the right of the state to grant asylum, the right of the individual to seek asylum, and the right of the individual to be granted asylum.

Chapter Four then discusses asylum as an international custom and describes how that custom is shaped. Examples of individual states' asylum policies are then shown through the examination of their respective constitutions.

The fifth chapter describes efforts at an international level to create a universal, legally binding document on territorial asylum. It addresses both the documents leading to the non-legally binding Declaration on Territorial Asylum and the legally binding Convention on Territorial Asylum.

The final chapter examines the reactions of origin states to the granting of territorial asylum. It also examines whether international law allows states of origin to react, and if so, what an acceptable reaction should be.

The conclusion outlines possible developments in the field of asylum and refugee status while highlighting some important points that should not be omitted from the creation of binding legislation at a universal level.