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Guidance on particular profiles

GUIDANCE NOTE
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This section refers to some of the profiles of Nigerian applicants, encountered in the caseload of EU Member States. It provides general conclusions on the profiles and guidance regarding additional circumstances to take into account in the individual assessment. Please note that some profiles are further split in sub-profiles and may appear in several categories.

The tables below summarise the conclusions with regard to different profiles and sub-profiles and aim at providing a practical tool to case officers. The distinction between the three categories is based on the likelihood for an applicant to qualify for refugee status. However, it should be noted that the placement of a particular profile under a certain category is not conclusive as to the individual protection needs of the applicant and each case should be examined individually. While examples are provided with regard to sub-profiles at differentiated risk and of circumstances which may increase or decrease the risk, these examples are non-exhaustive and to be taken into account in light of all circumstances in the individual case.

Moreover, an individual applicant could fall under more than one profile included in this guidance note and common analysis. The protection needs associated with all such circumstances should be fully examined.

Persons who belonged to a certain profile in the past or family members of an individual falling under a certain profile may have protection needs similarly to those outlined for the respective profile. This is not explicitly mentioned in the tables below, however, it should be taken into account in the individual assessment.

For relevant information and analysis, follow the **links** to the sections on the respective profile within the common analysis. For ease of reference, the numbering of the profiles as per the common analysis is preserved herein.
The conclusions regarding each profile should be viewed without prejudice to the credibility assessment of the applicant’s claims.

Based on available COI and analysis, it is concluded that individuals under the following profiles or sub-profiles would, in general, have a well-founded fear of persecution.

In these cases, nexus to a reason for persecution falling under the definition of a refugee (race, religion, nationality, membership of a particular social group or

political opinion) is also, in general substantiated.

Member of the security forces and pro-government militias *

Scope:

This profile refers to individuals that are priority targets for insurgent groups (e.g. officers of the security services, members of Afghan Local Police (ALP), or local uprising militias)

Potential nexus:

- (imputed) political opinion

Read more in the common analysis on **2.1 Member of the security forces and pro-government militias**

Individuals working for foreign military troops or perceived as supporting them *

Scope:

This profile refers to individuals that are priority targets for insurgent groups (e.g. interpreters and security guards)

Potential nexus:

- (imputed) political opinion

Read more in the common analysis on **2.3 Individuals working for foreign military troops or perceived as supporting them**

Members of insurgent groups and civilians perceived as supporting them *

Potential nexus:

- (imputed) political opinion

Read more in the common analysis on **2.5 Members of insurgent groups and civilians perceived as supporting them**

LGBT

Potential nexus:

- membership of a particular social group

Read more in the common analysis on **2.14 LGBT**

Individuals considered to have committed blasphemy and/or apostasy

Potential nexus:

- religion

Read more in the common analysis on **2.16 Individuals considered to have committed blasphemy and/or apostasy**

Baha'i

Potential nexus:

- religion

Read more in the common analysis on **2.17.4 Baha'i**

Individuals involved in blood feuds *

Scope:

This profile refers to men directly involved in a blood feud

Potential nexus:

- membership of a particular social group

Read more in the common analysis on **2.18.1 Individuals involved in blood feuds**

* *Please note that exclusion considerations could be relevant to this profile.*

Based on available COI and analysis, it is concluded that individuals under the following profiles or sub-profiles may have a well-founded fear of persecution in relation to certain risk-enhancing circumstances.

The table below provides examples of circumstances which may be relevant to take into account in the individual risk assessment and indicates a potential nexus to a reason for persecution (race, religion, nationality, membership of a particular social group or political opinion).

Members of the security forces and pro-government militias *

Scope:

This profile refers to individuals that are not priority targets for insurgent groups.

Examples of circumstances to take into account in the risk assessment:

- area of work and visibility of the applicant
- area of origin and presence of insurgent groups (in relation to insurgents' checkpoints)
- period since leaving the forces
- personal enmities
- etc.

Potential nexus

- (imputed) political opinion

Read more in the common analysis on **2.1 Members of the security forces and pro-government militias**

Government officials, including judges, prosecutors and judicial staff; and those perceived as supporting the government *

Examples of circumstances to take into account in the risk assessment:

■ being linked to ministries at the forefront of the fight against insurgents (e.g. Ministry of Defence, Ministry of Interior Affairs, etc.)

■ high position within the government (e.g. judges, prosecutors, other judicial staff)

■ prominent position within the community

■ originating from contested areas or areas with insurgent presence

■ personal enmities

■ open statements against the Taliban

■ etc.

Potential nexus

■ (imputed) political opinion

Read more in the common analysis on **2.2 Government officials, including judges, prosecutors and judicial staff; and those perceived as supporting the government**

Individuals working for foreign military troops or perceived as supporting them

Scope:

This profile refers to individuals that are not priority targets for insurgent groups.

Examples of circumstances to take into account in the risk assessment:

■ specific role and visibility of the applicant

■ being on the payroll of foreign troops

■ origin from a contested area or areas with insurgent presence

■ etc.

Potential nexus

■ (imputed) political opinion

Read more in the common analysis on **2.3 Individuals working for foreign military troops or perceived as supporting them**

Religious leaders

Examples of circumstances to take into account in the risk assessment:

■ public expression of support for the government or condemnation of insurgents' actions

■ performing ceremonies for killed members of the security forces

■ etc.

Potential nexus

■ (imputed) political opinion

■ religion

Read more in the common analysis on **2.4 Religious leaders**

Individuals at risk of forced recruitment

Examples of circumstances to take into account in the risk assessment:

■ belonging to the age group of adolescents and young adults

■ military background

■ area of origin and the presence/ influence of armed groups

■ increased intensity of the conflict

■ position of the clan in the conflict

■ poor socio-economic situation of the family

■ etc.

Potential nexus

■ (imputed) political opinion

Read more in the common analysis on **2.6 Individuals at risk of forced recruitment**

Educational personnel

Examples of circumstances to take into account in the risk assessment:

■ gender (i.e. female teachers)

■ origin from contested areas and areas under ISKP influence

■ the individual or the institution not following insurgent directives and/or curriculum

■ links to foreign sponsors

■ speaking out against the Taliban

■ etc.

Potential nexus

■ (imputed) political opinion

■ religion

Read more in the common analysis on **2.7 Educational personnel**

Humanitarian workers and healthcare professionals

Examples of circumstances to take into account in the risk assessment:

■ gender (i.e. women)

■ nature of activities (national/ international NGO with activities related to polio vaccination, de- mining, promoting women's rights, etc.)

■ origin from contested areas

■ level of cooperation with armed groups

■ speaking out against a party in the conflict

■ etc.

Potential nexus

■ (imputed) political opinion

Read more in the common analysis on **2.8 Humanitarian workers and healthcare professionals**

Journalists, media workers and human rights defenders

Examples of circumstances to take into account in the risk assessment:

■ nature of activities (e.g. journalists and media workers covering conflict-related topics and events, the political situation, corruption and human rights abuses would be at particularly high risk)

■ visibility of activities and public profile

■ gender (additional/higher risk for women)

■ area of origin

■ etc.

Potential nexus

■ (imputed) political opinion

Read more in the common analysis on **2.9 Journalists, media workers and human rights defenders**

Children

Examples of circumstances to take into account in the risk assessment:

For child marriage: see **‘Women – harmful traditional marriage practices’** below.

For child labour (depending on the nature of the work and the age of the child):

- poor socio-economic status of the child and his or her family, etc.

For child recruitment: see **'Individuals at risk of forced recruitment by armed groups'** above.

For violence against children:

- gender (boys and girls may face different risks)
- age and appearance (e.g. non-bearded boys could be targeted as bacha bazi)
- perception of traditional gender roles in the family
- poor socio-economic situation of the child and the family
- etc.

For access to education: in case of deliberate restrictions of access to education, in particular for girls.

Having **no support network in Afghanistan** is an important risk-enhancing circumstance for children.

Potential nexus

Depending on individual circumstances:

- (imputed) political opinion (e.g. political opinion (e.g. girls attending school in Taliban-controlled area)
- membership of a particular social group (e.g (former) bacha bazi)

Read more in the common analysis on **2.10 Children**

Women

Examples of circumstances to take into account in the risk assessment:

For violence against women:

■ perception of traditional gender roles in the family

■ poor socio-economic situation

■ type of work and work environment (for women working outside the home)

■ etc.

For harmful traditional marriage practices:

■ young age (in particular, under 16)

■ area of origin (particularly affecting rural areas)

■ ethnicity (e.g. Pashtun)

■ perception of traditional gender roles in the family

■ poor socio-economic situation of the family

■ local power/influence of the (potential) husband and his family or network

■ etc.

Women in public roles:

■ area of origin (particularly affecting rural areas)

■ conservative environment

■ visibility of the applicant (e.g. nature of the work, public statements perceived negatively by the actor of persecution)

■ perception of traditional gender roles by the family or network

■ etc.

Women perceived to have transgressed moral codes: See **'Individuals perceived to have transgressed moral codes'** below.

Women perceived as 'Westernised': See **'Individuals perceived as Westernised'** below.

Having **no support network in Afghanistan** is an important risk-enhancing circumstance for women.

Potential nexus

Depending on individual circumstances:

- (imputed) political opinion (e.g. women in public roles)
- membership of a particular social group (e.g.women in Afghanistan who do not live according to traditional gender roles)

Read more in the common analysis on **2.11 Women**

Individuals perceived to have transgressed moral codes

Examples of circumstances to take into account in the risk assessment:

- gender (the risk is higher for women)
- area of origin (particularly affecting rural areas)
- conservative environment
- perception of traditional gender roles by the family
- power/influence of the actors involved
- etc.

Potential nexus

Depending on individual circumstances:

- religion
- (imputed) political opinion
- membership of a particular (social group (e.g. women transgressing moral codes)

Read more in the common analysis on **2.12 Individuals perceived to have transgressed moral codes**

Individuals perceived as ‘Westernised’

Examples of circumstances to take into account in the risk assessment:

■ gender (the risk is higher for women; while for men it is generally minimal)

■ the behaviours adopted by the applicant

■ area of origin (particularly affecting rural areas)

■ conservative environment

■ perception of traditional gender roles by the family

■ age (it may be difficult for children to (re-) adjust to Afghanistan’s social restrictions)

■ visibility of the applicant

■ etc.

Potential nexus

Depending on individual circumstances:

■ religion

■ (imputed) political opinion

■ membership of a particular social group (e.g. women perceived as 'Westernised')

Read more in the common analysis on **2.13 Individuals perceived as ‘Westernised’**

Persons living with disabilities

Examples of circumstances to take into account in the risk assessment:

■ nature and visibility of the mental or physical disability

■ negative perception by the family

■ etc.

Potential nexus

■ membership of a particular social group

Read more in the common analysis on **2.15 Persons living with disabilities**

Individuals of Hazara ethnicity

Examples of circumstances to take into account in the risk assessment:

Being a Hazara in itself would normally not lead to the level of risk required to establish well-founded fear of persecution. In most cases where a well-founded fear of persecution is substantiated, it would be related to circumstances falling under other profiles included in this guidance, such as the profiles on Shia, including Ismaili, Members of the security forces and pro-government militias, Government officials, including judges, prosecutors and judicial staff; and those perceived as supporting the government, etc.

The individual assessment should also take into account risk-impacting circumstances, such as:

- the area of origin and area of work (depending on the actor of persecution),
- profession
- political activism
- etc.

Potential nexus

- (imputed) religion (see Shia, including Ismaili)
- (imputed) political opinion (e.g. links to the government perceived support for Iran)
- race (ethnicity)

Read more in the common analysis on **2.17.1 Individuals of Hazara ethnicity**

Shia, including Ismaili

Examples of circumstances to take into account in the risk assessment:

- area of origin (areas where ISKP has operational presence)
- participation in religious practices
- political activism

- etc.

Potential nexus

- religion

Read more in the common analysis on **2.17.2 Shia, including Ismaili**

Hindus and Sikhs

Examples of circumstances to take into account in the risk assessment:

The individual assessment of whether or not discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Potential nexus

- religion

Read more in the common analysis on **2.17.3 Hindus and Sikhs**

Individuals involved in blood feuds *

Scope:

This profile refers to other than men directly involved in the blood feud.

Examples of circumstances to take into account in the risk assessment:

- intensity of the blood feud
- origin from areas where the rule of law is weak
- etc.

Potential nexus

- membership of a particular social group

Read more in the common analysis on **2.18.1 Individuals involved in blood feuds**

* *Please note that exclusion considerations could be relevant to this profile*

Based on available COI and analysis, it is concluded that, in general, the following applicants would not have a well-founded fear of persecution for reason of race, religion, nationality, membership of a particular social group or political opinion, solely due to belonging to this profile or sub-profile.

However, in certain circumstances, such individuals could have a well-founded fear of persecution and could qualify for refugees status.The table below provides some examples of such circumstances where exceptions could apply.

Persons with severe medical issues

Examples of circumstances to take into account in the risk assessment:

The lack of personnel and adequate infrastructure to appropriately address the needs of people with (severe) medical issues would not meet the requirement that an actor of persecution or serious harm is identified in accordance with Article 6 QD, unless the individual is intentionally deprived of healthcare.

Potential nexus

Depending on individual circumstances.

Read more in the common analysis on **2.15 Persons living with disabilities and persons with severe medical issues**

Individuals involved in land disputes *

Examples of circumstances to take into account in the risk assessment:

- violent nature of the dispute
- power/influence of the actors involved in the land dispute

■ area of origin with weak rule of law

■ etc.

Potential nexus

In general, no nexus to a Convention reason.

However, depending on the underlying reason or the circumstances of the land dispute, nexus could potentially be established.

Read more in the common analysis on **2.18.2 Individuals involved in land disputes**

Individuals accused of ordinary crimes *

Examples of circumstances to take into account in the risk assessment:

■ area of origin of the applicant and the prevalent justice mechanism (parallel justice mechanisms by insurgent groups amount to persecution)

■ nature of the crime for which the applicant is prosecuted

■ envisaged punishment

■ etc.

Potential nexus

In general, no nexus to a Convention ground.

Read more in the common analysis on **2.19 Individuals accused of ordinary crimes**

Afghans perceived as wealthy

Examples of circumstances to take into account in the risk assessment:

■ visibility of the applicant

■ means available to provide one's security (e.g. power position or influence, network, financial means)

■ etc.

Potential nexus

In general, no nexus to a Convention ground.

Read more in the common analysis on **2.20 Afghans perceived as wealthy**

Individuals who were born in Iran or Pakistan and/or who lived there for a long period of time

Examples of circumstances to take into account in the risk assessment:

In exceptional cases, the accumulation of measures could amount to persecution.

Potential nexus

In general, no nexus to a Convention ground.

Read more in the common analysis on **2.21 Individuals who were born in Iran or Pakistan and/or who lived there for a long period of time**

* *Please note that exclusion considerations could be relevant to this profile.*

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