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Relevant case law



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Case law referenced in the common analysis includes:

**Actors of persecution
or serious harm**

■ CJEU, [Mohamed M'Bodj v État belge, case C-542/13, judgment of 18 December 2015](#), [Grand Chambe](#) (M'Bodj)

Religion

■ CJEU, [Bundesrepublik Deutschland v Y and Z, joined cases C-71/11 and C-99/11, Judgment of 5 September 2012, Grand Chamber](#) (Y and Z)

**Membership of a
particular social
group**

■ CJEU, [Minister voor Immigratie en Asiel v X and Y and Z v Minister voor Immigratie en Asiel, joined cases C-199/12 to C-201/12 Judgment of 7 November 2013](#) (X, Y and Z)

Article 15(b) QD

■ CJEU, [MP v Secretary of State for the Home Department, case C-353/16, judgment of 11 April 2018](#) (MP)

■ CJEU, M'Bodj

Indiscriminate violence in relation to armed conflict (Article 15(c) QD)

- CJEU, [Aboubacar Diakité v. Commissaire général aux réfugiés et aux apatrides](#), C-644/13, Judgment of the Court (Fourth Chamber) of 30 January 2014 (Diakité)
- CJEU, [Elgafaji v. Staatssecretaris van Justitie](#), C-465/07, Judgment of the Court (Grand Chamber) of 17 February 2009 (Elgafaji)
- ECtHR, [Sufi and Elmi v. United Kingdom](#), Applications nos.8319/07 and 11449/07, Judgment of 28 June 2011 (Sufi and Elmi)

Internal protection alternative

- CJEU, X, Y and Z
- CJEU, Y and Z
- CJEU, [Abdulla and Others v Bundesrepublik Deutschland](#), Joined Cases C-175/08, C-176/08, C-178/08 and C-179/08, Judgment of 2 March 2010 (Abdulla)
- ECtHR, [A.A.M. v Sweden](#), Application no. 68519/10, Judgment of 3 April 2014 (A.A.M v Sweden)
- ECtHR, [Salah Sheekh v the Netherlands](#), Application no.1948/04, Judgment of 11 July 2007 (Salah Sheekh)

Exclusion

- CJEU, [Commissaire général aux réfugiés et aux apatrides v Mostafa Lounani](#), Case C-573/14, Judgment of the Court (Grand Chamber) of 31 January 2017 (Lounani)
- CJEU, [Bundesrepublik Deutschland v B and D](#), Joined Cases C-57/09 and C-101/09, Judgment of 9 November 2010 (B and D)
- ICTY (Appeals Chamber), [Prosecutor v Kunarac et al.](#), IT-96-23 and IT-96-23/1-A, Judgment of 12 June 2002
- ICTY, [Prosecutor v. Dusko Tadic aka "Dule"](#) (Opinion and Judgment), IT-94-1-T, Judgment of 7 May 1997
- ICTR, [The Prosecutor v. Jean-Paul Akayesu](#) (Trial Judgment), ICTR-96-4-T, Judgment of 2 September 1998

For additional information on relevant case law see:

EASO Practical Guides:

Available at: [/practical-tools](#)

- EASO Practical Guide: Qualification for international protection

Judicial analyses:

Available at: [/courts-and-tribunals](#)

- Judicial Analysis 'Qualification for International Protection (Directive 2011/95/EU)
 - Judicial Analysis 'Article 15(c) Qualification Directive (2011/95/EU)
 - Judicial Analysis 'Exclusion: Articles 12 and 17 Qualification Directive (2011/95/EU)
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