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Actors of protection

GUIDANCE NOTE
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Article 7 QD stipulates that protection can be provided by:

a. the **State**;

b. parties or organisations controlling the State or a substantial part of the territory of the State;

provided they are **willing and able** to offer protection, which must be:

effective and of a **non-temporary nature**.

Such protection is generally provided when the actors mentioned take reasonable steps to prevent the persecution or suffering of serious harm, inter alia, by **operating an effective legal system for the detection, prosecution and punishment** of acts constituting persecution or serious harm,

and when the applicant has access to such protection.

o The Nigerian State

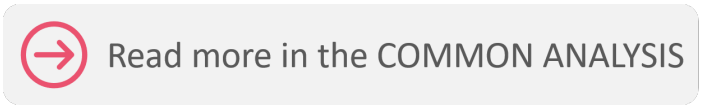
It can be concluded that in parts of the country, the capacity of the Nigerian State to provide protection is limited, in particular in the states significantly affected by violence related to Boko Haram, herders and farmers conflicts and by particularly high levels of general criminality. The Nigerian State and its institutions may also prove inaccessible or ineffective in certain situations, such as for women and children victims of violence, for the prevention of FGM/C, for forced and child marriage, for victims of trafficking, etc. Moreover, the Nigerian state may be an actor of persecution, for example in cases of LGBTIQ persons or when implementing the Sharia in cases of adultery in the North.

Age, gender, area of origin and socio-economic status are among the factors that affect the accessibility of protection for the individual.

Read more in the COMMON ANALYSIS

o Parties or organisations controlling the State or a substantial part of the territory of the State

No such actors are identified in Nigeria.



In case protection needs have been established in the home area, and if it is established that there is no actor who can provide protection in the meaning of Article 7 QD, the examination may continue with consideration of the applicability of internal protection alternative (IPA).

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