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GUIDANCE NOTE

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Although the Nigerian government has proclaimed many organisations as terrorist, the assessment should take into account the objective situation and the acts of the group and of the individual applicant.

(Former) membership in armed groups such as Boko Haram could trigger relevant considerations and require an examination of the applicant's activities under [Article 12\(2\)\(c\) QD/Article 17\(1\)\(c\) QD](#), in addition to the considerations under [Article 12\(2\)\(b\) QD/Article 17\(1\)\(b\) QD](#), or an examination under [Article 12\(2\)\(a\)/Article 17\(1\)\(a\) QD](#).

The application of exclusion should be based on an individual assessment of the specific facts in the context of the applicant's activities within that organisation. The position of the applicant within the organisation would constitute a relevant consideration and a high-ranking position could justify a (rebuttable) presumption of individual responsibility. Nevertheless, it remains necessary to examine all relevant circumstances before an exclusion decision can be made.



