Please cite as: EUAA, '7.3. Exclusion based on acts contrary to the purposes and principles of the United Nations' in *Country Guidance: Iraq*, Noviembre 2024.

7.3. Exclusion based on acts contrary to the purposes and principles of the United Nations

COMMON ANALYSIS
Last update: June 2022

Article 12(2)(c) QD and Article 17(1)(c) QD

Article 12(2)(c) QD and Article 17(1)(c) QR

(Former) membership in terrorist groups such as ISIL and Al-Qaeda could trigger relevant considerations and require an examination of the applicant's activities under Article 12(2)(c)/Article 17(1)(c) QD/QR, in addition to the considerations under Article 12(2)(b)/Article 17(1)(b) QD/QR. 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.

Where the available information indicates possible involvement in crimes against peace, war crimes or crimes against humanity, the assessment would need to be made in light of the exclusion grounds under Article 12(2)(a)/Article 17(1)(a) QD/QR.

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