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General remarks

COMMON ANALYSIS
Last update: January 2025

While the conclusions under this common analysis provide general guidance, the protection needs of each applicant should be **examined individually**. The non-exhaustive lists of risk-impacting circumstances, which would increase or decrease the risk of persecution, are to be taken into account.

The considerations under each profile should, furthermore, be viewed without prejudice to the credibility assessment of the applicant's claims. This common analysis deals solely with issues of risk analysis and qualification.

For each profile, the guidance responds to the following questions:

Step 1: Do the reported acts qualify as persecution?
This part provides examples of acts reported to be committed against individuals belonging to the profile as well as guidance on whether such acts would reach the level of persecution according to Article 9 QD/QR.
Step 2: What is the level of risk of persecution?
This part assesses how likely it is for applicants within the profile to have a well-founded fear of persecution. Further guidance is provided with regard to the circumstances which should be taken into account in the individual assessment, addressing also how they would impact the risk.
Step 3: Is there a ground for persecution?

This part provides guidance on whether in case of established well-founded fear of persecution, this would be connected to a reason falling within the provision of Article 10 QD/QR (nexus).

Relevant COI is also included in the analysis to substantiate the assessment provided. Links to the relevant EUAA COI reports and/or queries are also added.

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For more guidance on how to read the following subsections, please refer to 'Country Guidance: explained: Refugee status'.

The conclusions of the common analysis should also be considered generally applicable for ***sur place* activities**.

For assessing international protection needs related to sur place activities, please refer to EUAA Practical Guide on Political Opinion, 3.6. Political opinion expressed sur place, EUAA Practical Guide on Interviewing Applicants with Religion-based Asylum Claims, 4.1. Conversion to another religion.

Also, the CJEU has ruled on the interpretation of Article 5(3) QD, notably[6]:

'***Article 5(3) of Directive 2011/95/EU*** *of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted* ***must be interpreted as precluding national legislation which makes the recognition of the status of refugee following a subsequent application within the meaning of Article 2(q) of Directive 2013/32/EU*** *of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection,* ***based on a risk of persecution arising from circumstances which the applicant has created by his or her own decision since leaving his or her country of origin, subject to the condition that those circumstances must constitute the expression and continuation of convictions held by the applicant in that country.'***

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CJEU, *Bundesamt für Fremdenwesen und Asyl* v *JF*, C-222/22, Third Chamber, judgment of 29 February 2024, operative part (Court's ruling), https://curia.europa.eu/juris/document/document.jsf?text=&docid=283282&pageIndex=0&doclan

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