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7. Exclusion

COMMON ANALYSIS
Last update: January 2025

Article 12(2) QD and Article 17 QD |Article 12(2) QR and Article 17 QR

The contents of this chapter include:

- 7.1. Exclusion based on the commission of international crimes
- 7.2. Exclusion based on the commission of a serious crime
- 7.3. Exclusion based on acts contrary to the purposes and principles of the United Nations
- 7.4. Exclusion based on constituting a danger to the community or to the security of the Member State

For general guidance on Exclusion, see EUAA Practical Guide: Exclusion and EUAA Practical Guide on Exclusion for Serious (Non-Political) Crimes.

Given the serious consequences that exclusion may have for the individual, the exclusion grounds should be interpreted restrictively and applied with caution.

The examples mentioned in this chapter are non-exhaustive and non-conclusive. Each case should be examined on its own merits.

In the context of Iran, various circumstances may require consideration of the potential applicability of exclusion grounds. The Qualification Directive does not set a time limit for the application of the grounds for exclusion. Applicants may be excluded in relation to events occurring in the recent and more distant past.

More specifically, the need to examine possible exclusion issues in the context of Iran may arise, for example, in cases of applicants being former or current members of the groups cited below.

This list is non-exhaustive:

- Members of the Iranian government institutions, such as government officials and members of political or administrative institutions, of a certain rank or level.
- Members of the Iranian military, security and police forces, including the IRGC, Basij, morality police, Quds forces and intelligence services.
- Judicial officials, prosecution authorities, prison officials and detention personnel.
- Members of the People's Mojahedin Organization of Iran (PMOI), also known as Mojahedin-eKhalq (MEK) or Mojahedin-eKhalq Organization (MKO).
- Arab militant groups, including the armed wing of the separatist Arab Struggle for Movement for the Liberation of Ahwaz (ASMLA) (Harakat al-Nida in Arabic).
- Baluch militant groups such as the Jaish Al-Adl and the Ansar al-Furqan.
- Persons who participated in or provided support to activities of Iranian proxies or non-state actors in regional conflicts, such as those in Lebanon, Iraq, Yemen, Syria.
- Other individuals who committed serious crimes in or outside Iran, such as drug trafficking and trafficking in human beings.

In relation to potential exclusion considerations, see also the chapters Actors of persecution or serious harm and Refugee status.

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