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Internal protection alternative

This chapter analyses the situation in specific areas in the countries of origin in relation to the requirements of Article 8 QD.

Article 8 of the recast Qualification Directive

1. As part of the assessment of the application for international protection, Member States may determine that an applicant is not in need of international protection if in a part of the country of origin, he or she:

(a) has no well-founded fear of being persecuted or is not at real risk of suffering serious harm; or

(b) has access to protection against persecution or serious harm as defined in Article 7;

and he or she can safely and legally travel to and gain admittance to that part of the country and can reasonably be expected to settle there.

2. In examining whether an applicant has a well-founded fear of being persecuted or is at real risk of suffering serious harm, or has access to protection against persecution or serious harm in a part of the country of origin in accordance with paragraph 1, Member States shall at the time of taking the decision on the application have regard to the general circumstances prevailing in that part of the country and to the personal circumstances of the applicant in accordance with Article 4. To that end, Member States shall ensure that precise and up-to-date information is obtained from relevant sources, such as the United Nations High Commissioner for Refugees and the European Asylum Support Office.

In order to determine that internal protection is available in a particular part of the applicant's country of origin, three cumulative criteria have to be met, see Figure 8.

Figure 8. IPA criteria.

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The analysis and conclusions with regard to the three criteria are provided in the country guidance documents in a step-by-step approach.

1. Part of the country

The analysis under IPA cannot be provided in abstract terms.

As a first step, the country guidance documents usually identify a specific part of the country with regard to which the criteria of Article 8 QD are examined. The focus on a specific area in the analysis does not prevent the caseworker from considering the application of IPA for other parts of the country, which may be more relevant to the specific applicant.

2. Safety

Country guidance documents then proceed with the examination of the criterion of safety where considerations in relation to the following elements are usually elaborated on.

- general security situation
- actor of persecution or serious harm and their reach, including whether the profile of the applicant is considered a priority target
- other risk-enhancing circumstances.

3. Travel and admittance

The travel and admittance sub-section provides assessment with regard to the following elements.

Safely travel	Legally travel	Gain admittance
There should be a safe route, which the applicant can practically travel through without undue difficulty, so that they can access the area of IPA without serious risks.	There should be no legal obstacles that prevent the applicant from travelling to the safe area.	The applicant should be allowed to access the safe area by the actor(s) who control it.

4. Reasonableness to settle

The reasonableness requirement is also analysed with regard to both the general situation pertaining to the specific part of the country and relevant individual circumstances.

Figure 9. IPA: assessment of the reasonableness requirement.

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The conclusions with regard to the reasonableness to the settle in a particular area may be provided in general terms or taking into account relevant individual circumstances such as age, gender, health status, family status, the availability of support network, etc.

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For general guidance on the application of IPA, see the EUAA **Practical guide on the application of the internal protection alternative.**

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