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c. Acts contrary to the purposes and principles of the UN

GUIDANCE NOTE
Last updated: February 2019

This exclusion ground may apply to certain acts which constitute serious and sustained human rights violations and/or acts specifically designated by the international community as contrary to the purposes and principles of the UN (for example, terrorist acts in light of relevant UN Security Council resolutions).

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 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)(a) QD/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.

Read more in the COMMON ANALYSIS

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