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5.4.2. Individual circumstances

Please note that this country guidance document has been replaced by a more recent one. The latest versions of country guidance documents are available at /country-guidance.

COMMON ANALYSIS
Last updated: February 2019

In addition to the general situation in the area of potential IPA, the assessment whether it is reasonable to settle in that part of the country should take into account the individual circumstances of the applicant.

The individual considerations could relate to certain vulnerabilities of the applicant as well as to available coping mechanisms, which would have an impact in determining to what extent it would be reasonable for the applicant to settle in a particular area.

Please note that this is a non-exhaustive list:

- **Religion:** For places which are of Christian or Muslim majority, the religion of the applicant should be taken into account.

- **Ethnicity:** For places which are not multi-ethnic, the ethnicity of the applicant should be taken into account.

- **Status of indigenes vs settlers:** Indigeneity facilitates settling in certain areas. The constitution addresses the issue by the notion of 'a person either or whose parents or any of whose grandparents was a member of a community indigenous to that state.' Local governments, in the name of the state governor, issue Certificates of Indigene (also known as Certificates of Origin), which grant the owner access to many services such as land, education, employment, health care, and political positions.

- **Local knowledge** (additional to ethnicity and indigeneity): Local knowledge, including linguistic knowledge, and the existence of certain social ties and connections either through relatives or through school education or professional experience would be a relevant consideration, as such ties and knowledge would assist an applicant in settling in

the area and in particular in accessing basic means of subsistence and basic services.

- **Age:** Young age as well as elderly age could significantly limit the applicant's access to means of subsistence such as through employment, making him or her dependent on other providers. Therefore, this element should be seen in conjunction with the available support by the family or by a broader support network. In the case of children, the best interests of the child shall be a primary consideration, for example, with regard to access to basic education. In this regard, it can be noted that according to the Child's Rights Act, 'Every child has the right to free, compulsory and universal basic education and it shall be the duty of the Government in Nigeria to provide such education.' Education facilities are present in all parts of Nigeria and primary school gross enrolment ratio in 2013 was at 94.07 % of primary-school age children. However, access to education continues to be more difficult in the North East, where many schools have been closed, as well as for girls, street children and the children of nomadic groups. The number of out-of-school children amounted up to 10.5 million in 2017; about 60 % of those children were in northern Nigeria [*Key socio-economic indicators*, 2.7].

- **Gender:** Women and girls encounter additional difficulties in relation to education, work, housing, etc. [*Key socio-economic indicators*, 2.3.3, 2.4.3 and 2.6.3]. Further obstacles may be related to being a single mother or a widow, a woman who has been previously trafficked, being of certain ethnicity, etc. Therefore, the gender of the applicant should be taken into account when considering reasonableness in conjunction with his or her family status and available support.

- **State of health (illness or disabilities):** Access to health care is strained in various areas of Nigeria, making the health status of the applicant an important consideration when assessing the reasonableness of IPA for those who require medical treatment, also taking into account that their state of health may affect their ability to work and to travel/relocate. For those with disabilities, access to basic subsistence such as through employment would be further limited.

- **Social, educational and economic background:** The background of the applicant, their level of education and available financial means should be taken into account when assessing the reasonableness of IPA, and in particular the access of the applicant to means of basic subsistence.

- **Support network:** A support network can be the family network, not restricted to the core family, but also including the extended family, and/or a social network, in particular: friends, employers, classmates, members of the same ethnicity, especially when there is a certain point of contact, etc., taking into account their ability to assist the person in accessing basic subsistence. Special consideration should be given in the case of individuals, and especially women, who lived abroad for a long period of time and who have no relatives in the place considered as potential IPA, as they may lack a support network.

It should be noted that these factors would often intersect in the case of the particular applicant, leading to different conclusions on the reasonableness of IPA. In some cases, more than one

element of vulnerability would confirm a conclusion that IPA is not reasonable for the particular applicant (e.g. unaccompanied child, or person with disabilities without support network), while in other cases, they would balance each other (e.g. single woman who has a socio-economic background facilitating her access to basic subsistence, particularly through employment).

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