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Guidance on particular profiles

Please note that this country guidance document has been replaced by a more recent one.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.

GUIDANCE NOTE
Last updated: February 2019

This section refers to some of the profiles of Nigerian applicants, encountered in the caseload of EU Member States. It provides general conclusions on the profiles and guidance regarding additional circumstances to take into account in the individual assessment. Please note that some profiles are further split in sub-profiles and may appear in several categories.

The tables below summarise the conclusions with regard to different profiles and sub-profiles and aim at providing a practical tool to case officers. The distinction between the three categories is based on the likelihood for an applicant to qualify for refugee status. However, it should be noted that the placement of a particular profile under a certain category is not conclusive as to the individual protection needs of the applicant and each case should be examined individually. While examples are provided with regard to sub-profiles at differentiated risk and of circumstances which may increase or decrease the risk, these examples are non-exhaustive and to be taken into account in light of all circumstances in the individual case.

Moreover, an individual applicant could fall under more than one profile included in this guidance note and common analysis. The protection needs associated with all such circumstances should be fully examined.

Persons who belonged to a certain profile in the past or family members of an individual falling under a certain profile may have protection needs similarly to those outlined for the respective profile. This is not explicitly mentioned in the tables below, however, it should be taken into account in the individual assessment.

For relevant information and analysis, follow the **links** to the sections on the respective profile within the common analysis. For ease of reference, the numbering of the profiles as per the common analysis is preserved herein.

The conclusions regarding each profile should be viewed without prejudice to the credibility assessment of the applicant's claims.

Based on available COI and analysis, it is concluded that individuals under the following profiles or sub-profiles would, in general, have a well-founded fear of persecution.

In these cases, nexus to a reason for persecution falling under the definition of a refugee (race, religion, nationality, membership of a particular social group or political opinion) is also, in general substantiated.

Individuals targeted by Boko Haram

Scope:

This profile refers to persons perceived as government supporters; persons considered as 'infidels', including those rejecting the insurgents' strict interpretation of the Sharia; Christians, journalists; teachers and others working in education; health workers; IDPs)

For women and girls, see profile 2.13 Women and girls

Potential nexus:

■ (imputed) political opinion (e.g. those perceived as supporting the government or opposing Boko Haram, journalists, teachers, children, and especially girls, attending school, health workers)

■ religion (e.g. Christians, those seen as 'infidels')

Read more in the common analysis on **2.1 Individuals targeted by Boko Haram**

Individuals perceived as Boko Haram members or supporters *

Potential nexus:

■ (imputed) political opinion

Read more in the common analysis on **2.2 Individuals perceived as Boko Haram members or supporters**

LGBT persons

Potential nexus:

- membership of a particular social group

Read more in the common analysis on **2.11 LGBT persons**

* *Please note that exclusion considerations could be relevant to this profile.*

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Based on available COI and analysis, it is concluded that individuals under the following profiles or sub-profiles may have a well-founded fear of persecution in relation to certain risk-enhancing circumstances.

The table below provides examples of circumstances which may be relevant to take into account in the individual risk assessment and indicates a potential nexus to a reason for persecution (race, religion, nationality, membership of a particular social group or political opinion).

Members of separatist movements and individuals perceived as supporting them

Examples of circumstances to take into account in the risk assessment:

- level and nature of involvement
- visibility of the applicant (e.g. high profile, prior arrest, media appearance)
- participation in gatherings or manifestations
- etc.

Potential nexus:

- (imputed) political opinion

Read more in the common analysis on **2.3 Members of separatist movements and individuals perceived as supporting them**

Members of militant groups in the Niger Delta and individuals perceived as supporting them *

Examples of circumstances to take into account in the risk assessment:

- level of involvement with the militant organisation
- activities of the applicant
- etc.

Former members of the militant groups participating in the DDR programme generally do not have a well-founded fear of persecution related to their past involvement.

Potential nexus:

- (imputed) political opinion

Read more in the common analysis on **2.4 Members of militant groups in the Niger Delta and individuals perceived as supporting them**

Members and perceived supporters of political parties

Examples of circumstances to take into account in the risk assessment:

- level of political activity

- participating as a candidate in elections
- etc.

Potential nexus:

- (imputed) political opinion

Read more in the common analysis on **2.5 Members and perceived supporters of political parties**

Individuals involved in and affected by conflicts between herders and farmers *

Examples of circumstances to take into account in the risk assessment:

- area of origin of the applicant
- level of involvement with armed groups
- ownership of land or cattle
- etc.

Potential nexus:

- race (ethnicity, descent)
- religion

Read more in the common analysis on **2.6 Individuals involved in and affected by conflicts between herders and farmers**

Human rights activists, bloggers, journalists and other media workers

Examples of circumstances to take into account in the risk assessment:

- place of work

■ nature of activities (e.g. those working with LGBT communities may be at a particular risk)

■ visibility of activities and public profile

■ gender

■ etc.

Potential nexus:

■ (imputed) political opinion

■ religion

Read more in the common analysis on **2.7 Human rights activists, bloggers, journalists and other media workers**

Christian and Muslim minorities in specific areas

Examples of circumstances to take into account in the risk assessment:

■ area of origin

■ gender

■ in the case of the Shia minority – engagement with IMN

■ etc.

Potential nexus:

■ religion

■ the case of the Shia minority: religion and/or (imputed) political opinion

Read more in the common analysis on **2.8 Christian and Muslim minorities in specific areas**

Individuals accused of witchcraft

Examples of circumstances to take into account in the risk assessment:

■ area of origin

■ gender

■ age (children and elderly women are generally at a higher risk)

■ relevant events in the local community (e.g. death of a child, miscarriage of a pregnant woman)

■ visible disabilities

■ ‘unusual’ behaviour or attributes (e.g. being intersex)

■ family status (e.g. widow, orphan)

■ barrenness

■ etc.

Potential nexus:

■ religion

■ membership of a particular social group (e.g. twins, persons with visible physical and mental disabilities)

Read more in the common analysis on **2.9 Individuals accused of witchcraft**

Persons with albinism

Examples of circumstances to take into account in the risk assessment:

■ perception of the local community

■ perception of the family

■ etc.

Potential nexus

■ membership of a particular social group

Read more in the common analysis on **2.9 Persons with albinism**

Victims of human trafficking, including forced prostitution

Examples of circumstances to take into account in the risk assessment:

- amount of ‘debt’ to traffickers
- whether the applicant has testified against the traffickers
- level of power/capability of the traffickers
- the traffickers’ knowledge about the victims’ family and background
- age
- family status (e.g. orphan, single woman)
- socio-economic background and financial means
- level of education
- availability of support network (family or other)
- family’s involvement in the trafficking
- etc.

Potential nexus:

- membership of a particular social group (e.g. victims of trafficking whose return is perceived by the surrounding society as a failure, or who return with health problems)

Read more in the common analysis on **2.12 Victims of human trafficking, including forced prostitution**

Women and girls

Examples of circumstances to take into account in the risk assessment:

Gender-based violence:

- area of origin
- age
- being an IDP living in a camp

- family status (e.g. single mother)
- being subjected to forced marriage
- socio-economic status
- level of education
- support network (family or other)
- etc.

Female genital mutilation/cutting (FGM/C):

- ethnic group
- views of the parents/mother on the practice
- age
- level of education of the parents/mother
- area of origin
- etc.

Child / forced marriage:

- area of origin
- ethnic group
- religion
- age
- level of education of the individual
- level of education of the family
- socio-economic status of the family
- etc.

Potential nexus:

■ membership of a particular social group (e.g. Yoruba girls under the age of 5 who have not been subjected to FGM/C, women and girls perceived to have had sex outside of marriage in the context of Boko Haram violence)

Read more in the common analysis on **2.13 Women and girls**

Children

Examples of circumstances to take into account in the risk assessment:

Children that may be at particular risk in situations, such as under the following profiles:

► Individuals targeted by student cults

► Individuals threatened in relation to witchcraft or ritual killings

► Women and girls

► Victims of human trafficking, including forced prostitution

Under the above mentioned profiles, being a child may generally be considered as an important risk-enhancing circumstance.

Read more in the common analysis on **2.14 Children**

Persons with disabilities

Examples of circumstances to take into account in the risk assessment:

■ nature and visibility of the mental or physical disability

■ perception by the family

■ etc.

Potential nexus:

■ membership of a particular social group

Read more in the common analysis on **2.15 Persons with disabilities**

Individuals accused under the Sharia of acts not considered criminal according to international standards

Examples of circumstances to take into account in the risk assessment:

- area of origin of the applicant and the prevalent legal system
- acts of which the applicant is or may be accused
- envisaged punishment
- etc.

Potential nexus:

- religion
- membership of a particular social group (e.g. link to LGBT persons)

Read more in the common analysis on **2.16 Individuals accused under the Sharia of acts not considered criminal according to international standards**

Individuals accused of crimes punishable by the death penalty*

Examples of circumstances to take into account in the risk assessment:

The death penalty amounts to persecution.

Potential nexus:

In general, no nexus.

However, depending on the crime and legal system:

- political opinion (e.g. treason and conspiracy to treason)
- religion (in Sharia-implementing states)
- membership of a particular social group (e.g. link to LGBT persons)

Read more in the common analysis on **2.16 Individuals accused of crimes punishable by the death penalty**

* *Please note that exclusion considerations could be relevant to this profile*

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Based on available COI and analysis, it is concluded that, in general, the following applicants would not have a well-founded fear of persecution for reason of race, religion, nationality, membership of a particular social group or political opinion, solely due to belonging to this profile or sub-profile.

However, in certain circumstances, such individuals could have a well-founded fear of persecution and could qualify for refugees status.The table below provides some examples of such circumstances where exceptions could apply.

Individuals threatened in relation to ritual killings

Examples of circumstances to take into account in the risk assessment:

The risk for an individual applicant would not normally reach a reasonable degree of likelihood.

Potential nexus:

In general, no nexus.

Read more in the common analysis on **2.9 Individuals threatened in relation to ritual killings**

Individuals who refuse chieftaincy titles

Examples of circumstances to take into account in the risk assessment:

There is no information of acts which would amount to persecution.

Read more in the common analysis on **2.9 Individuals who refuse chieftaincy titles**

Individuals targeted by student cults

Examples of circumstances to take into account in the risk assessment:

Acts may amount to persecution or serious harm.

Risk-impacting circumstances may include:

- past membership to a cult *
- intention of the applicant to reveal the secrets of the cult,
- etc.

Potential nexus

In general, no nexus.

However, cults may be used to commit violence against political opponents: (imputed) political opinion (see profile (2.5) Members and perceived supporters of political parties)

Read more in the common analysis on **2.10 Individuals targeted by student cults**

Persons with severe medical issues

Examples of circumstances to take into account in the risk assessment:

In individual cases, such as if intentionally deprived of medical care, treatment could amount to persecution.

Potential nexus:

Depending on individual circumstances

Read more in the common analysis on **2.15 Persons with severe medical issues**

Individuals accused of ordinary crimes *

Examples of circumstances to take into account in the risk assessment:

Prosecution for an ordinary crime would generally not amount to persecution.

However, certain considerations may apply:

- area of origin of the applicant and the prevalent legal system
- act of which the applicant is or may be accused
- envisaged punishment
- etc.

Potential nexus

In general, no nexus.

Read more in the common analysis on **2.16 Individuals accused of ordinary crimes**

* *Please note that exclusion considerations could be relevant to this profile.*

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