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Internal protection alternative

Geneva Convention
Article 1A(2)

Qualification directive
Article 8

If protection is not available in the home area in the country of origin, the existence of a different safe part in that country is to be examined.

Consequently, the case officer can determine that an applicant is not in need of international protection if in a part of the country of origin he or she has no well-founded fear of being persecuted and is not at real risk of suffering serious harm or has access to protection against persecution and serious harm.

The case officer has the duty to demonstrate that internal protection is available in the particular area in the country of origin. This area has to be identified by the case officer.

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.

This part of the country is safe for the applicant.	**The applicant has access to this part of the country.**	**The applicant can reasonably be expected to settle there.**

There is no requirement that before seeking international protection the applicant has exhausted the possibilities to obtain protection in a different part in the country of origin. The assessment focuses on whether such an alternative is available at the time the decision is made.

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