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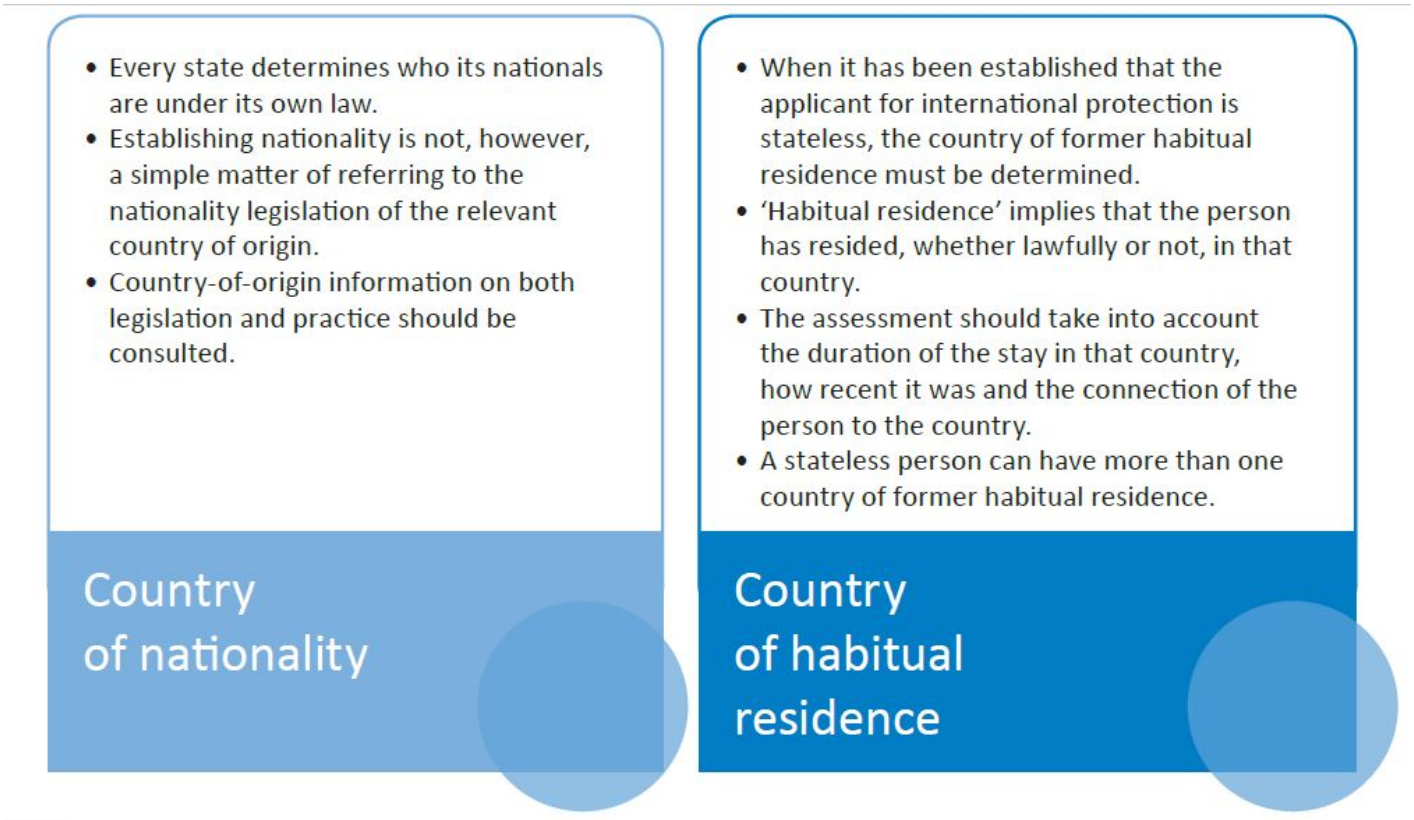
Importance of determining the country of origin

Determining the country of nationality or the country of former habitual residence is of decisive importance.

While in many cases the country of origin of the applicant is not a matter of dispute, there are cases where this is at the core of the examination. In this regard, case officers may take the following elements into consideration.



Specific considerations

Dual or multiple nationalities. In case of dual or multiple nationalities, it has to be assessed whether the applicant can be protected by any of the countries of their nationalities. If protection is available for the applicant in any of the countries of their

nationalities, they are not found to be in need of international protection.

Nationals with residence in a different country. Another possibility is that an applicant holds the nationality of a certain country but has resided in a different country over a prolonged period of time. In such cases, the case officer should assess whether the applicant qualifies as a refugee or is in need of subsidiary protection with regard to the country of nationality.

The fact that the applicant resided elsewhere, however, may be relevant if the applicability of the concept of a safe third country is considered.

Renouncing nationality. If the applicant states that they have renounced their nationality, the case officer should assess what rules apply regarding renunciation of nationality in the country concerned, and whether the applicant's actions could have resulted in actual loss of nationality. In the latter case, and if the applicant has no other nationality, they should be considered as a stateless person.

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