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Nexus/(for reasons of)

Geneva Convention
Article 1A(2)

Qualification directive
Article 9(3)

Acts of persecution as such do not qualify a person as a refugee unless they are committed for one (or more) of the five reasons. There must be a causal link between the reason and the persecution or the absence of protection against such persecution.

The nexus could be as follows.

- **Connection with the acts of persecution.** In this case, the applicant's fear of persecution is linked to his or her (actual or imputed) race, religion, nationality, membership of a particular social group or political opinion.
- **Connection with the lack of protection.** There are cases where persecution may be for reasons outside the definition of a refugee, but where it is tolerated, encouraged or not prevented by the actors of protection for reasons of one of the five grounds. The nexus requirement would therefore be satisfied in relation to the lack of protection.

An applicant may not be able to demonstrate the persecutory intentions or motives on the part of the actor of persecution. It may be unrealistic to expect that the persecutors have clearly identified themselves, have claimed responsibility for their actions or have specified their motives. However, it may be possible to draw an appropriate inference from circumstantial elements.

Specific considerations

Plurality of motives. There may be other reasons why a persecutory act has been performed in addition to the grounds of race, religion, nationality, membership of a particular social group or political opinion. It is important to note that, in order to establish the required causal link, the acts do not need to be solely motivated by one of the five grounds.

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