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7.3. Exclusion based on acts contrary to the purposes and principles of the United Nations

COMMON ANALYSIS
Last update: June 2025

Article 12(2)(c) QD and Article 17(1)(c) QD

Article 12(2)(c) QD and Article 17(1)(c) QR

(Former) membership in group such as the RSF could trigger relevant considerations and require an examination of the applicant's activities under Article 12(2)(c)/Article 17(1)(c) QD/QR, in addition to the considerations under Article 12(2)(b)/Article 17(1)(b) QD/QR. However, membership alone is not enough to substantiate exclusion. The application of exclusion should be based on an individual assessment of the specific facts in the context of the applicant's activities within that organisation. The position of the applicant within the organisation would constitute a relevant consideration and a high-ranking position could justify a (rebuttable) presumption of individual responsibility. Other engagement with a group, such as the aforementioned, could also trigger exclusion considerations. Nevertheless, it remains necessary to examine all relevant circumstances before an exclusion decision can be made.

Where the available information indicates possible involvement in crimes against peace, war crimes or crimes against humanity, the assessment would need to be made in light of the exclusion grounds under Article 12(2)(a)/Article 17(1)(a) QD/QR.

[Country Focus 2024, 1.1.3.; Security 2025, 1.2.1..]

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