3.16. Individuals with disabilities, including mental health issues

COMMON ANALYSIS
Last update: March 2026

The analysis below is based on the following EUAA COI report: Country Focus 2025, 2.16.; Country Guidance should not be referred to as a source of COI.

Step 1: Do the reported acts amount to persecution?

Nigeria faces significant challenges in relation to providing healthcare, including to persons with mental illnesses. The lack of personnel and adequate infrastructure to appropriately address the needs of individuals with (severe) medical issues fails to meet the requirement of Article 6 QD/QR regarding the existence of an actor that inflicts persecution or serious harm, unless the individual is intentionally deprived of healthcare 8.

The severity and/or repetitiveness of other acts to which persons living with mental and physical disabilities could be subjected to and whether they occur as an accumulation of various measures, should be considered. More specifically, those with disabilities, and especially those with mental illnesses face severe stigma and discrimination, limiting their access to public services. Stigma associated with mental illness prevents individuals from seeking treatment; persons with mental illnesses are often targeted by mobs. Those with mental health challenges accused of witchcraft or demonic possession are often beaten, tortured and killed.

Step 2: What is the level of risk of persecution?

The individual assessment of whether there is a reasonable degree of likelihood for individuals with disabilities, including mental health issues, to face persecution should take into account **risk-impacting circumstances**, such as:

- **Nature and visibility of the mental or physical disability:** Those with either physical disabilities or a mental health illness are susceptible to stigma.

- **Age and gender:** Women and girls with disabilities face discrimination in accessing health care and are at higher risk of gender-based violence and barriers to justice. See also 3.14.1. Gender-based violence (GBV) under 3.14. Women and girls. Furthermore, women (especially older women) and children are reported to be more vulnerable to accusations of witchcraft due to mental health illness (see 3.10. Individuals accused of witchcraft).

- **Home area**: Especially in rural or conflict-affected areas, persons with disabilities face significant marginalisation with limited access to education, health, and employment, compounded by stigma and discrimination.

Step 3: Is there a ground for persecution?

Where well-founded fear of persecution is substantiated for an applicant under this profile, this may be for reasons of **religion** (e.g. see 3.10 Individuals accused of witchcraft) and/or **membership of a particular social group**, as they share a common characteristic and they may have a distinct identity in Nigeria, as indicated by the severe social stigma in some cases.

- 8

  CJEU, Mohamed M'Bodj v État belge, C-542/13, Judgment of the Court (Grand Chamber) of 18 December 2014, paras. 35-36. See also CJEU, MP v Secretary of State for the Home Department, C-353/16, judgment of 24 April 2018 (MP), paras. 57, 59.

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