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Article 15(b) QD

The section on Article 15(b) QD looks into the risk of '**torture or inhuman or degrading treatment or punishment**' in relation to particular circumstances in the respective country of origin.

Depending on the country of origin, this chapter may address different aspects, providing conclusions as to whether the relevant circumstances may qualify under Article 15(b) QD. Examples of topics include:

- arbitrary arrests, illegal detention, and prison conditions
- criminality
- healthcare
- socio-economic conditions

Other elements may also be highlighted depending on their relevance in the context of the country of origin.

In general, Article 15(b) QD corresponds to Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). The jurisprudence of the ECtHR, therefore, provides relevant guidance in order to assess whether a treatment may qualify under Article 15(b) QD. An important difference with Article 3 ECHR, however, is the requirement that the harm is the result of the (intentional) conduct of an actor. See **Actors of persecution or serious harm**.

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For further general guidance on the application of Article 15(b) QD, see the section 'Torture or inhuman or degrading treatment or punishment', p. 28, of the EUAA **Practical guide: Qualification for international protection**.

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