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Civilian

Being a civilian is a necessary prerequisite to being able to benefit from protection under Article 15(c) QD, as the purpose of the provision is to protect only those who are not taking part in the conflict. This includes the potential application of Article 15(c) QD to former combatants who have genuinely and permanently renounced armed activity.

The assessment of protection needs is a forward-looking assessment. Therefore, the main issue at hand is whether the applicant will be a civilian upon return or not. The fact that the person took part in hostilities in the past would not necessarily mean that Article 15(c) QD would not be applicable to them.

The term '**civilian**' is, therefore, considered to refer to a person who would not be a member of any of the parties in the conflict and would not be taking part in the hostilities. When assessing the applicability of Article 15(c) QD with regard to an applicant who has previously taken part in the hostilities, it could, for example, be relevant to examine whether participation was voluntary or under duress. In the case of former combatants, exclusion considerations may also be relevant (see EASO Practical Guide: Exclusion).

It should be noted that actively taking part in hostilities is not limited to openly carrying arms, but could also include substantial logistical and/or administrative support for combatants.

In case of doubt regarding the civilian status of a person, a protection-oriented approach should be taken and the person should be considered a civilian.

Further national guidance may be in place with regard to who would qualify as a civilian or non-civilian in a particular armed conflict.

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