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3.1. Article 15(a) QD: death penalty or execution

COMMON ANALYSIS
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Article 15(a) QD

As noted in the chapter Refugee status, some profiles of applicants from Belgravia may be at risk of death penalty or execution …, and those individuals would qualify for refugee status.

In cases where there is no nexus to a Convention ground the need for subsidiary protection under Article 15(a) QD should be examined.

Death penalty is envisaged under both the Belgravian penal law and can be imposed for crimes such as treason and espionage, and crimes related to terrorism.

In areas under its control, Blestil committed executions and some of them may be considered as ‘punishment’, such as for refusal to join them or for transgressing the moral codes, according to the group’s strict interpretation. .

If there is a reasonable degree of likelihood of death penalty or execution, subsidiary protection under Article 15(a) QD shall be granted, unless the applicant is to be excluded in accordance with Article 17 QD.



In some cases the death penalty would have been imposed for a serious crime committed by the applicant, or for other acts falling within the exclusion grounds (Article 17 QD). Therefore, although the criteria of Article 15(a) QD would be met, exclusion considerations should be examined (see the chapter 6. Exclusion).
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