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Preliminary remarks

COMMON ANALYSIS
Last update: November 2024

In armed conflicts, the targeting of civilians may have nexus to one of the reasons for persecution according to the refugee definition. Therefore, refugee status may be granted. Such targeted violence, furthermore, would not be considered 'indiscriminate'.

a) Reference period

The following assessment is primarily based on the EUAA 'Iraq: Security situation', published in May 2024 and concerning the reference period 1 February 2023 – 31 March 2024. Some indicators, mainly referring to data, are also updated with information concerning the period 1 April – 31 July 2024 based on the COI Update 2024. Background information regarding the different conflicts in Iraq is also taken into account.

This guidance should be considered valid as long as current events and developments fall within the trends and patterns of violence observed within the reference period of the mentioned COI report. New events and developments that cause substantial changes, new trends or geographical shifts in the violence, may lead to a different assessment. The security situation in a given territory should always be assessed in light of the most up-to-date COI available.

b) Legal framework

All of elements under Article 15(c) QD/QR (Figure 1) have to be fulfilled in order to grant subsidiary protection in accordance with this provision.

Figure 1. Article 15(c) QD/QR: Elements of the legal assessment.

Common analysis of the factual preconditions and guidance on the possible application of Article 15(c) QD with regard to the situation in Afghanistan are provided in the following sections.

For general guidance on the country guidance approach to the assessment of subsidiary protection needs under Article 15(c) QD/QR, see 'Country Guidance: explained'.

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