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Serious and individual threat

As mentioned above, even if refugee status is not granted, established personal circumstances are to be taken into account in the examination of subsidiary protection.

This section presents a general framework regarding the individual circumstances which may be relevant to consider in the assessment of a serious and individual threat in areas where the 'mere presence' threshold is not reached.

Certain personal circumstances could contribute to an enhanced risk of being subjected to indiscriminate violence, including its direct and indirect consequences.

It is important to differentiate these individual circumstances from the individual circumstances taken into account at other stages in the analysis:

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In the context of the 'sliding scale', each case should be assessed individually, taking into account the level of indiscriminate violence in the area, along with the combination of personal circumstances present in the applicant's case. It is not feasible to provide exhaustive guidance about what the relevant personal circumstances could be and how those should be assessed.

Some examples of personal circumstances that could affect the level of risk under Article 15(c) QD/QR, depending on the specificities of each country of origin, may include:

- **Age:** this personal circumstance may be of particular importance in relation to the ability of the person to assess the risks. Children may not be in a position to quickly assess and avoid risks related to a volatile security situation or associated risks, such as those of unexploded remnants of war. In some cases, elderly age may also impact the person's ability to assess and avoid risks associated with an armed conflict.
- **Gender:** the respective role of men and women in society and the perceptions of it may expose them to a differentiated level of risk and should be assessed accordingly. Their vulnerability to armed confrontations and targeted attacks may also differ.
- **Health condition and disabilities, including mental health issues:** serious illnesses and disabilities may result in restricted mobility for a person, making it difficult for them to avoid immediate risks and, in the case of mental illnesses, less capable of assessing risks. In other cases, such conditions may require frequent visits to a healthcare facility. Depending on the road security and the potential targeting of healthcare facilities, the latter may have additional implications related to the assessment of the risk under Article 15(c) QD/QR.

- **Economic situation:** applicants in a particularly dire economic situation may be less able to avoid the risks associated with indiscriminate violence. They may be forced to expose themselves to risks such as working in areas which are affected by violence in order to meet their basic needs. They may also have less resources to avoid an imminent threat by relocating to a different area.
- **Occupation and/or place of residence:** the occupation and/or place of residence the person is likely to have when they return to their home area may also be relevant to assess the risk under Article 15(c) QD/QR. It may, for example, be linked to the need for the applicant to travel through areas where road incidents are often reported, or to frequent locations known to be particularly affected by the conflict.
- **Knowledge of the area:** the relevant knowledge of the area relates to the awareness of the patterns of violence it is affected by. Different elements may contribute to a person's knowledge of the area. It can relate to their experience in the area or in areas similarly affected by indiscriminate violence. For example, being born or having lived for many years outside the country can impact the applicant's ability to assess the risks in the home area.
- **Family members or support network:** the lack of family members or a support network could affect the applicant's economic situation, place of residence and/or occupation and may also prevent them from being informed of the security risks.

In country-specific guidance, further elaboration on how specific individual circumstances may affect the level of risk in the context of Article 15(c) QD/QR, depending also on the nature and intensity of violence, may also be provided.

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