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4.3.3. Qualification of a person as a ‘civilian’

COMMON ANALYSIS
Last update: June 2025

Being recognised as a civilian is a prerequisite to benefiting from protection under Article 15(c) QD/QR. The purpose of this provision is to protect only those who are not taking part in the conflict. This includes the potential application of Article 15(c) QD/QR to former combatants who have genuinely and permanently renounced armed activity. In the context of Sudan, these may also include the thousands of civilians who have temporarily either armed themselves and formed self-defence groups or have been armed by the SAF to protect their area of residence and then renounced armed activity.

Applications by Sudanese nationals falling under the following profiles should be examined carefully. Based on an individual assessment, such applicants may be found not to qualify as civilians under Article 15(c) QD/QR. For example:

- The SAF and affiliated armed groups, including paramilitary and auxiliary units as well as security and intelligence agencies, and civilian volunteers.
- The RSF and associated militias, including local armed factions in Darfur and the Kordofans, paramilitary and auxiliary units as well as security and intelligence agencies.
- Other armed groups opposing the SAF or the RSF, such as the JEM and factions of the SPLM-N and the SLM.

See also the chapter 2. Actors of persecution or serious harm.

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 to combatants.

Exclusion considerations may also apply (see the chapter 7. Exclusion).

[COI reference: Country Focus 2024, 1.1.3.; Security 2025, 1.2.]

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