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5.3.2. Qualification of a person as a 'civilian'

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Being a civilian is a prerequisite in order to be able to benefit from protection under Article 15(c) QD/QR. 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/QR to former combatants who have genuinely and permanently renounced armed activity.**

Applications by Syrian 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, members of:

- **Transitional Government Security forces** of the Ministry of Defence (MoD) and of the Ministry of Interior (MoI), included the police and General Security Services (GSS).
- **Military and security forces of the Assad regime that would have not genuinely and permanently renounced armed activity,** including all the components of the Assad Syrian Armed Forces (SAF), the police force, the intelligence services, etc.
- **Pro-Assad militias and armed gangs that would have not genuinely and permanently renounced armed activity:** Remnants of pro-Assad groups are still operating but there is unclarity regarding their structure, presence and operational capacity.
- **Armed groups** claiming to restore justice against (perceived) Assad regime collaborators.
- **SNA:** A collection of Turkish-backed armed opposition groups, being hostile towards the SDF.
- **SDF and Asayish:** Kurdish-led multi-ethnic force that support the US-led coalition in the war against ISIL.

- **ISIL and its predecessor groups.**

  See also 3. Actors of persecution or serious harm.

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 8. Exclusion).

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