

2. Serious (non-political) crime

This section examines the exclusion ground of serious (non-political) crime under Articles 12(2)(b) and 17(1)(b) of the recast QD and the QR, which reflect Article 1F(b) of the 1951 Geneva Convention. This is the most commonly-applied exclusion ground across EU+ countries and the one that generates the greatest volume of national jurisprudence. It is also the ground most directly shaped by CJEU case law.

Section 2.1 sets out the legal framework, including the key differences between exclusion from refugee status, which is subject to temporal and geographical limitations and requires the crime to be non-political, and exclusion from subsidiary protection, which is broader in scope and subject to neither of those conditions. Section 2.2 examines the CJEU's contributions to the interpretation of this ground, covering the autonomous concept of serious crime, its distinction from the particularly serious crime standard applicable in revocation proceedings, and the multi-factor seriousness assessment framework established in *Ahmed*. Section 2.3 then analyses how national courts have applied these principles in practice, addressing in turn the assessment of the nature of the crime and the harm caused, the role of criminal classifications and the penalty criterion, the non-political character requirement specific to exclusion from refugee status, and the applicable standard of proof and evidentiary requirements.

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