EASO Consultative Forum
11-12 December 2014

Round Table 4

Jamil Addou
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Article 15(c) Qualification Directive

**Article 15**

Serious harm consists of:

(a) the death penalty or execution; or

(b) torture or inhuman or degrading treatment or punishment of an applicant in the country of origin; or

(c) serious and individual threat to a civilian’s life or person by reason of indiscriminate violence in situations of international or internal armed conflict.
Number of situations where art. 15(c) QD was found to be applicable by EU MS in March 2014

- No specific policy: 6
- No situation where applicable: 1
- 1-3 Countries of origin: 9
- 4-7 Countries of origin: 6

22 MS
Source: EASO Quality Matrix
Countries or region of origin where 15(c) was found to be applicable in March 2014

16 MS

Source: EASO Quality Matrix
Afghan applicants for international protection in EU+

Annual trend and share since 2008

EU+ applicants – main citizenships, Jan-Oct 2014

512,388 Applicants
Afghan applicants for international protection in EU
Jan 2013 – October 2014: Monthly trend and main profile characteristics

Asylum applicants

Share of repeated applicants

Share of unaccompanied minors

Jan - Sep 2014

Men Women

0-13 14-17 18-34 35-64 65+

Men Women

0-13 14-17 18-34 35-64 65+
Main Receiving Countries of Afghan Applicants for International Protection
January 2013 – October 2014: Ranking and Monthly Trend

- Germany: 27%
- Hungary: 13%
- Austria: 10%
- Sweden: 9%
- Italy: 5%
- Belgium: 4%
- United Kingdom: 4%
- Greece: 4%
- Bulgaria: 4%
- Netherlands: 4%
- Others: 10%

XXX% - share of EU countries for Jan 2013 - Oct 2014
First instance decisions and type of decisions issued in the EU+
January 2013 – September 2014

Total decisions

Type of protection granted

- Germany: 9,990
- Sweden: 4,630
- Belgium: 4,050
- Italy: 3,715
- Austria: 3,210
- Switzerland: 2,645
- Greece: 2,515
- United Kingdom: 2,065
- Netherlands: 1,955
- France: 1,460
- Norway: 1,065
- Denmark: 880
- Hungary: 485
- Finland: 420
- Romania: 210
- Bulgaria: 110

Refugee Status: 0%
Subsidiary Protection: 20%
Humanitarian Protection: 100%
The application of article 15(c) QD to Afghan applicants

Regions in Afghanistan where article 15(c)QD is found applicable:

- Farah
- Helmand
- Kandahar
- Uruzgan
- Zabul
- Ghazni
- Paktika
- Paktya
- Khost och Kunar

Sample of 16 MS
Source: EASO Quality Matrix
Reasons behind variations in the application of article 15(c) QD.

- Different assessments of situations in countries of origin
- Different approaches to the interpretation and application of the legal framework
EASO COI Activities related to Afghanistan

- **Specialist COI Network on Afghanistan**
  - kick-off meeting Sep 2014
  - COI specialists from 18 EU+ countries

- **Joint drafting of a joint EASO COI Report on the Security Situation in Afghanistan**
  - Joint drafting by 3 EU+ countries drafting, research support by 3 other EU+ countries, peer review by 2 EU+ countries + UNHCR
  - Factual information to facilitate a more harmonised assessment of the need for protection, including subsidiary protection based on art. 15(c) QD
  - General part + info per province
  - Publication Jan 2015, to be updated every 6 months
  - Standardised methodology for security reports to be included in revised EASO COI Report Methodology (2015)
EASO Quality Activities related to article 15c QD

- **Practical cooperation within the EASO Quality Matrix initiative**
  - Mapping of MS interpretation and policies in relation to article 15(c) QD, initiated in Q3 2013. Participation of 22 MS.
  - Expert meeting held in Malta in September 2013 on Eligibility with a specific focus on article 15(c) QD.

- **The development of a Judicial Analysis on article 15(c) QD by the EASO Network of Courts and Tribunals**
  - Joint drafting by 10 EU judges supported by 2 judicial assistants and 1 expert from UNHCR.
  - Draft analysis consulted with the EASO Network of Courts and Tribunals as well as with the EASO Consultative Forum (input from 5 organisations).
  - To serve both as a reference for practitioners and as professional development material supporting workshops for members of courts and tribunals.
  - Publication Jan 2015, to be updated every year
Thank you

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