5.3.2. Qualification of a person as a ‘civilian’

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

Applications by Pakistani 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) QR. For example:

- members of national security forces, including the Pakistan Armed Forces, the ISI and other intelligence agencies, the Pakistan Rangers, the Frontier Corps, and the Police;
- members of TTP or other Islamist militant groups;
- members of militant factions of separatist movements, including BLA, and BLF.



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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