

# Subsidiary protection

## Article 10(2) of the recast Asylum Procedures Directive

When examining applications for international protection, the determining authority shall first determine whether the applicants qualify as refugees and, if not, determine whether the applicants are eligible for subsidiary protection.

*And*

## Article 39(2) of the Asylum Procedure Regulation

When examining an application on the merits, the determining authority shall take a decision on whether the applicant qualifies as a refugee and, if not, it shall determine whether the applicant is eligible for subsidiary protection in accordance with Regulation (EU) 2024/1347.

This chapter addresses the EU-regulated status of subsidiary protection in accordance with **Article 15 QD/QR**:

- [Article 15\(a\) QD/QR: death penalty or execution](#)
- [Article 15\(b\) QD/QR: torture or inhuman or degrading treatment or punishment in the country of origin](#)
- [Article 15\(c\) QD/QR: indiscriminate violence in situations of armed conflict](#)
  - [Armed conflict](#)
  - [Civilian](#)
  - [Indiscriminate violence](#)
  - [Serious and individual threat](#)
  - [Life or person](#)
  - [Nexus \(by reason of\)](#)

Please note that where refugee status is not granted, established **personal circumstances** (e.g. age, gender, professional and economic background, home area, potential vulnerabilities) are still to be taken into account in the assessment of subsidiary protection according to Article 15 QD/QR.