Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: PA/08703/2019

THE IMMIGRATION ACTS

Heard at Field House	**Decision & Reasons Promulgated**
On 16th January 2020	**On 31st January 2020**

Before

UPPER TRIBUNAL JUDGE COKER

Between

RM

Appellant

And

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr M McHardy, instructed by Virgo Solicitors
For the Respondent: Ms R Bassi, Senior Home Office Presenting Officer

DETERMINATION AND REASONS

Pursuant to Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/269) I make an anonymity order. Unless the Upper Tribunal or a Court directs otherwise, no report of these proceedings or any form of publication thereof shall directly or indirectly identify the appellant in this determination identified as RM. This direction applies to, amongst others, all parties. Any failure to comply with this direction could give rise to contempt of court proceedings

1. The appellant, a Kurd of Iranian citizenship, born on 24th November 1990 appealed a decision of the respondent dated 23rd August 2019 refusing his international protection claim. His appeal was heard by First-tier Tribunal Judge Cary on 10th October 2019 and dismissed for reasons set out in a decision promulgated on 17th October 2019.

2. Mr [M] sought and was granted permission to appeal that decision in the following terms:

> "while I am unpersuaded there is an arguable error of law in the judge's credibility findings as to what took place in Iran, it is arguable that the judge erred in failing to assess and make findings on whether the appellant's Facebook activity would place him at risk on return."

Background

3. The appellant arrived in the UK, clandestinely, on 26th February 2016 and was arrested. He claimed asylum on 27th February 2016 and was screened; he was substantively interviewed in connection with his asylum claim on 27th June 2019.

4. The appellant claimed to have left Iran illegally on 14/15 November 2015 or 6th December 2015 and travelled, with the assistance of an agent to Iraq where he remained for some five days. He then claims he travelled to Turkey where he remained for one day and thence travelled to Greece. In Greece he was taken to a refugee camp where he stayed for one night. A EURODAC search identified he was fingerprinted in Greece on 20th December 2015. He was issued with papers and travelled through various countries and being fingerprinted in each country. He arrived in Austria a, was fingerprinted and taken to Germany to a designated camp. A Eurodac search showed he claimed asylum in Germany on 25th December 2015. The appellant did not remain in Germany but, with the assistance of an agent, he travelled to France where he remained for two months before crossing to the UK.

5. The appellant claimed he was at risk of being persecuted if returned to Iran because of his imputed political involvement with the Kurdish democratic Party of Iran ("KDPI"). The salient issues of his claim were:

   (a)he worked in a tea-room in Sarchawe which belonged to Mohammad [S];

   (b)on 6th December 2015, he was given a lift by Mr [S] to Rabat to visit his, the appellant's, sister. On the way they were involved in a car accident as a result of which they were taken to Imaam Khomeini Hospital. At the hospital he lost contact with his employer; he was visited by his maternal uncle who made enquiries and advised him to leave Iran because political papers had been found in the car and he, the appellant, would be implicated and accused of being a supporter.

(c)According to his screening interview he had left Iran on 14-15 November 2015; according to his substantive interview he left Iran on the evening of the car accident – 6th December 2015.

6. The respondent accepted the appellant was Kurdish Iranian and had left Iran illegally. The respondent, in the reasons for refusal of the claim for international protection identified inconsistencies and contradictions in his account:

(a)in his screening interview he claimed to have been distributing leaflets and to have been threatened by the police; in his substantive interview he stated he did not distribute leaflets and the person with whom he was in the car had political publications. His explanation for the discrepancy was that he couldn't remember, and that the interpreter may have misunderstood.

(b)in his substantive interview he said that he and Mr [S] were separated at the hospital and there has been no contact since then; his maternal uncle made enquiries and told him that Mr [S] had political papers in the car and that he would be investigated; he also said that the police found political documents on Mr [S] and that he, the appellant, was treated like Mr [S]. When asked if he had been interviewed by the police he said not at the hospital and referred to an incident some five years earlier.

(c)the appellant was asked in his substantive interview how he knew that Mr [S] had political papers and he said he didn't know, he hadn't seen the car but they might have been there. When asked how his uncle obtained the information about the papers he said that his uncle said he might be interrogated; he didn't know how his uncle got the information.

First-tier Tribunal decision

7. The First-tier Tribunal judge set out in detail the evidence given by the appellant at the hearing. There was no challenge to that recital of evidence in the grounds seeking permission to appeal, which included putting to him the inconsistencies identified by the respondent.

8. In addition to various explanations provided, the appellant stated he had opened and started posting on a personal Facebook account in 2017. Screenshots of the postings were not produced but the First-tier Tribunal judge was shown, on a laptop, copies of postings between July and September 2019 which, he records were explained to him as posts showing the appellant attending demonstrations and sharing anti-government posts. The respondent is noted as accepting that the appellant had attended various demonstrations and had posted photographs and other items on his Facebook page but that did not, she submitted, entitle him to international protection.

9. The appellant did not seek an adjournment to obtain printed screenshots of the Facebook entries.

10. The First-tier Tribunal judge found the appellant's claim not credible and rejected the appellant's account in its entirety. He drew attention to the inconsistencies in his account, not only between the screening interview and the substantive interview but also the further inconsistencies that arose from his evidence to the Tribunal. In relation to sur place activities the judge concluded the appellant was not a committed Kurdish activist, had not produced evidence that it was reasonably likely the Iranian authorities had viewed his Facebook posts and rejected his claim that he would be at risk of being persecuted because of the account.

Error of law

11. The grounds of appeal set out lengthy extracts from caselaw, which were repeated in oral submissions. The appellant relied upon five grounds:

Ground (i):the judge failed to consider crucial evidence sufficiently or at all;

Ground (ii):illogical reasoning of other evidence in relation to credibility;

Ground (iii):the judge erred in directing himself that a person who has voluntarily exposed himself to a risk of persecution in order to bolster a protection claim is not entitled to international protection if he can effectively retract or conceal the facts giving rise to such exposure;

Ground (iv): Failure to fully consider and/or apply caselaw in relation to risk factors.;

Ground (v):incorrect date of assessment of the asylum claim used;

12. The First-tier Tribunal Judge in a lengthy and detailed decision sets out the evidence before him and the submissions made. The appellant presented evidence of Facebook postings between July and September 2019 on a laptop. Printed screenshots copies were not provided. The judge records:

> 9.At the outset of the hearing Mr McHardy said that the appellant had a public profile on Facebook which related to his political activity in the United Kingdom. He said the profile was in Kurdish, Farsi as well as English. The Appellant could not be expected to delete that profile in accordance with **HJ(Iran).** I was told that the Facebook posts showed the appellant attending demonstrations in the United Kingdom as well as sharing anti-government posts.
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> 10.For some reason the Appellant's representatives had not produced any paper copies of the Appellant's Facebook profile. Mr McHardy showed me a few posts/photographs from July to September 2019 on his laptop....

11. ... [The Appellant] said he first began posting on Facebook in July 2017. His public Facebook pages showed him attending demonstrations against the Iranian government's attitude to the Kurds as well as giving his views on the subject.

…
21.[The Appellant] was reminded that it was possible for him to delete his Facebook account. In response he said it was his Facebook account and he was using it. He was asked why he had decided to post on Facebook particularly as he knew that he could be sent back to Iran. He said at the beginning it was just for information. He did not appreciate it would be dangerous.

…
25.[respondent's submissions] The Appellant's Facebook evidence had been produced very late in the day. The Home Office have a detailed Facebook manual and could have investigated the Appellant's postings if they had been provided earlier. The Appellant's postings could well have been private until the morning of the hearing. Even if the Appellant's postings had attracted a number of "likes" they could have been manufactured. It was perfectly possible to substitute one photograph for another while retaining the "likes".

…
28.[appellant's submissions] He had clearly been posting on Facebook and had attended a number of demonstrations in the United Kingdom....he had been posting since 2017. If he was returned to Iran there was no expectation on him that he would lie to the authorities about his activities in the United Kingdom.

...
39.It is the Appellant's case that if he is returned to Iran he is likely to be persecuted and ill-treated by the authorities who suspect him of involvement with the KDPI in Iran. He also maintains that his activities in the United Kingdom in attending demonstrations as well as his Facebook posts will put him at risk on return.. …

…
57.I also have to consider how the appellant's activities in the United Kingdom, if any, impact upon his claim. He claims to have participated in a number of demonstrations since 2017. In evidence he told me he had participated in 15 demonstrations in front of the Iranian embassy in London. In his asylum interview which took place only a few months ago he said since arriving in the United Kingdom he had "been with the Democrats (KDPI) and participating in all their activities" ... He described himself as a supporter and not as a member. He said he had not attended any meetings as only members could attended [sic] ...he made no mention of his Facebook account which I was told at the hearing show him at demonstrations and contains criticism of the current regime.

…
62. It is the appellants case that his activities in the United Kingdom are reasonably likely to put him at risk on return. Even opportunistic activity *sur place* is not an automatic bar to asylum.... it is evident that activities other than bona fide political protest can create refugee status *sur place* if a fear of persecution arising from such activities is objectively well founded. …

…
64. The appellant may well have participated in the demonstrations outside the Iranian embassy since arriving in the United Kingdom. However, he has failed to particularise the demonstrations he claims to have attended. I do not know when they took place nor do I know what the appellants role or involvement, if any at each was. There are a few photo copies of photographs of the appellant at "UK protests" in the appellants bundle. I do not know whether the demonstrations were well attended or what they were about. he is not a member of any Kurdish group in

the United Kingdom and would appear to have had no political profile in Iran. In his asylum interview he confirmed that he had not been involved with any Kurdish political parties in Iran...

65. The evidence does not suggest that the appellant is someone who has become committed Kurdish activist in the United Kingdom. His explanations in evidence for attending demonstrations in the United Kingdom were far from impressive and did not really show a deeply held commitment to the Kurdish cause. He simply said he attended because no one in this country "can stop you" and also because he had "freedom" as well as more time. in his asylum interview he confirmed that he had not attended any meetings of the KDPI here as he was not a member... in evidence he told me he had never spoken at any of the demonstrations. there is nothing from anyone to confirm the level of his activities in the United Kingdom. He has not produced any evidence to show it is reasonably likely that the Iranian authorities are likely to be aware of any of these activities such as they are.

66. Simply because an applicant attends one or more protests against the Iranian regime in the United Kingdom does not mean that he or she is reasonably likely to be at risk on return. Given the large numbers of those who demonstrate here and the publicity which demonstrators receive, for example on Facebook, combined with the inability of the Iranian government to monitor all returnees who have been involved in demonstrations here, regard must be had to the level of involvement of the individual here as well as any political activity which the individual might have been involved in Iran before seeking asylum in Britain – see **BA** (above).

67. I do not accept the appellants involvement in various demonstrations in this country is reasonably likely to put him at risk on return particularly as there is no evidence that his participation may have come to the attention of the authorities. He does not appear to have taken any active role in any of the demonstrations. By his own admission he never spoke at any of them and there is no evidence that he played any significant role such as leading any chanting there may have been. There is nothing from any of those involved in Kurdish political protests in the United Kingdom to support the appellants case. In particular I have nothing from the KDPI or any of those who may have attended any of the demonstrations with the appellant.

68. The appellant does not claim to have played any part in organising any of those demonstrations he attended. he may well have been little more than a member of the crowd. he has not said, for example if he carried a banner or placard although the copy photographs show him with a range of items. He has not explained what any of the items he carried purport to say or show. he has not claimed to have been photographed from within the embassy or by agents of the regime. There is no evidence that any of the demonstrations attracted publicity either in the United Kingdom or Iran or if they did that the material published and publicly available referred in some way to the appellant or would enable the Iranian authorities to identify him. The appellant has produced no evidence that the Iranian authorities are or would be aware of what appears to have been his low-level participation are[sic] whatever demonstration he may have attended. the current guidance as set out in **BA** in the circumstances I have outlined does not suggest that the appellant will be at risk of identification.

69. The appellant will be returned without a passport and so will be questioned on return.... it is part of the routine process for the authorities to look at an Internet profile, Facebook and emails of a returnee. according to **HB** "a person would be asked whether they had a Facebook page and that would be checked. When the person returns they will be asked to log onto their Facebook and email accounts". …

70. The appellants case differs from that of the applicant in **HB**. for some reason neither the respondent or myself were provided with copies of the appellants

> Facebook account at the hearing. All Mr McHardy was able to do was to show me a few posts (some with photographs) on his laptop for July and September this year which were said to be from the appellants account. In comparison the tribunal in HB were able to consider and analyse the appellants Facebook account which contained a number of posts showing support for the Kurdish political cause and expressing opposition to the Iranian regime....
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> 71. I accept that if the authorities see what the appellant claims to have posted on Facebook this might expose him to prosecution with a risk of imprisonment which in turn would result in a real risk of ill treatment as it would be clear to them that the appellant had participated at some level in anti-government activities. Photographs showing him attending a demonstration and/or comments criticising the regime may well be taken by the Iranian authorities as showing support for Kurdish rights and opposition to the Iranian regime. there is no evidence that the authorities distinguish between those who participate in such protests out of a genuinely held political opinion and those who do so simply to [sic] as a device to try to secure international protection. However, the appellant is able to extinguish that risk by the simple expedient of deleting his Facebook posts which would have the effect of removing all posts he has created as well as by not adding to them.
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> 72. The appellant has not produced any evidence to suggest that it is reasonably likely that the Iranian authorities have already viewed his Facebook posts to date or would do so prior to his return to Iran. The appellant is neither a Blogger nor journalist nor an online activist. He is not a member of any political party. I have rejected his claim about his activities in Iran and so he would not have been of any interest to the authorities in Iran before he came here. It is therefore not reasonably likely that he would be subject to a speculative Internet search or that the authorities have been monitoring him. There is also no evidence that the Iranian authorities would be able to recover his Facebook account once it has been deleted.
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> 73. The appellant claims that even if he was facing removal he would not delete his Facebook posts. the principle derived from **HJ Iran** (and applied in **RT Zimbabwe**) would only become relevant if it was found as a fact that the claimant would tell the authorities something about his background in the UK which would put him at risk of persecution and it was contended that he should modify what he said (including having to lie) in order to avoid that persecution. I have no doubt that the appellants underlying motives for participating the demonstrations recorded on his Facebook pages and posting any comments critical of the Iranian regime was to enhance his asylum claim in the United Kingdom rather than to show any genuine support for Kurdish rights. If that is right then it must follow that he would have no reason to tell the authorities anything about his activities in the United Kingdom and would not do so. He would not be required to modify his behaviour to avoid persecution. As his *sur place* activities have been undertaken to enhance his protection claim he would not be required to disclose anything about his deleted Facebook account or his attendance at demonstrations because those beliefs are not genuinely held. As he is not a genuine opponent of the Iranian authorities requiring him to close down/ delete his Facebook account would not contravene the **HJ Iran** principle.

13. Mr McHardy sought to produce print outs of what he said were screenshots of the Facebook entries that had been on the laptop that was shown to the First-tier Tribunal Judge. Ms Bassi objected; she submitted that the printouts had not been before the First-tier Tribunal judge and it was not appropriate for evidence to be introduced at this stage. I agreed. The Facebook postings that were shown to the First-tier Tribunal Judge on the laptop were the evidence that was before the judge, not the printed screenshots.

Ground (i)

14. The thrust of Mr McHardy's submission was that the evidence of the Facebook entries was crucial to the proper determination of the appellant's *sur place* asylum claim and that the failure of the judge to refer to this evidence indicated that their content had not been considered holistically with the evidence overall and this amounted to an error of law. The act of posting was itself part of the assessment of political activism as well as the content of the posts. Mr McHardy acknowledged that there is reference in the First-tier Tribunal decision to the presentation of the appellant's Facebook entries over a three-month period on a laptop and that printed screenshots were not produced. It was not submitted that the appellant had given evidence as to the content of the posts other than that which is recorded in the First-tier Tribunal decision. It does not appear to be the case that the appellant was asked to describe the content of each posting or what it referred to or when or how it had been posted. Nor does the appellant appear to have been asked whether his Facebook account was public or private or a mixture prior to June 2019. Nor does there appear to have been a post showing when the account was open or any indication what his profile was.

15. The judge was, as can be seen from the extracts of his judgment above, aware that there were posts on Facebook. He refers (paragraph 70) to the limited evidence that was available about the content of the posts. The judge referred in detail to *HB(Iran)* and drew a clear distinction to the difference in the evidence put forward in that case and that which the appellant was relying upon.

16. Although Mr McHardy referred to the Facebook evidence as being "crucial" in terms of the determination of the appellant's asylum claim it cannot logically be suggested that the detail of the Facebook account could impact on the credibility findings made by the judge on the appellant's asylum claim based on events whilst he was in Iran. The appellant's own evidence was that he had no political interest or activity whatsoever whilst in Iran. There was no request for an adjournment by the appellant; had there been the judge would have considered that in the context of the relevance and the submitted importance of the Facebook posts.

17. Mr McHardy submitted before me that the judge should, of his own motion, have considered whether a fair hearing could take place in the absence of printed screenshots of the Facebook evidence. The appellant was professionally represented; he produced last minute evidence which he sought to rely upon; there does not appear to have been any attempt to undertake a detailed description of the content of the posts with the assistance of the interpreter who could at the least have translated what the appellant read out. There was nothing before the judge which could begin to indicate that he should have given an adjournment.

18. The issue of the Facebook entries can therefore only impact on the nature and extent of the appellant's *sur place* activity.

19. Mr McHardy in his grounds of appeal and in oral submissions laid great stress upon caselaw and referred to extracts from YH [2010] EWCA Civ 116, *MK (duty to give reasons)* [2013] UKUT 641 (IAC), *JA (Afghanistan)* [2014] EWCA Civ 450. But his references miss the point: the judge was plainly aware that there were Facebook posts, the content (such as it was) had been described to him and that is referred to in the decision. There is no indication that the description as recorded was not given to the judge. The Facebook posts as described and the photographic evidence and the appellant's evidence of the demonstrations attended and the lack of other political party activity were all considered by the judge who, in the context of the appellant's overall lack of political engagement and lack of explanation for his posts and attendance at demonstrations, reached a conclusion that was open to him namely that his *sur place* activities were undertaken to enhance an asylum claim and not to show any support for Kurdish rights.

20. The caselaw references do not begin to undermine the findings of the judge on the motives of the appellant. The judge reached those findings on the basis of the evidence which was before him; he gave full, detailed and sustainable reasons.

21. Ground (i) is not made out.

Ground (ii)

22. Mr McHardy referred in his grounds to three findings in the First-tier Tribunal decision to support his submission that the reasoning in connection with the credibility findings was illogical:
(a) that the judge stating that the reference to the first mention of the appellant's uncle seeing Mr [S] speaking to the police was in evidence whereas this could have been the case when the appellant referred in his screening interview to his uncle making "a few queries".
(b) that the judge's conclusion that "it would make no sense for Mr [S] to keep any publications or other documentation in his car..." was speculative.
(c)the judge's comment re the accident and leaving Iran was unclear and the judge merely noted the explanation and did not state whether it was accepted or rejected.

These issues are minor disagreements with phraseology used by the judge. That it may have been speculation on the part of the judge regarding the documents in the car does not in any way undermine the thorough assessment undertaken by the judge of the statements made by the appellant in his screening interview (some three months after the incidents he claimed occurred), his claims made in his substantive interview and his attempts trying to remedy the inconsistencies and contradictions. The judge considered the evidence holistically and reached conclusions that were plainly open to him on the evidence before him.

23. Ground (ii) is not made out.

Ground (iii) and ground (iv)

24. The grounds do not accurately reflect the conclusion reached by the judge or the nuanced approach of the caselaw to opportunistic embellishment of an asylum claim.

25. The judge did not take the view that an asylum applicant was not entitled to protection if he could effectively retract or conceal elements of his claim to avoid exposure. The first point to be made is that the judge has made firm and unassailable findings that the appellant is not and has not been involved in any political opposition to the Iranian government. At most, from the evidence that was before the First-tier Tribunal judge, he has attended a few demonstrations and made a limited number of posts on a Facebook account which have not been translated and their provenance, content, spread and public nature was not in evidence before the judge. The appellant will not have to lie if asked if he is opposed to the Iranian government; he is not. If he chooses to say he is opposed to the government, that itself is a lie and a matter for him. The appellant has no reason to inform the Iranian authorities that he has been involved in anti-government activities because his involvement was not predicated upon any genuine political involvement. To assert otherwise would be inaccurate.

26. It is not, as submitted by Mr McHardy, immaterial, that *HJ (Iran)* was dealing with a case where the individual had a genuine characteristic. In this case, the appellant does not have a characteristic that requires protection.

27. Although as said in *Iftikar Ahmed* [1999] EWCA Civ 3003, the ultimate question is whether the behaviour of an appellant, no matter how cynical or manufactured, would result in a risk of persecution on return; if so then he may establish his right to protection. But that is not the end of the issue. Having established the particular behaviour the next question to be asked is whether that behaviour does place the appellant at risk.

28. The judge examined this. He identified and accepted that if the authorities in Iran came to know of adverse behaviour by the appellant then he would be at risk of being persecuted. The judge looked at the evidence relied upon by the appellant in the context of the relevant jurisprudence and concluded, in line with country guidance that the activities of the appellant in attending demonstrations would not lead to his identification. That was a finding the judge was entitled to come to on the evidence before him.

29. Mr McHardy submitted that the appellant would be asked to disclose his Facebook password and the posts he made would be available to the authorities which would lead to persecution. Apart from the difficulty for the appellant that at most the Facebook evidence shows demonstrations and some unparticularised postings, the nature and content of which was not disclosed (although the judge took the evidence at its highest and said that he accepted that the appellant might be exposed to risk if that was disclosed), the appellant could, as identified by the judge delete his Facebook account. It was not argued before the First-tier Tribunal that the Iranian authorities would be able to recover a deleted account.

30. The judge found that it was not reasonably likely, given his lack of activity, that the appellant would have been subject to monitoring or would be of any interest to the authorities in Iran. If asked on return if he had a Facebook account he could, if he deletes it, legitimately say no.

31. Mr McHardy said that the appellant could not lie; to do so would contravene the principles in *HJ(Iran).* This is to misunderstand the basis of those principles. Although this appellant has claimed asylum on the basis that he is anti-government, his claim is fabricated – he is not anti-government, he has not been involved in anti-government activity in Iran, his sur place activity has been contrived and does not amount to activity that would, in accordance with *HB*, result in adverse interest. He would be under no obligation to say that he had made an asylum claim as being anti-government given that his claim to have been involved in such activity is a fabrication.

32. The judge correctly found, on the evidence before him, that if the appellant deleted his Facebook account he would not be at risk of being persecuted.

33. Although Mr McHardy submits that the extent to which a deleted Facebook account was irrecoverable required expert evidence, the appellant did not file any such expert evidence. It is not a matter of the judge taking judicial notice, although of what is not quite clear. The appellant did not, at his hearing before the First-tier Tribunal judge make submissions regarding the lack of ability to delete a Facebook account or how a deleted account could be re-activated. Nor were there submissions that even if deleted, this appellant would be further investigated – the evidence before the First-tier Tribunal judge was such that, in line with *HB*, this appellant would not be at risk. This appellant has no activity, on the judge's sustainable findings, that could lead to him being at risk of being persecuted, if his Facebook account is deleted. If he chooses not to delete his Facebook account, despite him not being politically anti-government, that is a matter for him.

34. Grounds (iii) and (iv) are not made out.

Ground (v)

35. Mr McHardy submits that because the appellant has a Facebook account at the date of the hearing and the decision whether the appellant will be at risk of being persecuted is to be taken at the date of hearing, the judge has erred in law in speculating that the appellant will delete his Facebook account to avoid being at risk.

36. That submission is flawed on two grounds. Firstly, and perhaps the most basic, it is not speculative to conclude that an individual who is not anti-government and has no significant political activity would not delete something which is a fabrication.

37. Secondly the evidence of what was on the Facebook account was that the applicant had attended a few demonstrations on dates and at places unknown and had made a few unparticularised posts.

38. *HB* sets out the matters that may result in risk to a Kurd returning to Iran after a period abroad. This appellant has not been involved in Kurdish political groups or activity other than attending a few demonstrations at which he is very unlikely to have been identified; he has not spoken out in favour of Kurdish rights; he has not been involved in social or charitable activities on behalf of Kurds; he has not been involved in any organised activity on behalf of or in support of Kurds.

39. Although, as described in *HB*, the Iranian authorities operate a 'hair-trigger' approach, the only factor that can be remotely considered to be adverse to this appellant is that he is Kurdish and has been in the UK for some years. In line with *HB*, that is not enough.

40. Ground (v) is not made out.

41. The First-tier Tribunal judge did not err in law in dismissing the appellant's appeal against the decision to refuse him international protection.

Conclusions:

The making of the decision of the First-tier Tribunal did not involve the making of an error on a point of law.

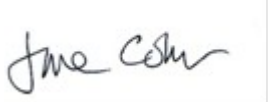
I do not set aside the decision; the decision of the First-tier Tribunal dismissing the appeal stands.

Anonymity

The First-tier Tribunal did not make an order pursuant to rule 13 of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014.

I make an order pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008.

Date 28th January 2020



Upper Tribunal Judge Coker