



IAC-AH-SC-V1

**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Number: PA/01787/2020

THE IMMIGRATION ACTS

**Heard by skype for business
On 28 April 2021**

**Decision & Reasons Promulgated
On 10 May 2021**

Before

UPPER TRIBUNAL JUDGE REEDS

Between

**HIR
(ANONYMITY DIRECTION MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Ms L. Brakaj, instructed on behalf of the Appellant.

For the Respondent: Mr S. Walker, Senior Presenting Officer

DECISION AND REASONS

Introduction:

Rule 14: The Tribunal Procedure (Upper Tribunal) Rules 2008

Anonymity was granted at an earlier stage of the proceedings because the case involves protection issues. I find that it is appropriate to continue the order. Unless and until a tribunal or court directs otherwise, the appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him. This direction

applies both to the appellant and to the respondent. Failure to comply with this direction could lead to contempt of court proceedings.

1. The appellant, a citizen of Iraq, appeals with permission against the decision of the First-tier Tribunal (Judge Fisher) (hereinafter referred to as the "FtTJ") who dismissed his protection and human rights appeal in a decision promulgated on the 25 August 2020.
2. Permission to appeal that decision was sought and on 10 March 2020 permission was granted by Upper Tribunal Judge Grubb.
3. The hearing took place on 28 April 2021, by means of *Skype for Business*, which has been consented to and not objected to by the parties. A face-to-face hearing was not held because it was not practicable, and both parties agreed that all issues could be determined in a remote hearing. The advocates attended remotely via video. There were no issues regarding sound, and no substantial technical problems were encountered during the hearing and I am satisfied both advocates were able to make their respective cases by the chosen means.

The background:

4. On 23 January 2008, the appellant entered the UK clandestinely by lorry and he claimed asylum. His asylum claim was refused and his appeal against that decision was dismissed by Immigration Judge Atkinson on 8 October 2008. The Judge accepted that he was an Iraqi Kurd from Kirkuk who had worked as a barber but did not believe his account that he was targeted by members of Ansar-Al Islam on account of his activities as a barber. The judge found that his account was inconsistent and implausible and he was not a credible witness and rejected all aspects of the appellant's account which were put in issue by the respondent (paragraph 34). The judge concluded that he was not the subject of specific threats issued by Ansar Al Islam.
5. The appellant was considered to have exhausted his appeal rights by 30 January 2009 but the materials demonstrate that there followed a series of further submissions, all of which were refused.
6. The most recent submissions were lodged on 20 October 2017. The respondent accepted that they amounted to a fresh claim. However, they were refused for the reasons set out in the decision letter dated 10 February 2020.
7. The decision letter began its consideration of the appellant's claim by making reference to the decision of Judge Atkinson promulgated on 8 October 2008 applying the principles in *Devaseelan* (at paragraphs 3 - 9).
8. The appellant claimed that the security situation in Iraq was one that reached Article 15 C of the Qualification Directive, that he was undocumented and therefore unable

to return and also claimed that if he returned he would be unable to secure employment and would become destitute without family support that his removal would be in breach of Article 3 of the ECHR.

9. It was further claimed that he would be persecuted on return because of his Kurdish ethnicity. Reference is made to a report by Prof Ali dated 27 July 2015 entitled "general risk on return for Kurds to Iraq" but the respondent considered that report predated the country guidance decision in SMO and others (Article 15 (c); identity documents) Iraq CG [2019] UKUT 00400.
10. By reference to SMO, the respondent concluded that the tribunal did not rule out returns of Kurdish people to the IKR and concluded at [24] it was possible to apply and obtain documentation from the Iraqi embassy in the UK to enable return to south and central Iraq.
11. Reference was also made to the CPIN dated November 2018 that in general conditions are not so severe the removal of a person to Iraq amounted to a breach of Article 3 of the ECHR. There was also reference to a report from the Danish refugee Council published April 2016 which stated, "various sources stated that Iraqi citizens who originate from the IKR will not face problems returning there."
12. The respondent concluded that applying SMO and other recent evidence (the Danish refugee Council report) demonstrated that enforced Kurdish returnees would be accepted in either Baghdad or Erbil and voluntary undocumented returnees would be accepted in the current situation is shown by the report by the Danish refugee Council. It was not accepted as shown in SMO that the security situation most of Iraq was serious enough in general that the removal of a person would amount to a breach of Article 3 of the ECHR or Article 15 c of the qualification directive.
13. SMO was cited in the decision letter at paragraphs 27 - 29 and the respondent took into account that the appellant had not demonstrated or submitted evidence that he did not have contact with family or friends who would be able to offer him financial and physical support upon return.
14. Consideration was given to his claim that he could not return as a result of his religious beliefs as a Sunni Muslim in accordance with the material set out at paragraphs 25 - 26 of the decision letter.
15. In summary, the respondent did not accept that the security situation in Iraq was one that attracted Article 15(c), that he would be at risk of serious harm or persecution as a result of his religion or ethnicity. It was considered that it had not been demonstrated that it would be unduly harsh to return to Baghdad where he could make the onward journey to Kirkuk to be reunited with family and friends and obtain their support and assistance. It was not accepted that he failed to show that he lost contact with his family or friends in Kirkuk who may be able to support and assist upon return and it was not accepted that it made all efforts available to obtain a CSID or a passport.

16. The application was therefore refused.
17. The appeal came before the FtT on 13 August 2020.
18. The FtTJ considered the protection appeal in the light of the country guidance of SMO and others (Article 15 (c); identity documents) Iraq CG [2019] UKUT 00400 (“SMO”) and concluded that the appellant’s home area of Kirkuk was no longer a “contested area” and could return there and that he did not fall into any of the categories outlined would be at risk of harm (at [18]).
19. At [12] the FtTJ made reference to the account that he had given to the previous judge in August 2008 and one which the tribunal had found been inconsistent and implausible and not supported by the background evidence. The judge recorded that had been accepted at the Case Management Review Hearing that there was no new evidence to support the appellant’s previous account and it was conceded that the issues raised would have been treated as settled following the decision in Devaseelan. However, the judge agreed that he was required to determine the issue of whether the appellant was in contact with his family.
20. At [13] the FtTJ resolved that issue in favour of the appellant and gave reasons as to why he was satisfied that the appellant was not in contact with any family members who may be in Kirkuk or Iraq.
21. However at [14] the FtTJ concluded that would not necessarily be an obstacle to his return and that in the original asylum application he had produced a copy of his CSID card. Having considered the decision in SMO the judge reached the conclusion that he could obtain documentation from the embassy in the UK. The FtTJ at [16] did not consider that the evidence set out in the respondents CPIN post-dated the decision in SMO or that it demonstrated that a replacement CSID could not be obtained at the consulate and that it was “merely advice in terms of obtaining the new INID”. Furthermore, the judge did not feel able to attach any real weight to the appellant’s visits to the consulate as he considered much would depend on the information provided to the staff. Furthermore there was no evidence from the consulate as the information the appellant gave. The judge therefore concluded that the appellant would be able to obtain a CSID in the UK which would enable him to return to Iraq and travel from Baghdad to his home area (at [17]). He therefore dismissed the appeal.
22. The appellant sought permission to appeal that decision and permission was granted by UTJ Grubb on 13 January 2021 for the following reasons:

“it is arguable, on the basis of the grounds, that the judge erred in finding that the appellant could obtain a replacement CSID before returning to Iraq. In particular, the June 2020 CPIN appears to require a reconsideration of what was said in SMO and others, based upon the evidence then available, that the Iraqi embassy in the UK could issue a replacement CSID. For these reasons, permission to appeal is granted.”

The submissions of the parties:

23. Ms Brakaj on behalf of the appellant relied upon the written grounds.
24. The written grounds set out that the issue in the case was whether the appellant had contact with his family and whether he could obtain a replacement document to enable him to return to Iraq and in particular his home area of Kirkuk.
25. It is submitted that the FtTJ considered the country guidance decision in SMO and accepted that the appellant had lost contact with his family that considered that the copy CSID could be used to obtain a replacement CSID from within the UK and it is on this basis that it is considered the appellant could return.
26. It is further submitted that whilst the country guidance is dealt with within the CPIN of May 2020, the June CPIN regarding redocumentation also changes the conclusions regarding the redocumentation process within the UK and therefore if the most up-to-date country guidance is to be considered, the subsequent changes contained within the reports must also be taken into account. The failure to consider the respondent's current position in relation to the ability to obtain a CSID in the UK is flawed.
27. The grounds cite the most recent CPIN Iraq: internal relocation, civil documentation returns version 11.0 June 2020 and expressly the further evidence at point e culminating in 2.6.16 based on the above information, it is highly unlikely that an individual would be able to obtain a CSID from the Iraqi embassy while in the UK. Instead a person would need to apply for a registration document (1957) and then apply for an INID upon return to their local CSA office in Iraq.
28. It is therefore submitted that the determination was based upon the assumption that the appellant could obtain a replacement and the rejection of what occurred when he visited the embassy in Manchester was not in accordance with the respondents published information. It is submitted that the appellant would require his CSID in order to reach at home area and the respondents country information shows that this could not be obtained from within the UK. Therefore the decision was legally flawed.
29. In her oral submissions she stated that the issue related whether the appellant would be able to obtain a replacement CSID in the UK. She submitted that it was now accepted by Mr Walker that he no longer had the original CSID or access to it. The appellant is from Kirkuk and the clear position is that the INID system is rolled out in Kirkuk.
30. The issue before the FtTJ was whether the embassy could issue him with a CSID which was the conclusion of Judge Fisher. The appellant relied upon the evidence in the CPIN to state that the embassy no longer issued documents and may only act as a post-box if family members could assist. She submitted it did not apply here as Kirkuk had rolled out the INID system. This confirmed the appellant's evidence as to why the embassy in the UK would not provide him with any documents. Thus the judge was in error in reaching that finding given the material that was before the FtTJ

and that his account was consistent with the objective material that they do not issue documents. His evidence was straightforward and was consistent with the objective material.

31. She further submitted that the FtTJ was in error by stating that the CPIN did not postdate the decision of SMO and was irrelevant to the issue of documentation.
32. There was no rule 24 response in behalf of the respondent. I heard oral submissions from Mr Walker. He informed the tribunal that having considered the grounds in the light of the decision of the FtTJ he conceded that the decision of the FtTJ demonstrated the making of an error on a point of law and that the respondent's own guidance in the CPIN set out that the appellant would not be able to obtain the relevant documents in the UK, and that as the appellant came from Kirkuk, as Ms Brakaj had set out, the INID system was in place there .
33. Both parties are therefore in agreement that the FtTJ made a material error of law in his decision and that as a result the decision should be set aside and re-made allowing the appeal.
34. Reference was made to the decision of SMO being remitted to the Upper Tribunal on the issue of knowledge of the family book. Both advocates confirmed that they were not asking the tribunal to stay any decision to await a further consideration by the tribunal. Both parties invited the Tribunal to re-make the decision by allowing the appeal.
35. In the light of the agreement reached by the parties that the decision of the FtTJ involved the making of an error on a point of law and that the decision should be set aside and re-made by allowing the appeal, it is only necessary for me to set out briefly my reasons for agreeing with the concession made.
36. The issue before the FtTJ related to the documents that he could obtain whilst in the United Kingdom. At [13] the FtTJ set out that he accepted that the appellant was not in contact with his family members and this had been a consistent claim for several years and that he accepted having been away from Iraq for 12 years and of being of limited means, it would be difficult for him to employ anyone to trace his family. Furthermore, the judge took into account the agreed evidence that he had been in contact with the Red Cross in an attempt to trace family members. The judge further took into account from his own experience that the situation in Kirkuk had been "challenging in the past especially when it was one of the formally contested areas". Thus he made a finding that the appellant was not in contact with any family members in Iraq and said that none of them would be able to assist if required to redocument himself.
37. The FtTJ at [14] considered however that the appellant would be able to obtain a replacement CSID through the Iraqi Consular facilities in the UK and that this depended on being able to recall the information in the family book, which the judge was satisfied that he knew.

38. The FtTJ at [16] was provided with information at the hearing that was set out in the respondents CPIN which demonstrated that CSID cards were being phased out and replaced by INID cards and confirm that it was not currently possible to apply for an INID card outside of Iraq and that as a result the Iraqi embassy was said to be advising nationals in the UK to apply instead for a “registration document (1957)” which they can use to apply for other documents such as passport or an INID once they had returned to Iraq. The information required to apply for such registration document was set out at paragraph [16].
39. It is accepted on behalf of the respondent that the FtTJ was in error in his conclusions at [17] where he stated that the information contained in the CPIN did not postdate the decision in SMO and did not confirm when the information was provided. Furthermore, the respondent accepts that the information in the CPIN did set out the circumstances relating to documents which post-dated SMO.
40. Whilst the FtTJ did not attach weight to the appellant’s evidence as to the visit made to the consulate, I accept the submission made by Ms Brakaj that the appellant’s evidence was consistent with the contents of the CPIN which states that the embassy no longer issues CSID’s in the UK and whilst they may act as a “post-box” if family members could assist, this could not apply in the circumstances of this appellant’s case given that he is from Kirkuk where the INID system has been rolled out. Thus the appellant’s evidence that the embassy would not issue him with any documents was consistent with the objective material.
41. When considering the issue of documentation, the relevant part of the headnote reads as follows:

“C. CIVIL STATUS IDENTITY DOCUMENTATION

11. *The CSID is being replaced with a new biometric Iraqi National Identity Card – the INID. As a general matter, it is necessary for an individual to have one of these two documents in order to live and travel within Iraq without encountering treatment or conditions which are contrary to Article 3 ECHR. Many of the checkpoints in the country are manned by Shia militia who are not controlled by the GOI and are unlikely to permit an individual without a CSID or an INID to pass. A valid Iraqi passport is not recognised as acceptable proof of identity for internal travel.*
12. *A Laissez Passer will be of no assistance in the absence of a CSID or an INID; it is confiscated upon arrival and is not, in any event, a recognised identity document. There is insufficient evidence to show that returnees are issued with a ‘certification letter’ at Baghdad Airport, or to show that any such document would be recognised internally as acceptable proof of identity.*
13. *Notwithstanding the phased transition to the INID within Iraq, replacement CSIDs remain available through Iraqi Consular facilities. Whether an individual will be able to obtain a replacement CSID whilst in the UK depends on the documents available and, critically, the availability of the volume and page reference of the entry in the Family Book in Iraq, which system continues to underpin the Civil Status Identity process. Given the importance of that information, most Iraqi citizens will recall it. That information may also be*

obtained from family members, although it is necessary to consider whether such relatives are on the father's or the mother's side because the registration system is patrilineal.

14. *Once in Iraq, it remains the case that an individual is expected to attend their local CSA office in order to obtain a replacement document. All CSA offices have now re-opened, although the extent to which records have been destroyed by the conflict with ISIL is unclear and is likely to vary significantly depending on the extent and intensity of the conflict in the area in question.*
15. *An individual returnee who is not from Baghdad is not likely to be able to obtain a replacement document there, and certainly not within a reasonable time. Neither the Central Archive nor the assistance facilities for IDPs are likely to render documentation assistance to an undocumented returnee.*
16. *The likelihood of obtaining a replacement identity document by the use of a proxy, whether from the UK or on return to Iraq, has reduced due to the introduction of the INID system. In order to obtain an INID, an individual must attend their local CSA office in person to enrol their biometrics, including fingerprints and iris scans. The CSA offices in which INID terminals have been installed are unlikely – as a result of the phased replacement of the CSID system – to issue a CSID, whether to an individual in person or to a proxy. The reducing number of CSA offices in which INID terminals have not been installed will continue to issue CSIDs to individuals and their proxies upon production of the necessary information.*

42. As to the issue of redocumentation, both parties have referred to the respondent's guidance on this issue. As set out at paragraph 2.6.16 of the Home Office Country Policy and Information Note entitled: "*Iraq: Internal relocation, civil documentation and returns*", version 11.0, dated June 2020 (hereafter "*the June 2020 CPIN*"):

"it is highly unlikely that an individual would be able to obtain a CSID from the Iraqi Embassy while in the UK. Instead a person would need to apply for a registration document (1957) and would then apply for an INID upon return to their local CSA office in Iraq."

43. In that regard, both advocates relied upon paras 2.6.15 and 2.6.16 of the CPIN (June 2020) which is in the following terms:

" **2.6.15** Since SMO was promulgated in December 2019 further information regarding the issuance of CSIDs in the UK has been obtained by the Home Office in April 2020 [see Annex I]. When asked to describe the process of obtaining a CSID from the Iraqi Embassy in London the Returns Logistics department stated:

'CSID cards are being phased out and replaced by INID (Iraq National Identification) cards. It is not currently possible to apply for an INID card outside of Iraq. As a result, the Iraqi embassy in London are advising their nationals in the UK to apply instead for a 'Registration Document (1957)' which they can use to apply for other documents such as passports or an INID card once they have returned to Iraq.

'The registration document (1957) must be applied for on the applicant's behalf by a nominated representative in Iraq. In order to start the application, the individual requiring documentation would normally provide at least one copy of a national identity document [see paragraph 2.6.24 for list of national identity documents] and complete a power of attorney (to nominate a representative in Iraq) at the Iraqi

embassy along with the embassy issued application forms. If they have no copies of identity documents they also would need to complete a British power of attorney validated by the FCO and provide parents names, place and date of birth to their nominated representative in Iraq.'

'Once issued the nominated representative will send the registration document (1957) to the applicant in the UK. The process takes 1-2 months.'

'The HO cannot apply for documentation other than Laissez Passers on someone's behalf but the embassy is willing to check to see if the individual already holds documents and provide copies if necessary.'

2.6.16 Based on the above information, it is highly unlikely that an individual would be able to obtain a CSID from the Iraqi Embassy while in the UK. Instead a person would need to apply for a registration document (1957) and would then apply for an INID upon return to their local CSA office in Iraq."

44. According to the Home Office's own guidance, therefore, it is therefore accepted by both parties that the Appellant is not able to redocument himself whilst in the UK.
45. It is therefore common ground between the advocates that the appellant will not be able to apply for or obtain a CSID in the UK. The alternative route suggested in the CPIN is an application for a "1957 document". As set out at paragraph [13] the FtTJ accepted that the appellant had lost contact with all family members in Iraq and the appellant would require a "nominated representative" with access to documents. However even if he had a "nominated representative" it has not been explained how the document known as a "1957 document" could be used once in Iraq to travel internally. The document appears to be limited to enabling the issue of a laissez passé for internal travel.
46. In SMO, paragraph 425 provides:
- "The CSID is being replaced with a new biometric Iraqi National Identity Card – the INID. As a general matter, it is necessary for an individual to have one of these two documents in order to live and travel within Iraq without encountering treatment or conditions which are contrary to Article 3 ECHR. Many of the checkpoints in the country are manned by Shia militia who are not controlled by the GOI and are unlikely to permit an individual without a CSID or an INID to pass. A valid Iraqi passport is not recognised as acceptable proof of identity for internal travel.*
47. What is relevant is the appellant's home area. At paragraph 16 of the headnote of SMO, KSP & IM (Article 15(c); identity documents) Iraq CG [2019] UKUT 400 (IAC), obtaining a replacement CSID is now unlikely to be possible where the person seeking the document is from a governate where the INID system has been rolled out:
- "The CSA offices in which INID terminals have been installed are unlikely – as a result of the phased replacement of the CSID system – to issue a CSID, whether to an individual in person or to a proxy."*

48. As per paragraph 431 of SMO, *"It is likely, to our mind, that the CSA office in Kirkuk has an INID terminal and that it would not be willing to issue a CSID to the appellant through a proxy ..."* Kirkuk is therefore one of those cities in which the INID system has been rolled out.
49. Therefore in order to obtain an INID, the appellant would have to attend the CSA office in Kirkuk in person, as set out at paragraph 45 of SMO:
"In order to obtain an INID, an individual must attend their local CSA office in person to enrol their biometrics, including fingerprints and iris scans."
50. In order to obtain a new INID, the Appellant would therefore have to travel along the Baghdad-Kirkuk road.
51. The appellant as a former resident of Iraq as opposed to the IKR, will be returned to Baghdad. The position of the respondent is that for this appellant the only destination for an enforced return would be to Baghdad. The Appellant would be returned to Baghdad, not the KRI. As set out at 4.2.1 of the June 2020 CPIN,
"There are international flights to Erbil International Airport (EBL) and Sulaymaniyah International Airport (ISU). However, it should be noted that all enforced returns are to Baghdad and that only those willing to return voluntarily can travel directly to the KRI."
52. In order to obtain a new INID, the Appellant would therefore have to travel along the Baghdad-Kirkuk road.
53. I have therefore had to consider the circumstances for the appellant on return without a CSID/INID and therefore at risk of treatment in breach of Article 3 if he seeks to travel from Baghdad. In this context, it is common ground that he would arrive without any form of documentation, having not been able to obtain it in the United Kingdom. He has no contact with any family.
54. An appellant without any documentation would remain at the airport and not be able to travel to Baghdad as such a journey would entail him passing through several checkpoints (see SMO cited above).
55. Even if it could be said that someone in Iraq could attend at the airport, that would not assist the appellant in light of the evidence in SMO as any ability to do so depends on whether the appellant is from an area where CSID's are still issued or whether the alternative system referred to in SMO, the INID has now been rolled out and in operation which is an entirely different system that requires his attendance in person.
56. Both advocates have referred to paragraph [431] of SMO where it is stated that the CSA office in Kirkuk no longer operates the system whereby a CSID will be provided. It has an INID terminal and there is no evidence that the authorities will be willing to issue a CSID to the appellant through a proxy. It must follow that in the event that he has no access to a CSID, and that he is not able to obtain a replacement

in the UK, I am satisfied that as the Upper Tribunal said in SMO, his return to Iraq would be in breach of Article 3 of the ECHR.

57. I have not been provided to any evidence on behalf of the respondent to undermine that conclusion in SMO. As the civil Registry in the appellant's home area has rolled out the new system which operates an INID terminal, in order to obtain the requisite document, which is a biometric document, it will be necessary for the appellant to attend that office in person to provide those biometric details.
58. As to obtaining a CSID from Baghdad, an individual returnee who is not from Baghdad, which is the position of this appellant, is not likely to be able to obtain a replacement document or to do so in a reasonable time. The central archive and the facilities for IDP's are not likely to provide assistance for an undocumented returnee. The appellant would not be able to board a domestic flight beyond Baghdad or to the IKR without either a CSID or INID or invalid passport.
59. Given that the enforced route of return is to Baghdad, and that in light of the assessment he would not be able to leave the airport without such document, it follows that the appellant will be in Baghdad with no form of support and thus the risk of destitution applies. This is the factual assessment made by the Secretary of State in the country guidance decisions when addressing Article 15 (b).
60. In the decision of SMO, the Upper Tribunal recorded the evidence which they describe as "uncontested" that a failure to produce a CSID or, in the environs of the airport a valid passport, will be likely result in detention until the authorities could be satisfied of an individual's identity.
61. The appellant could not relocate to Baghdad, given that he is not likely to be documented and therefore the guidance in SMO (applying the former guidance in AA (Iraq) (set out in annex A to SMO) does not apply to the appellant. Furthermore, paragraph 414 of SMO refers to the circumstances that in order to reside in Baghdad, an individual from the formally contested areas will require security clearance and "two sponsors from the neighbourhood in which they intend to reside as well as a support letter from the local Mokhtar". That has not been explained any further by the respondent and in any event the likelihood of obtaining a sponsor residence in Baghdad would be dependent again on the individual being "documented". Furthermore, in the preceding country guidance case of AAH (Iraqi Kurds) [2018] UKUT 212 it was held at paragraph 98 as an ethnic Kurd without a CSID and no family members in Baghdad could not reasonably be expected to relocate there.
62. In conclusion it is accepted by the parties that the appellant does not have Iraqi identity documentation and will not be able to re- document in the UK or within a reasonable time upon return to Iraq and without the relevant documentation, country background information and the country guidance decisions make it plain, and is accepted by the respondent before me, the appellant would be at risk of serious harm in Iraq.

63. The decision of Judge Atkinson and followed by Judge Fisher concluded that the appellant had not demonstrated a risk of persecution in Iraq based on a Convention reason (see paragraph [12] of FtTJ's decision). Thus the appellant succeeds on the basis that he will be unable to reside in Iraq without being at a real risk of serious harm for reasons relating to the absence of the identity documentation. Thus to return the appellant to Iraq would be in breach of Article 3 of the ECHR and Article 15(b) as set out in the Immigration Rules.

Decision:

The decision of the First-tier Tribunal did involve the making of an error on a point of law and the decision is set aside; the appeal is re-made as follows: the appeal is allowed on humanitarian protection grounds (Article 15 (b) and under the Immigration Rules, and human rights grounds (Article 3).

Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008

Unless and until a Tribunal or court directs otherwise, the Appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him or his family members. This direction applies both to the Appellant and to the Respondent. Failure to comply with this direction could lead to contempt of court proceedings.

Signed

Upper Tribunal Judge Reeds

Date 29 April 2021