



**Upper Tribunal
(Immigration and Asylum Chamber)
PA/00350/2016**

Appeal Number:

THE IMMIGRATION ACTS

**Heard at Field House
On 05 May 2018**

**Decision and Reasons
Promulgated
On 11 May 2018**

Before

UPPER TRIBUNAL JUDGE BRUCE

Between

**SSA
(ANONYMITY DIRECTION MADE)**

Appellant

And

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DETERMINATION AND REASONS

1. On the 5th April 2017 the decision of the First-tier Tribunal (Judge Austin) was set aside by Deputy Upper Tribunal Judge Harris. Judge Harris adjourned the remaking of the appeal pending the promulgation of the Upper Tribunal's decision in the Libya country guidance case.
2. The country guidance case of ZMM (Article 15(c)) Libya CG [2017] UKUT 00263 (IAC) was published on the 29th June 2017. The material guidance is:

The violence in Libya has reached such a high level that substantial grounds are shown for believing that a returning civilian would, solely on account of his presence on the territory of that country or region, face a real risk of being subject to a threat to his life or person.

3. On the 13th March 2018 I sent to the parties a note highlighting the decision in ZMM and giving the following direction:
“In light of that guidance it would appear that the Appellant should all succeed on Article 15(c) grounds. Unless the Tribunal receives, no later than 4pm on the 20th March 2017, submissions to the contrary or a request for a further oral hearing, the appeal will be allowed on that basis without a further hearing”.
4. No representations have been received by either party. I therefore allow the appeal of the Appellant on the basis that her appeal succeeds on protection (humanitarian protection) grounds.

Upper Tribunal Judge Bruce
8th May 2018