



**Upper Tribunal  
(Immigration and Asylum Chamber)  
PA/13517/2016**

**Appeal Number:**

**THE IMMIGRATION ACTS**

**Heard at Bradford**

**On 6<sup>th</sup> February 2018**

**Decision & Reasons  
Promulgated  
On 5<sup>th</sup> March 2018**

**Before**

**DEPUTY UPPER TRIBUNAL JUDGE D E TAYLOR**

**Between**

**ABDELMAGID MAHMUED AL OAGLI  
(ANONYMITY DIRECTION NOT MADE)**

Appellant

**and**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: Miss C Wilson-Brown

For the Respondent: Ms R Pettersen

**DECISION AND REASONS**

1. This is the appellant's appeal against the decision of Judge Cox made following a hearing at Bradford on 6<sup>th</sup> April 2017.
2. The appellant is a national of Libya born on 12<sup>th</sup> April 1993. He claimed asylum in the UK on 2<sup>nd</sup> December 2014 and was refused. His appeal against that decision was dismissed by Judge Cox and there is no challenge against that decision. However the appellant argued that he was at risk on return because of general conditions in Libya.

3. On 23<sup>rd</sup> August 2017 Designated Judge Woodcraft granted permission on the grounds that the Upper Tribunal has, since Judge Cox's decision was promulgated, issued country guidance on Libya, namely ZMM (Article 15(c)) Libya CG [2017] UKUT 00263 which demonstrates that there is a risk to life contrary to Article 15(c) of the Qualification Directive anywhere in Libya.
4. Prior to the hearing Ms Pettersen wrote to the Tribunal inviting me to remake the decision allowing the case under humanitarian protection in line with country guidance case law, but upholding the Refugee Convention issue as decided by the FtT Judge.
5. Miss Wilson-Brown confirmed that she was content with Ms Pettersen's proposal.

### **Notice of Decision**

6. The original judge did not err in law so far as the asylum claim was concerned, and his decision stands. So far as the humanitarian protection claim is concerned, his decision is set aside and remade as follows. The appeal is allowed with respect to the Qualification Directive.

No anonymity direction is made.

*Deborah Taylor*

Signed

Date 24 February 2018

Deputy Upper Tribunal Judge Taylor