



- (iv) The decision of FtT Judge McLaren, promulgated on 11 December 2019.
  - (v) The appellant's grounds of appeal to the UT, stated in the application for permission to appeal dated 13 December 2019 (6 paragraphs, 11 pages).
  - (vi) The grant of permission by FtT Judge Keane, dated 31 January 2020.
  - (vii) The UT's note and directions dated 6 October 2021.
  - (viii) My decision on error of law, promulgated on 27 January 2022, setting aside the decision of Judge McLaren, and giving directions.
2. As matters then stood, it was not obvious, on such findings as had been made, that the appellant qualified for any form of leave.
  3. The case was to be relisted for fresh decision, based on standing primary findings, once updated country guidance had been published.
  4. *SMO & KSP* (Civil status documentation; article 15) Iraq CG [2022] UKUT 00110 (IAC) was added to the UTIAC country guidance case list on 26 April 2022.
  5. Mr Mullen accepted that, as matters stand, the appellant is Kurdish; he would not be returned anywhere other than Baghdad; there is an undisturbed finding that he does not have a CSID; he is not in a position to obtain an INID; and he qualifies, by reference to *SMO*, for humanitarian protection.
  6. The appeal, as first brought to the FtT, is allowed on humanitarian protection grounds.
  7. Anonymity has been discontinued.



28 July 2022  
UT Judge Macleman

---

#### NOTIFICATION OF APPEAL RIGHTS

1. A person seeking permission to appeal against this decision must make a written application to the Upper Tribunal. Any such application must be **received** by the Upper Tribunal within the **appropriate period** after this decision was **sent** to the person making the application. The appropriate period varies, as follows, according to the location of the individual and the way in which the Upper Tribunal's decision was sent:

2. Where the person who appealed to the First-tier Tribunal is **in the United Kingdom** at the time that the application for permission to appeal is made, and is not in detention under the Immigration Acts, the appropriate period is **12 working days (10 working days, if the notice of decision is sent electronically)**.

3. Where the person making the application is in detention under the Immigration Acts, **the appropriate period is 7 working days (5 working days, if the notice of decision is sent electronically)**.

4. Where the person who appealed to the First-tier Tribunal is **outside the United Kingdom** at the time that the application for permission to appeal is made, the appropriate period is **38 days (10 working days, if the notice of decision is sent electronically)**.

**5. A “working day” means any day except a Saturday or a Sunday, Christmas Day, Good Friday or a bank holiday.**

**6. The date when the decision is “sent” is that appearing on the covering letter or covering email.**