



**Upper Tribunal  
(Immigration and Asylum Chamber)  
PA/12341/2019**

**Appeal Number:**

**THE IMMIGRATION ACTS**

**At Field House  
On 15 August 2022**

**Promulgated  
On 22 September 2022**

**Before**

**UPPER TRIBUNAL JUDGE PLIMMER**

**Between**

**AJ  
ANONYMITY DIRECTION MADE**

Appellant

**and**

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

Respondent

**Representation:**

Appellant: Mr Eaton, Counsel  
Respondent: Mr McVeety, Senior Home Office Presenting  
Officer

**DECISION AND REASONS**

At the beginning of the hearing Mr McVeety conceded that the appellant's appeal must be allowed on Article 3, ECHR and Humanitarian Protection grounds on the basis that the SSHD accepted that his circumstances are such that he would be unable to obtain the necessary documentation in order to avoid serious harm in the light of the country guidance in SMO (civil status determination; Art 15) Iraq CG [2022] UKUT 110 (IAC). Mr McVeety

was entirely correct to make that concession for the reasons he outlined and I accept the SSHD's concession. It was accepted that this appellant's area of origin is Hawija in the city of Kirkuk.

**Decision**

I therefore remake the decision by allowing the appellant's appeal on human rights and humanitarian protection grounds.

Signed:

Ms M. Plimmer  
Judge of the Upper Tribunal

Date:  
15 August 2022