



**IN THE UPPER TRIBUNAL**  
**IMMIGRATION AND ASYLUM CHAMBER**

Case No: UI-2024-000162

First-tier Tribunal Nos: PA/51538/2022  
IA/04282/2022

**THE IMMIGRATION ACTS**

**Decision & Reasons Issued:**  
**On 21<sup>st</sup> November 2024**

**Before**

**DEPUTY UPPER TRIBUNAL JUDGE BEN KEITH**

**Between**

**ME**  
**(ANONYMITY ORDER MADE)**

Appellant

**and**

**The Secretary of State for the Home Department**

Respondent

**Representation:**

For the Appellant: Mr A Gilbert, Counsel, Lighthouse Solicitors

For the Respondent: Ms S Lecointe, Senior Home Office Presenting Officer

**Heard at Field House on 16 September 2024**

**Order Regarding Anonymity**

**Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008, the appellant and/or any member of his family, expert, or witness is granted anonymity.**

**No-one shall publish or reveal any information, including the name or address of the appellant, likely to lead members of the public to identify the appellant (and/or other person). Failure to comply with this order could amount to a contempt of court.**

**DECISION AND REASONS**

1. I sat with Upper Tribunal Judge Macleman on 29 February 2024 where we found an error of law in this case. Put very shortly, at paragraph 13 of my judgment I said the following:

“13. Presented to us today is a case where the appellant says he is a Syrian national and has presented Syrian nationality documents. It seems that at least part of these may be genuine documents, but the Secretary of State has not given any reason why they were rejected. The Secretary of State will have to give proper reasons as to why these documents are rejected and why they do not accept his nationality.”
2. Unfortunately today, which is 16 September 2024, we are in no clearer position as to the Secretary of State’s position on those documents other than that they are said to be genuine documents.
3. The Secretary of State did not accept the appellant’s credibility however, this case can be resolved swiftly. It is accepted by all parties that the Syrian documents are genuine. This is an appeal under the Refugee Convention and a protection claim and the standard of proof is the lower standard (see **Tanveer Ahmed** etc.).
4. It had also been accepted previously by the Home Office that the treatment that the appellant says he endured in Syria was genuine and that there was a real risk if he was said to be a Syrian national that he would suffer persecution on return. Given those matters, we were listed here today for rehearing but given that the appellant has genuine Syrian nationality documents and there is no evidence presented by the Secretary of State today which can go behind those genuine Syrian nationality documents, I must find to the lower standard, which is all I am required to do, that he is a Syrian national, and that he has made out his claim of persecution under the Refugee Convention. Accordingly, I allow this appeal on Refugee Convention grounds.
5. If it were needed I am also satisfied on the balance of probabilities that the Appellant is a Syrian national and that the documents are genuine.
6. For the avoidance of doubt an anonymity direction remains in place.
7. I therefore allow the appeal on Refugee convention grounds.

**Ben Keith**

Deputy Judge of the Upper Tribunal  
Immigration and Asylum Chamber

**17 November 2024**