

CASE SUMMARY

Appellant name	
Date of birth	
Country of origin	Iran
Decision appealing against	On 13/11/2018 Appellant made application for asylum and humanitarian protection. On 09/03/2019 decision made to refuse application. On 25/03/2019 the appellant lodged their appeal.
Hearing date	2019
Hearing centre	

Asylum	Religion
Humanitarian Protection	Art 15(a), Art 15(b)
Human Rights	Art 2, Art 3, Art 8 (private), Art 8 (family)
Other	

Summary of Appellant's case and immigration history:

- 01/2018 – Appellant's father married second wife.
- 22/05/2018 – Appellant's father beat up his mother. Appellant's friend gave appellant a copy of the Christian Bible.
- 04/06/2018 – Appellant attended a house church in Mianech with friend. Appellant decided he wanted to become a Christian.
- 11/06/2018 – Appellant attended the same house church again.
- 18/06/2018 – Appellant and friend drove to the house church, but police were present. The friend was taken by the police, but the Appellant fled via taxi to his uncle's house.
- 19/06/2018 – Authorities visited Appellant's house, looking for him.
- 22/06/2018 – Appellant's uncle drove him to the Urumiech, which borders with Turkey. Appellant crossed the border and travelled into Turkey.
- 06/2018 – 11/2018 – Appellant travelled through Europe with an agent.
- 13/11/2018 – Appellant entered United Kingdom and claimed asylum.
- 28/04/2019 – Appellant baptised at St Paul's Church, Skelmersdale.

Summary of Respondent's case:

- Respondent accepts Appellant's Iranian nationality.

- Respondent rejects the Appellant's claim that they are a genuine Christian. (Paras 27-44 Decision Letter and Para 3 Respondent Review)
- R rejects the Appellant's has given a credible account of events in Iran (Paras 45 -53 Decision Letter and Para 2 Respondent Review).
- Appellant claims on return she will be killed by the authorities because he a Christian Convert. Respondent states Appellant left Iran illegally and relies on the case of **SSH and HR (illegal exit: failed asylum seeker) Iran CO [2016] UKUT 00308 (IAC)** (Paras 55 -56 Decision Letter).
- Respondent maintains that the Appellant returning to Iran as a failed asylum seeker will not put the Appellant at risk of persecution or breach their Article 3 rights on return to Iran (Para 57 Decision letter)
- Respondent maintains the Appellant is not a genuine Christian convert and relies on case of **HJ (Iran) v Secretary of State for the Home Department (Rev 1)** [2010] (Para 58 – 59 Decision Letter).
- Respondent does not accept that there would be very significant obstacles to Appellant's reintegration into Iranian society (Paras 75 Decision Letter).

New matters:

The Appellant seeks to rely on the evidence of his public Facebook posts [Appellant Bundle 9-15]. The background evidence indicates that the Iranian authorities heavily monitor social media. It is submitted that the obvious religious content of the Appellant's postings would bring him to the adverse attention of the authorities.

Respondent does not accept the Appellant's online activity is likely to bring him to the adverse attention of the authorities on return to Iran (Para 4 Respondent Review). The Respondent wishes to rely on unreported determination, LKIK, with reference PA/ /2016 and Facebook's privacy policy (Pages 20 – 71 Respondent Further Evidence).

Agreed matters:

Accepted point of law: It is accepted that if the Appellant is found to be a genuine evangelising Christian convert, he would be at risk if he returned to Iran. (Para 5 Respondent Review).

Accepted facts: Appellant is an Iranian national (Para 25 Decision Letter).

Disputed issues:

1. Has the Appellant given a credible account of events in Iran?
2. Is the Appellant a genuine Christian convert?

3. Is the Appellant's online activity likely to bring him to the adverse attention of the authorities on return to Iran?

Completed by: Tribunal Caseworker

Date: 11/7/2019