

Decision made on 13 Dec 1993

Finland

Asylum Appeals Board

The Ministry of the Interior gave a negative decision on the application for asylum and residence permit on June 3, 1993.

The applicant had been sent away from Lebanon by his father in order to protect him against a vendetta (blood-feud) from another clan. Clan X was accusing the applicant's oldest brother for the killing of its clan member. The applicant's other brother had been subjected to violations of his rights while clan X had tried to locate the whereabouts of the oldest brother residing in Finland. In his absence revenge could be targeted to any one of the younger brothers. They had already been harassed by members of clan X. After having become Major, the applicant was in danger of becoming a victim of blood-feud. Clan X had 10.000 members, and was much larger than the applicant's clan. Lebanese authorities were too weak to protect the applicant against the violations of his rights committed by the hostile clan. Leaving Lebanon remained the sole possibility to protect the applicant's life.

Legal Ruling:

Legal Reasoning:

The Asylum Appeals Board acknowledged all facts and circumstances presented in the case and stated that there were strong reasons to believe that the applicant was in danger of being subjected to inhuman treatment in his home country. He could therefore not return safely to Lebanon and was in need of protection.

However, the applicant had escaped Lebanon prior to being subjected to violations of his rights. The board considered the applicant to not have a well-founded fear of being persecuted in Lebanon, and he could therefore not be granted asylum.

Disposition:

The Asylum Appeals Board quashed the residence permit decision on ground of need for protection and returned the case back to the Ministry of Interior for a residence permit on grounds of need for protection (a de facto refugee status A.9).