

0907686 [2009] RRTA 1161 (23 December 2009)

DECISION RECORD

RRT CASE NUMBER: 0907686

DIAC REFERENCE(S): CLF2009/81669

COUNTRY OF REFERENCE: Pakistan

TRIBUNAL MEMBER: Gabrielle Cullen

DATE: 23 December 2009

PLACE OF DECISION: Sydney

DECISION: The Tribunal remits the matter for reconsideration with the following directions:

- (i) that the first named applicant satisfies s.36(2)(a) of the Migration Act, being a person to whom Australia has protection obligations under the Refugees Convention; and
- (ii) that the second named applicant satisfies s.36(2)(b)(i) of the Migration Act, being a member of the same family unit as the first named applicant.

STATEMENT OF DECISION AND REASONS

APPLICATION FOR REVIEW

1. This is an application for review of decisions made by a delegate of the Minister for Immigration and Citizenship to refuse to grant the applicants Protection (Class XA) visas under s.65 of the *Migration Act 1958* (the Act).
2. The applicants, who claim to be citizens of Pakistan arrived in Australia [in] April 2007 and applied to the Department of Immigration and Citizenship for Protection (Class XA) visas [in] June 2009. The delegate decided to refuse to grant the visas [in] September 2009 and notified the applicants of the decision and their review rights by letter [on the same date].
3. The delegate refused the visa application on the basis that the applicants are not persons to whom Australia has protection obligations under the Refugees Convention.
4. The applicants applied to the Tribunal [in] September 2009 for review of the delegate's decisions.
5. The Tribunal finds that the delegate's decision is an RRT-reviewable decision under s.411(1)(c) of the Act. The Tribunal finds that the applicants have made a valid application for review under s.412 of the Act.

RELEVANT LAW

6. Under s.65(1) a visa may be granted only if the decision maker is satisfied that the prescribed criteria for the visa have been satisfied. In general, the relevant criteria for the grant of a protection visa are those in force when the visa application was lodged although some statutory qualifications enacted since then may also be relevant.
7. Section 36(2)(a) of the Act provides that a criterion for a protection visa is that the applicant for the visa is a non-citizen in Australia to whom the Minister is satisfied Australia has protection obligations under the 1951 Convention Relating to the Status of Refugees as amended by the 1967 Protocol Relating to the Status of Refugees (together, the Refugees Convention, or the Convention).
8. Section 36(2)(b) provides as an alternative criterion that the applicant is a non-citizen in Australia who is a member of the same family unit as a non-citizen (i) to whom Australia has protection obligations under the Convention and (ii) who holds a protection visa. Section 5(1) of the Act provides that one person is a 'member of the same family unit' as another if either is a member of the family unit of the other or each is a member of the family unit of a third person. Section 5(1) also provides that 'member of the family unit' of a person has the meaning given by the Migration Regulations 1994 for the purposes of the definition.
9. Further criteria for the grant of a Protection (Class XA) visa are set out in Part 866 of Schedule 2 to the Migration Regulations 1994.

Definition of 'refugee'

10. Australia is a party to the Refugees Convention and generally speaking, has protection obligations to people who are refugees as defined in Article 1 of the Convention. Article 1A(2) relevantly defines a refugee as any person who:

owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it.
11. The High Court has considered this definition in a number of cases, notably *Chan Yee Kin v MIEA* (1989) 169 CLR 379, *Applicant A v MIEA* (1997) 190 CLR 225, *MIEA v Guo* (1997) 191 CLR 559, *Chen Shi Hai v MIMA* (2000) 201 CLR 293, *MIMA v Haji Ibrahim* (2000) 204 CLR 1, *MIMA v Khawar* (2002) 210 CLR 1, *MIMA v Respondents S152/2003* (2004) 222 CLR 1 and *Applicant S v MIMA* (2004) 217 CLR 387.
12. Sections 91R and 91S of the Act qualify some aspects of Article 1A(2) for the purposes of the application of the Act and the regulations to a particular person.
13. There are four key elements to the Convention definition. First, an applicant must be outside his or her country.
14. Second, an applicant must fear persecution. Under s.91R(1) of the Act persecution must involve "serious harm" to the applicant (s.91R(1)(b)), and systematic and discriminatory conduct (s.91R(1)(c)). The expression "serious harm" includes, for example, a threat to life or liberty, significant physical harassment or ill-treatment, or significant economic hardship or denial of access to basic services or denial of capacity to earn a livelihood, where such hardship or denial threatens the applicant's capacity to subsist: s.91R(2) of the Act. The High Court has explained that persecution may be directed against a person as an individual or as a member of a group. The persecution must have an official quality, in the sense that it is official, or officially tolerated or uncontrollable by the authorities of the country of nationality. However, the threat of harm need not be the product of government policy; it may be enough that the government has failed or is unable to protect the applicant from persecution.
15. Further, persecution implies an element of motivation on the part of those who persecute for the infliction of harm. People are persecuted for something perceived about them or attributed to them by their persecutors. However the motivation need not be one of enmity, malignity or other antipathy towards the victim on the part of the persecutor.
16. Third, the persecution which the applicant fears must be for one or more of the reasons enumerated in the Convention definition - race, religion, nationality, membership of a particular social group or political opinion. The phrase "for reasons of" serves to identify the motivation for the infliction of the persecution. The persecution feared need not be *solely* attributable to a Convention reason. However, persecution for multiple motivations will not satisfy the relevant test unless a Convention reason or reasons constitute at least the essential and significant motivation for the persecution feared: s.91R(1)(a) of the Act.

17. Fourth, an applicant's fear of persecution for a Convention reason must be a "well-founded" fear. This adds an objective requirement to the requirement that an applicant must in fact hold such a fear. A person has a "well-founded fear" of persecution under the Convention if they have genuine fear founded upon a "real chance" of persecution for a Convention stipulated reason. A fear is well-founded where there is a real substantial basis for it but not if it is merely assumed or based on mere speculation. A "real chance" is one that is not remote or insubstantial or a far-fetched possibility. A person can have a well-founded fear of persecution even though the possibility of the persecution occurring is well below 50 per cent.
18. In addition, an applicant must be unable, or unwilling because of his or her fear, to avail himself or herself of the protection of his or her country or countries of nationality or, if stateless, unable, or unwilling because of his or her fear, to return to his or her country of former habitual residence.
19. Whether an applicant is a person to whom Australia has protection obligations is to be assessed upon the facts as they exist when the decision is made and requires a consideration of the matter in relation to the reasonably foreseeable future.

CLAIMS AND EVIDENCE

20. The Tribunal has before it the Department's file relating to the applicants. The Tribunal also has had regard to the material referred to in the delegate's decision, and other material available to it from a range of sources.

Protection Visa Application

21. Information in the protection visa application indicates that the first named applicant is a thirty year old married woman from Karachi, Pakistan. She claims her religion as Islam and her occupation as a production coordinator in fabrics. She claims her address as [Address 1], Karachi from January 1991 until her departure from Pakistan in April 2007. She claims to have obtained a Bachelor of Arts from the [education provider deleted: s.431(2)], where she attended from January 1996 until May 1998. She claims to have worked at [Employer A] from May 2002 until January 2006 and prior to that at [company deleted: s.431(2)], a merchandiser, from July 1999 until April 2002.
22. The first named applicant obtained her passport [in] January 2007 and arrived in Australia on a subclass 572 visa issued [in] April 2007.
23. The second named applicant is the husband of the first named applicant, who is a thirty year old married man, born in Karachi, Pakistan and obtained a Bachelor of Commerce from the [education provider deleted: s.431(2)] where he attended from June 1998 until May 2000. He claims his religion as Islam and his occupation as office administration.
24. He arrived in Australia in April 2007, as a dependant of the first named applicant's subclass 572 visa travelling on his Pakistani passport, issued [in] January 2007.
25. With the application the applicants attached a marriage certificate, indicating the marriage was registered [in] September 1997. Also attached was a Certificate of Domicile of the first named applicant dated [in] July 2003 indicating her address as [Address 1], Karachi and that she is single.

26. The first named applicant's claims in answer to questions in her protection visa application are as follows:

Why did you leave that country?

I left Pakistan as I was in much hardship. I am Muslim but in a very modern way, I don't wear hi jab, or pray or fast. In my family and community this is very shameful act. I came to Australia to study, but since being here I have had many threats made against me if I return to Pakistan, as I have put shame and disgrace on my family. My family is from the [Location 1], where there is a lot of Taliban influence. These people have come to know of my modern ways and it is not acceptable to them. Even though my family had settled in Karachi, I have been to the village with my father before he passed away and my modern dressing and beliefs are not accepted. I was safe while my father was alive but now I am in fear of my life. So due to my way of practising Islam I am being persecuted. Pakistan is full of Taliban influence, it has now pushed back to the Taliban version of Shariat Law and every women is being made to wear hijab outside their house. If women are caught alone without hijab they are being persecuted. I am not practising Islam like this and will be persecuted. There is also political problems for me and my husband because my husband is Urdu speaking group and my family is from Punjabi Pakhtoun and there is lot of killings between both these groups. Both groups are taking people like me and my husband to make an example of that this kind of marriage is not acceptable and I fear for my life. Also politically the Taliban are making it very unsafe for even Sunni Muslims like me, especially because of my modern ways and beliefs, Taliban are attacking Sunni groups who refuse to accept their version of Shariat Law, especially relating to women and hijab.

Also adding to my village problems is that I married a man from Karachi who is not Punjabi, it is a love marriage and both families were very much against it. We married in 1997 and lived with his family for 2 and half years, the whole time we were being threatened from my family that they would kill me and him. My Uncles came to Karachi and tried to kill him, while he was running from them he fell in front of a bus and nearly lost his leg, he still has the scar to prove it. After this incident his family also rejected me and telling my husband to divorce me and they also started threatening me. After this we separated for our safety but kept seeing each other in secret. I lived with my family until coming to Australia in 2007. During this time I suffered great depression and tried to commit suicide, I have the scars to prove it.

My family only supported me to come to Australia, so I would not be with my husband and I had to tell them we were separated and one form saying where I live (attached), they made me say that I was single. As my family is not good in English, they did not know that I put my husband on my student application as my spouse. We met at the airport and came to Australia together. My family has since found out that he is here with me and they stopped sending me money, so I could not continue with my study. We have been living with hardship here, but if we return to Pakistan we will both be killed.

As I am from Punjab and my husband is from Karachi, with the Taliban influence in my village they do not support people marrying outside their community and see that I have gone against my family. They want to make me an example to other young women that if you do not follow Islam according to their way, or go against your family in any way, they will kill you, as they call it Honor Killing! This has happened to many women in my village area, that a women has married outside the village without the family's blessing and even years later, once they are found they are killed.

What do you fear may happen to you if you go back to that country?

If I return to Pakistan I fear for my life, for many reasons. I have become very modern Muslim, who is living in a moderate country as Australia, where I am free to practice my religion to the level that I choose without persecution. I cannot return to Pakistan and wear western clothes, and no hijab, I will be persecuted. There is so much bloodshed in Pakistan and so much killing happening that people are killing for family grudges and putting it to the political situation. In my family area in Karachi of [Suburb 1] everyday there is fighting between MQM Haqqi and MQM, they are killing anyone on the streets, and people are taking advantage of this and killing family members for honor killings, and putting it this politics. If I go back, I will be targeted because I have been living in a western country and have adapted western ways. Also because of the differences of politics between my husbands family and my family we are targeted.

I will be killed and my husband will be killed.

Who do you think may harm/mistreat you if you go back?

I am being persecuted on many fronts, my village family want to kill me because I have disgraced them firstly from marrying a Karachi man, and secondly I do not believe in wearing hijab, or even following the basics of Islam of prayer or fasting. I don't believe you have to perform acts to believe in God. The family has sworn that they will kill me for this disgrace.

I also believe that I will be killed by the Taliban if I return to my village as they know I have been living overseas and do not accept their form of Shariat Law, and my family has been told that if I return they will kill me, whether in Punjab or Karachi, as they believe I have disgraced Islam.

My husband's family has also threatened to kill me because my husband left them to come to Australia, when they thought we were going to divorce.

I am not safe anywhere except in Australia, where neither of us have any family except each other.

Why do you think this will happen to you if you go back?

The country is so out of control that even the politicians are unable to stop these attacks. The Taliban has basically taken over the north of Pakistan and the influence is being felt as far down as Karachi. People who have been living overseas are the main target as they believe if we return to Pakistan we are bringing the western influence which these despise. I am nearly 30 years old and have not been able to settle into my marriage life, as I have been constantly living in fear and moving around. I want to remain in Australia and be free and not under threat, and here it does not matter if I am from the North and my husband from the South, no one cares, as long as you work hard and be a good citizen. I have so much to contribute to this country, but if I made return to my country I will be killed. Even businesses in Pakistan such as KFC and McDonalds are bombed because they are western, I have adapted and live a western lifestyle and for the same comparison this makes me a target.

Do you think the authorities can and will protect you if you go back? If not, why not?

The authorities cannot help me; they are so busy with the Taliban issues, that they cannot and will not help a Muslim who wants to be modern. I cannot safely be the person that I am. I cannot walk the streets in jeans and tee shirt without fear of my life. It does not matter what the authorities say, the police, the guards etc are all under the influence of Islam and no one is going to help a woman is going against their culture and religion.

My husband cannot even protect me because he is seen as the "enemy" of my village family who are under the influence of Taliban. My family is against my husband and my modern ways and his family also are against us and would he happy to see either or both of us killed.

I cannot live with my family as there is no man in the house to protect the women because of my way of life and I cannot live with my husband as they have also threatened me.

You cannot go to the authorities with these problems; they will just tell you go to your husband's family and that is your duty as a woman. His family does not accept us together and have also threatened me, and I cannot return to my family home as my Uncles are waiting for my return to kill me. The authorities are not interested in the problems of a woman.

27. The first named applicant also submitted to the Department two letters of support from [name deleted: s431(2)], dated [in] August 2009 and [name deleted: s.431(2)] dated [in] August 2009. These letters indicate that Pakistan is becoming more extreme under the influence of the Taliban, and that while the first named applicant's way of thinking of Islam is tolerated in Australia it is not accepted in Pakistan, especially as her family comes from rural [Location 1]. They indicate that as the applicants are in a mixed marriage, the first named applicant is from the Punjab state and the second named applicant is a Mohajir, this causes many family problems. They indicate that the first named applicant is very fearful of her uncles as they have a tribal thinking on these issues, and that she tricked her uncles by not submitting the divorce papers
28. The second named applicant did not submit any claims. He submitted with the first named applicant's protection visa application a Part D form for members of a family unit who do not have their own claims to be a refugee.

Pre-hearing submission made to the Tribunal

29. The first named applicant submitted the following additional documents and information to the Tribunal.
 - Three passport photos of the first named applicant in Pakistan without wearing a hijab, and one with her and her husband in Australia.
 - First named applicant's graduation certificate form the [education provider deleted: s431(2)] dated [in] May 2000 confirming she achieved a Bachelor of Arts.
 - Birth certificate of both applicants.
 - Certificate that proves she is from the village of [Location 1].

- Photographs of scars on the first named applicant's arm from an attempted suicide. She claims she passed out from four cuts and one was very deep and needed many stitches.
- Photographs of the second named applicant having cut his arm and requiring 80 stitches after an attack.

30. With her application to the Tribunal, the first named applicant made a lengthy and detailed submission which is summarized as follows:

- She claims she was born in Karachi while her family was on vacation from Abu Dabhi. She claims she spent the first thirteen years of her life in Abu Dabhi. She claims her father went to the effort to obtain a certificate (referred to above) to prove she is from the village [Location 1], and they are Punjabis, who believe their village laws, way of life and Sharia are above the government.
- She claims even though her father spent his life trying to protect her from the narrow mindedness of the village life, it is still his family. She claims that [Location 1] is near Swat and his father's family is all from the Wahabi sect. She claims her father joined the [defence force] and changed to the Sunni (Hannif sect)
- She claims one reason her uncles did not pursue her death so vigorously is that they went to the tribal jirga where they said they would make sure the divorce is granted but in return her uncles were to give her to a man from her village. She claims the uncles came to Karachi and told her mother what they had decided so she knew she had little time to escape.
- She claims in Abu Dabhi she lived a very modest Muslim life, the hijab is not forced and clothing only needed to be modest, not compulsory, such as a Shalweer Kameez.
- She claims when they visited the village, they were forced to wear the hijab as it is very tribal.
- She claims she did not agree with the forced wearing of the hijab and has not worn it since.
- She claims after her father's death, the first thing her uncles forced her and her sisters to do was wear the hijab, including the full burqa. She claims they said there is no man in the house so she had to obey them. She claims she did not want to jeopardize her job so she wore the hijab to and from work.
- She claims she did not like wearing a hijab and resented the fact she was forced to wear it.
- She claims in Karachi, because of the influence of the Taliban women are being forced and even persecuted for not wearing the hijab. She attached a number of newspaper articles showing the difficulties faced by women for not covering themselves in Karachi.

- She claims there is more and more violence in Karachi due to people not wearing the hijab.
- She claims she is a very liberal Muslim, does not wear the hijab or pray the conventional way.
- She claims [in] September 1997 she secretly married the second named applicant and it is a love match. She claims they are from different races. She claims both of them did not tell their parents as they would not accept the relationship. She claims they were secretly married for eight years before their families found out. She claims they were both planning and working on how to leave Pakistan as they knew once their families found out they would be in serious trouble.
- She claims she never was planning to tell her family of her marriage and attached articles showing difficulties faced from families who oppose the love matches. She claims the government and police will do nothing against family matters.
- She claims proof her family did not know about her love match, is found in the attached Certificate of Domicile in her name dated [in] 2003 showing that she is single
- She claims in 2005 her family found out about her marriage as they brought a proposal from a village male. As her father had passed away in 2004 it became the responsibility of her village uncles who are Wahabi and following the influence of the Taliban.
- She claims she had to tell them she was already married, her uncles beat her and would not accept the marriage and said if she did not take a divorce they would kill her, due to the shame of the marriage, particularly as the man is not from her village or caste
- She claims she never told them who she married to protect him, as they lived 15 minutes apart and as they would try to kill him or his family if they knew.
- She claims as she would not tell them his name, they advised her mother that the villagers would make a decision based on the Jirga Counsel. She attached information indicating the situation of women in Pakistan.
- She claims she ran to her husband's house and he had to tell his family, and she claims she lived there for 4-5 months in 2005. She claims during this period her uncles came to know that not only had she married but her husband was someone not from her race, she is Punjabi and he is Mohajir.
- She claims it was a time of hell as her husband's family did not accept the marriage as well.
- She claims she never told the Department at interview that they lived together for two years and she had an easy time going to work etc. She claims she never said this. She claims she mentioned in the application that the two years

was not the time of them coming together, but of their families coming to know.

- She claims his family kicked her out and her uncles attacked her husband, the second named visa applicant. She claims he was getting off a bus near his home and they got him and attacked him with a small knife. She claims she attached photos of the scars. She claims he received 80 stitches and was in hospital for three days.
- She claims she returned to her mother as she was in fear of her life and she suffered great depression and tried to commit suicide. She claims the attached photographs of her arms is proof she tried to commit suicide
- She claims she tried to contact the police to advise that her life was being threatened, but they would not get involved because the laws of the jirga still have more power than the police.
- She claims the reason she was going to commit suicide is that she never wanted to divorce the second named applicant and her uncles had promised her to an old villager.
- She claims her uncles and the second name applicant's family met and her uncles decided to accept the divorce of the second named applicant's family,
- She claims her uncles were planning her Khula (divorce in court) in 2006 and she knew she only had a short time to escape Pakistan
- She claims in 2006 she was not working. She claims her uncles told her mother to stay out of it, as the first named applicant was a disgrace to the family.
- She claims her mother showed some sympathy and advised that she would fund her leaving Pakistan She claims that even her mother did not know she had secretly put her husband's name on her application as a spouse.
- She outlines how she escaped Pakistan.
- She claims after she escaped her uncles came to know she was not in Pakistan and were very harsh to her mother and stopped all her accounts. She claims they can easily do this in Islam as the authorities see the uncles as male representatives.
- She claims she then had no money and has been in Australia since April 2007 seeking the assistance of others for food and shelter.
- She claims she knows the consequences of a love marriage in Pakistan She claims the same thing happened to a distant cousin, and she ended up dead and the husband and the children went missing and were never found. She claims the death of her cousin was put down as suicide and this is what happened in similar cases. She attached country information confirming this.

- She claims men from her village, who are of Punjabi/ Pathan ethnicity will never accept marriages outside of their race.
- She claims the articles show that even if a couple runs away and hides in Pakistan, they will be found and killed. She claims therefore they will always have a well founded fear if they are forced to return to Pakistan, even if they relocate.
- She claims the reason she did not apply for a protection visa upon her arrival in Australia is that she did not know she could. She claims she was free and as long as she thought she could study she would have residency.
- She claims her uncles have made threats to her family, and if she were to return to Pakistan they would find her. She claims they are pressuring her mother and they are waiting and she claims she is in fear of her life and the persecution she will encounter on her return to Pakistan.

31. The first named applicant outlined the difficulties she had with the Department interview point by point

32. With regard to the findings made by the Department, the first named applicant outlined the following difficulties with it:

- With regard to real chance she claims that the interviewer did not understand the influence of the Taliban in Pakistan and attached an article outlining the difficulties faced by young lovers in love marriages, who defy their parents.
- She claims the harm she fears is membership of a social group, women in relation to family matters or women in love marriages. She included excerpts from papers, although not noting from which, as to the law of membership of a particular social group. She also provided articles of where Pakistani women who have gone against their families have been found to be a social group.
- She notes and disagrees with the Department's finding that the harm feared was not systematic and discriminatory conduct, and therefore she does fall within section 92R(2). She claims threats have been made against her and attacks on her husband's life, serious physical harassment by her uncles, and physical mistreatment, having been beaten by her uncles.

33. She then made the following statement with regard to the difficulties she had with the findings of the Department.

I have pointed out above that family and women's issues such as honour killings/love marriages does come under the grounds of a PSG and this is covered by the Convention. There is a well founded fear of persecution on return to Pakistan. My case is not based on State Persecution.

The option of relocation was dismissed by the applicant on the basis that she would be found by family members ... there is no indication that either the applicant or her partner has addressed this choice.

I am not sure of the point he is making here, my husband was not in the interview, as he was not called for the interview. As stated in question 62 that I have had one

conversation with my mother and she told me (as stated) not to return to Pakistan as they will kill me. Relocation is not a viable option, we have no money, property, family support or job to go to in other areas of Pakistan. We have addressed this issue and was discussed in the interview. I have also listed a case where a couple was forced to relocate to another city. They were given a room, very dirty, but had no money, no family assistance and no assistance from Police. They were above the police station, but still rarely left the room, as they knew that they would be found and killed. This proves that relocation is not an option for any kind of humanitarian rights of living freely.

Country information indicates that action is normally taken swiftly ... As I told the interviewer, we were married for 8 years (since the age of 19) before it was found out that we were married. Once they did find out they did act extremely swiftly, they attacked my husband and left a huge scar (80 stitches), beat me, threatened me and arranged for another marriage all within a matter of months. My life was only spared at that time, because they had promised me in marriage to another village man, and they did not want to be dishonored in front of them by not giving me. In this time, I was also acting in the quickest possible way, because we already knew for many years, that when they found out, our lives would be in danger and we had been planning for some time what to do to escape.

There is conflicting indications about family pressure on the parties to divorce ... I told the interviewer that my husband was refusing to divorce me, we had spent 8 years hiding our marriage, he was not going to divorce me now. His uncles met with my uncles and they said he won't divorce her so you have to take Khula. This time is when I tried to commit suicide as just the thought of not being with my husband. I knew that my uncles would get their way and get the Khula granted by the Jirga because they had promised me to one of their village men. (there is a case I have put in this application that clearly says that women have no rights in Pakistan and are still being used as "barter" in jirga for swapping or trading.)

Even though these problems he also created in his family, he is their son, and they are not going to kick out a son. As long as they thought they got rid of me, they left him alone. But the shock came to them, because he ran away from them to Sydney with me without their knowledge. I told the interviewer that it was my husband's mother who came to my house asking the whereabouts of their son. My mother said I don't know. They asked her where your daughter is, my mom said she has gone to Australia. It was then they realized that my husband came with me and then all the problems started here in Australia.

The applicants have enjoyed security of residence and employment over many years. .. As I told the interviewer that it was eight full years of marriage before anyone found out. Yes we were working, but not living together as a married couple, as I have stated above in the introduction that in a westerners eyes it would appear like we were engaged, but in Islam it is considered adultery to even touch a man without marriage. So we were married but with no ones knowledge.

The interviewer then says *there was a violent incident but that they were able to stall them for over two years while obtaining an Australian visa, this does not appear realistic based on country information. It was not over 2 years, even in his paper it says my uncles found out at the end of 2005 and I left in April 2007 so it was one year and about 4 months. That is not too long, and in that time, I was beaten, threatened harassed and the only reason I told him that I was not killed then was because of the arranged marriage they had negotiated with the counsel of Jirga. I was*

made to leave my job in January 2006 by my uncles as they wanted to control my every move.

The Interviewer is stating that I arrived in April 2007 and did not lodge a protection Visa until [date] June 2009. He is implying that my whole application is based on inconsistent circumstances and that I only came here for study. I only agree in the fact that I escaped from Pakistan by way of my student visa. Why I did not apply for protection straight away, honestly I did not know that I could. I honestly and innocently thought that we had escaped from Pakistan and we were free. I did not count on my uncles being able to stop my finances and therefore causing great stress to us. There is no way in Australia we could finance my studies due to the cost of the courses without family assistance. I was only able to work 20 hours and could not get work. My husband (and even stated in the medical report) due to his legs can not stand for long periods of time. Even the medical officer advised us that the best option for my husband would be to do English classes and get office work or sitting jobs. At no time has it been easy in Australia, because once our finances were blocked this fear of returning to Pakistan has overtaken our lives, we have been in constant fear of our lives if we are made to return to Pakistan. We are suffering great mental stress of even the thought of returning to Pakistan.

Internal Relocation

I said clearly to the interviewer that it does not matter how big Pakistan is, the connections of Taliban are everywhere, they have agencies in every city. Also one of my letters confirms that if you reject this case and I am forced to return to Pakistan that by law, you have to give the authorities my name and date of birth, same as the west, Pakistan has every tracking facility available and only a simple bribe needs to be in place to tell them when I return. I told the interviewer that my uncles live in the areas that are highly influenced by Taliban, they can do anything to find someone.

He is not accepting our fear of persecution even though I have made it very clear, that they have not and will not give up until they have killed me and my husband. He has also said that we are unwilling to cut from our families. This is not true, I told him as stated in question 62 that my mother made contact once only in 3 years, she contacted me to tell me my husbands mother was there and wanted to know where her son was, this is when they all found out that he was with me. My mother told me not to return to Pakistan or they will kill me. I have had some contact with one cousin who have told me that my uncles have taken my mothers home, and blocked all her finances, and told my mother that whenever I return they will get me, where-ever I am, that they have contacts everywhere. My cousins are the ones who have kept me up to date, but even she is scared to have too much contact with me. Also my husband's mother died in September 2008 and we were still on a valid visa, but he did not return to Pakistan to attend her funeral. In Islam it is a big family disgrace for a son not to attend a parent's funeral, especially since his father has already passed away. But when your life is at risk and being threatened, what can you do! He would have been in great danger if he had returned to Pakistan.

Only in the last paragraphs has he made reference to my other claims under the Convention, based on religion. I have stated in my opening statements, my views on religion and hijab. He has accepted my modern interpretation of Islam, but he said in the interview I told him only burqa is in tribal areas. I did not say this. Because of the Taliban issues and influence hijab and burqa is being forced in areas even in Karachi. I have already put these articles above about Taliban forcing hijab in Karachi. This is a well founded fear of persecution of being a modern Muslim. There is no way I can walk in the streets of Karachi dressed like I dress and behave the way I behave in

Australia without being persecuted by Taliban or people under the influence of the Taliban.

For the grounds of the Convention I don't have to comply with all the grounds to show well founded fear, I have covered very clearly the issues of Race, Religion, Social groups. In my application for Protection I have also listed the well founded fear because of the political environment in Pakistan (See questions 41 and 42 of my application).

Politics

The interviewer has not asked me any questions in relation to my claim of political problems. As I have said in my application the threat of Taliban taking over Pakistan is a very real, this is well documented in all western news. It is not the mere effect of them taking over Pakistan but the problems it is causing for the safety of all Pakistanis. The cases I list are only just a touch of the problems in Pakistan and the real threat on our lives. We are no longer safe to walk around our streets, even in Karachi. If any woman or couple are seen they are being persecuted and attacked for little or no reason.

The Taliban are even known to be as far down as Karachi and making problems for all citizens, they are putting their interpretation of Islam into our communities and trying to rule our communities on their Sharia Law. As the interviewer says clearly that the Taliban make their own rules, that is ok to say subjectively but we as Pakistanis are the ones being victimized because of their influence. Both the Pakistani Government and Western Allies are not being able to make many stances against their move into Pakistan and especially into Karachi. This is also adding to the fear of persecution of being returned to Pakistan, as I have now been living freely in Australia, able to dress, where say, watch what I want, I fear persecution on return to Pakistan by the Taliban and people who have been influenced by Taliban.

I have clearly said above how the Taliban is into Karachi and making lives of women hell by enforcing their hijab (burqa) and the threats that have been made within the Universities. As one article says, they have even put their women into the universities to act as enforcers of burqa. It is not safe for women in Karachi now who refuse to where any form of hijab.

34. The first named applicant then summarized her submission making many of the points outlined above, but also noting she requested an interpreter as a back up in case there was a misunderstanding. She claims when she arrived at the interview she again asked for an interpreter and was advised there would be one by the phone if she needed it. She claims the Department interview was so quick that when she got stuck he moved onto a new question.
35. She claims she told the interviewer her husband was outside but he took no notice of it and did not consider the evidence of the scars.

Tribunal Hearing

36. The applicants appeared before the Tribunal [in] November 2009 to give evidence and present arguments. The Tribunal also received oral evidence from the second named applicant. The Tribunal hearing was conducted with the assistance of an interpreter in the Urdu and English languages.

37. The Tribunal referred the second named applicant to the Part D application and asked whether he continues not to have his own claims to be a refugee, but is included in this application as a member of the family unit. He confirmed this and the Tribunal again clarified this with him and he indicated he did not have any claims in his own right, but if accepted it will be because of his wife's claims.

Evidence of the First Named Applicant

38. The Tribunal asked about her early family life. She indicated she was born in Karachi while her parents were on vacation from Abu Dabhi, where she lived until she was eight years old. She said her father was an [defence force] officer who died in [month] 2004. She said her mother is still alive, she is not educated and illiterate. She said she is from near [Location 1], from the tribal village. She said her father complicated a university degree in architecture from [education provider deleted: s431(2)]. She said, in contrast, both her step uncles are not educated and illiterate. She clarified that her step uncles were actually her father's half brothers, from the same father but different mothers.
39. The Tribunal said it was surprising that her father was educated to a high standard but her uncles were illiterate. The Tribunal again reiterated that it was difficult to believe that one son was so educated and not the other two sons. She said when her grandmother passed away, there was no other woman to take care of her father and that is why he was sent to the [name deleted: s431(2)], and is why he was educated.
40. The Tribunal said it was surprising that he was sent to an orphanage as the oldest son. She said he was five years old and there was no woman to look after him and her grandfather would come and see him at the orphanage often.
41. She said her uncles were 15 years and 10 years younger than her father. She said even so her father did not come home because the stepmother did not accept the father. She said the grandfather was from the Wahabi sect of Islam, as is her step uncles. She said that in this sect women are not permitted to take on education, they are not married outside the local area, the women do all the housework; cover up with a hijab and niqab. She said that they practise purdah, the men do the shopping and go to separate quarters when they have guests. She said women do not have much power.
42. The Tribunal again reiterated that it was difficult to believe that her father was so educated and her uncles were not. She said it is because her uncles did not want to study and they wanted to look after the land and her father had determination and wanted to study.
43. The Tribunal said that it was having difficulty believing that in such a male dominated society, as she claims, that her grandfather would not allow his son to live with him because of the wishes of the new mother.
44. The Tribunal again reiterated the question that it had difficulty accepting that in a male dominated society, which she had indicated women have little power, her grandfather stopped her father living with them because of the wishes of the stepmother. She said there were lots of problems with stepmothers. She said stepmothers abuse children and beat them much and children have been killed. She said the grandfather realized this could happen and he reached the conclusion that the father should not live with them.

45. The Tribunal indicated it was difficult to believe the uncles were not educated and how they could make a choice at a young age not to study. She said they did go to primary school for four to five years. The Tribunal asked whether she was saying they were illiterate after four to five years of schooling and that that was surprising. She said her uncles are now 45 and 55 years and she cannot consider them educated because of what happened. She said they just did the basic alphabet and had basic education.
46. She said her grandfather was not educated and her family is from the village of [name deleted: s431(2)], 200km from [Location 1] and it is in the Tehsil sub district.
47. She said her grandfather had lots of the land and when he died her father was in Qatar finishing his mechanical engineering course. She said her grandfather had made a will giving all three sons the property, but her father left the property under the half brothers' authority with the arrangement that they would sort out the profit when he returned to the village on vacation. She said her father placed certain property in her mother's name which was a requirement of the marriage.
48. She said her family is Punjabi Pathan. She said her ethnicity is Pathan and she speaks the Punjabi language.
49. The Tribunal referred to her claim that she had lived her life in [Suburb 1] and asked her about the area of [Suburb 1] in Karachi. She said it is a very modern area of educated people, and is vastly different to the village life she has described. She said in [Suburb 1] Sindhis and Urdu's have settled there, girls are educated and Purdah is only practised if the woman willingly does so.
50. The Tribunal asked her to confirm whether the manner a woman lives in Pakistani is determined by the family's liberal or conservative attitudes and she said that is correct.
51. The Tribunal asked who is living in her home at the moment and she said her uncle, [name deleted: s431(2)], and her mother and younger sisters. She said she has not had contact with her mother and sisters for 2 1/2 years. She said her uncle moved into the house when her father died.
52. The Tribunal asked whether her uncle's presence changes the way they had to live. She said whenever they took a vacation to their tribal village they would have to wear the bat sheet or big shirt and cover their face. She said after her uncle arrived she was stopped going out of the house. She said she was employed and the first restriction which he changed was the way she dressed. She said most of the staff at her office dress in western clothes and that she had to wear the new style of burqa, which covered her face and head. She said he created problems for her working and stopped her younger sister's education.
53. The Tribunal indicated it was surprising that if her uncle was so strict that she was able to continue working. She said until they finalized the property matters from her father she had to work to support them and she was fighting to do this.
54. The Tribunal asked whether her employer would know of her difficulties and she said management was aware. The Tribunal asked her consent to call her former employer and she said that was okay.

55. She said there was a dispute over the lands with her uncles and they placed all their names on it. She said her mother had money and assets and had savings.
56. She said her husband worked in [location deleted: s431(2)] making [description deleted: s.431(2)].
57. The first named applicant said her husband was the head of his house but when he left Pakistan and came with her to Australia, they threatened that he abandoned the property. She said her mother-in-law died in 2007/8 and her husband could not go to the funeral because of the problems and they do not know what is left to him in the will.
58. The Tribunal asked how she and her husband met. She said she was finishing her education, in her final year and she was 18 and one of her husband's cousins was her classmates. She said she met her husband and fell in love after talking to each other. She said her husband's cousin lived in the same street and still does and that was how they met. She said her cousin's name was [name deleted: s431(2)]. She said that was in 1995/96. The Tribunal asked whether he was also studying when she met him and she said yes he was studying doing a Bachelor of Commerce.
59. The Tribunal indicated that in the protection visa application it indicated that he was at university from June 1998 to May 2000, so was not at university when she met him as she claims. She said she was sorry that she made a mistake.
60. The Tribunal asked when she met her husband was he studying a Bachelor of Commerce and she said yes. The Tribunal indicated that this was surprising as the marriage certificate indicates they were married in 1997 but that he did not start university until 1998. She said she was confused and that he was doing his intermediate course when they met.
61. The Tribunal asked how the relationship developed and she said they fell in love and when they saw each other they became attracted and talked over the phone and as they were not allowed to have a sexual relationship before they got married that is why they got married.
62. The Tribunal asked before they were married where they met and saw each other. She said sometimes at restaurants and they would sit together.
63. The Tribunal asked who proposed and she said he proposed and the Tribunal asked where. She said they had many discussions over the phone and knew the difficulties if they married but came to the conclusion that they wanted to get married. She indicated it was a drawn out process but confirmed that they both decided to get married. She said it is different in Pakistan.
64. The Tribunal said that before they were married the relationship continued for a number of years and the Tribunal asked where they met each other and she said in public places. The Tribunal asked about the actual marriage and she said they went to court. She said they went alone and the Tribunal asked who the witnesses were and she said her husband bought two witnesses who were friends of his. She confirmed they attended the marriage and that they know they are married The Tribunal asked why she told the Department at interview that until 2005 no one knew they were married. She said only the family members did not know they were married.

65. The Tribunal read to her the following from the Department interview
- Did anyone know you were married?
- Nobody knew I was married
- So from 1997 until 2005 nobody knew you were married?
- Yes
66. The first named applicant said they were not real friends but they were arranged by the court and lawyer to witness the marriage. The Tribunal said this was in contrast to what she had just previously said that both were friends of her husband. She said there were two witnesses and their names were mentioned in the document.
67. She said they were married at lunchtime and she went straight home afterwards. She said about three or four days after she went to a friend's house of her husband and then went to a hotel together. She said she does not know the friend's name. She said after that they would sneak secretly and go shopping, but four or five times they were intimate and would go to hotels or sometimes her husband would obtain the keys to a bachelor friend's house She said they mostly met for coffee.
68. The Tribunal asked for the original marriage certificate and she said it was in Pakistan and that her husband had it. The Tribunal indicated that the marriage certificate stated that her husband was 26 when he was married, whereas if he was born the same year as her as indicated in the application he would be 19. She said they changed his age to make it look older so there were no problems with the marriage.
69. The Tribunal asked whether she knew [names deleted: s431(2)] and she said no.
70. She said her husband is a Mohajir who came to Pakistan after partition in 1947 and is from the Siddiqi caste, but is not involved in politics and Urdu speaking She said they fight with the Pathans
71. The Tribunal said it was surprising that she had indicated her father was modern, liberal, supported her education and they lived in a modern area and it would seem he would be accepting of a love marriage. She said a love marriage is okay in the same caste or community in wealthy families, but in her case they are from different castes.
72. The Tribunal asked why they did not go elsewhere in Pakistan; she said she knew if the family had knowledge of the marriage, it would be difficult as it goes against the law of the tribal people. She said in this time she was planning to leave.
73. The Tribunal asked why they did not relocate together elsewhere and she said it would be too easy to find them there.
74. The Tribunal asked what she thought her father would have done if he found out. She said he is a man of principle and on one side he would have got angry but he was also soft. She said she was scared that if he became aware his reputation would be tarnished and there would be drastic action.
75. The Tribunal again reiterated its concern that it had difficulty believing that her father would be opposed when she had indicated he was a modern father, who allowed her to

wear Western clothes and was educated. She said if the marriage was within the community it would be okay, but as it was out of the caste it was a problem. She said her father did not like Urdu speaking people and considered himself a pure Pakistani.

76. The Tribunal noted that it was eight years that they lived in secret and questioned why they had not left Pakistan together earlier. She said they were planning to leave and always anticipated they would be together in the near future.
77. The Tribunal asked whether she applied to come to Australia before and she said no. The Tribunal asked whether she applied to go to any other country and she said no. The Tribunal asked whether she planned to move elsewhere in Pakistan and she said no. The Tribunal asked whether she travelled anywhere else in Pakistan before coming to Australia and she said no. The Tribunal said it seemed surprising that she was married secretly for eight years and did not try and live elsewhere and or apply to go somewhere else. She said they knew they would be one-day together but not in that country and she knew when her father died there would be severe outcomes, but she was aware that her husband was telling her that they could not leave or tell the truth because his mother was sick. She said they were waiting for the right time.
78. The Tribunal asked why the date on the Certificate of Domicile indicating she was single was handwritten and the first named applicant said she had no problem authenticating the documents.
79. The Tribunal asked with regard to her marriage why she fears return to Pakistan. She said she will be killed by her tribal people as her uncle has given instruction to the heads of village assembly. She said they have taken the law into their own hands now.
80. She said once her father died all the property issues also started and that is why her uncles were pushing her to marry, so they could get rid of her.
81. The Tribunal asked when she lived with her husband in 2005 and she said she lived with him for four to five months in the second half of 2005. She said his mother was against it but as long as her husband was standing over her it was okay. She said his mother threw her out after he was beaten when her family tried to take her husband's life.
82. The Tribunal asked how her mother-in-law could throw her out when she had said her husband was the head of the house. The first named applicant said her mother-in-law is bossy and everything was in his mother's name.
83. The Tribunal questioned her why in her protection visa application she said the following

We married in 1997 and lived with his family for 2 and a half years, the whole time we were being threatened from my family that they will kill me and him.
84. It indicated that this is in contrast to what she had said at hearing that they only lived together for four to five months. She said that it was two and a half years when the family came into knowledge of the marriage. She said she clarified this in her submission.

85. She said she fled on the day her family found out and she went at night time. She said her family was pushing her to marry someone else because they wanted to obtain the property of her father.
86. The Tribunal indicated that she said she went to live with his family in mid 2005 and that she left Pakistan in April 2007 and that this is not even two years, so why would she mention two and a half years in the protection visa application. She said it was two and a half years from the time her uncles found out to when she came to Australia in 2007. The Tribunal indicated that she came in April 2007 and that does not appear to be 2 1/2 years.
87. The first named applicant said that after she returned to her house she did not see him again until she left Australia. The Tribunal asked how she organised the application and she said he did it for her.
88. The Tribunal said it had difficulty accepting that a single woman who was being forced to live in purdah and in a conservative environment would be allowed to go overseas to study. She said nobody knew except her mother. She said her mother went to the bank to pay. The Tribunal indicated that it was the Tribunal's understanding from the previous evidence that she was not allowed to leave the house and she said her mother could go to the bank.
89. The Tribunal asked if her husband was seeing the agent and organising it, how did she sign the document, and she said he reported to her secretly at nighttime. She said they were talking on the phone
90. The Tribunal asked about the incidents when her family attacked her husband. She said her family did not know who her husband was but then they saw them together they then attacked him later.
91. The first named applicant gave a detailed description of the attack on her husband which was similar to the evidence subsequently given by the second named applicant as to the attack.
92. The Tribunal asked when she left her job and she said after she returned from her husband's home, her uncles would not allow her to work.
93. The Tribunal asked who she fears persecution from because of her marriage. She said she fears persecution from the family as well as her tribal community. The Tribunal asked whether she feared persecution from the general population because of her marriage and she said no.
94. She said the matter is also a village matter.
95. The Tribunal indicated that she had made a claim that she fears return because of the way she wishes to dress from her family and from the Taliban She said the Taliban want her to wear conservative dress because she is ethnically Punjab Taliban.
96. The applicant confirmed that in her father's presence it was okay for her to wear Western dress. She said it would be no problem if her father was alive.

97. The Tribunal indicated to her that independent country information indicates that there are a significant number of women in Karachi who go unveiled and do not face any serious harm. It indicated that while there are claims that increased Talibanisation in Karachi is occurring, there is information to suggest that this is a beat up by the MQM for political gain. The Tribunal noted it indicated there was no evidence of actual attacks recorded for women not wearing the veil in Karachi. It indicated that she had said that people who are rich and wealthy are not required to wear it, and that is not worn in Model town. It indicated she had said she came from this wealthy area.
98. She said Punjabi Pathans are forced to do certain things in Karachi by the Taliban. She said her caste is suffering and that is why the Taliban are targeting their caste and she referred to country information she had submitted on the attacks on women.
99. The Tribunal noted that in her protection visa application she had said
every woman is made to wear the hijab outside the house
100. The Tribunal indicated that this does not conform to the country information, and questioned whether it is an exaggeration. She said many women are forced.
101. The Tribunal asked whether there were any photos of her wedding day and she said not with her but she had pictures and that they may be with her mother-in-law.
102. The Tribunal noted her delay in applying for protection visa. It indicated that she arrived in Australia in April 2007 but did not apply until 17 June 2009, a period of over two years. The Tribunal said this questioned whether her fear is genuine and whether it was genuine when she left Pakistan. She said she had no knowledge that she could apply for asylum. She said that when she managed to escape and obtained a student visa, she thought she would finish the course and obtain permanent residence. It she said when she had no financial support she had to take other options. She said had she known the right procedure she would have lodged earlier and lots of things would have been different, and she could of obtained Red Cross assistance from the beginning, but she had no knowledge of that. She said she was told by people in the community in Australia to apply for protection and they gave her accommodation but she had to look after their children.
103. The Tribunal said it was surprising when the marriage had been secret for eight years she did not try to leave Pakistan earlier. She said her husband's mother was sick and the other problem was that the uncles wanted to trap her and take a share of the property and the share of her sister's property. She said she had to help her sister's claims and was waiting for the right time.
104. The Tribunal asked why she did not leave before they found out about the relationship. She said she did not want her father to have a bad reputation as she was not allowed to marry someone of a distant caste.
105. The Tribunal said it was surprising that if she was so worried about her father's reputation she was secretly married. She said in Pakistan one cannot have a relationship without being married. She said they were waiting and waiting. She said she didn't have an intention to tell him but if he found out from other sources, it would have been easier.

106. The Tribunal indicated that she had claimed she would be targeted if she returns to Pakistan because she has lived in a Western country and that there is no country information that she would be personally targeted because of living in a Western country. She said look at what happened at McDonald's and KFC. She did note that she would not personally be targeted.
107. The Tribunal asked why it was not reasonable for her to relocate internally in Pakistan as both she and her husband are educated and there are no children. She said her mother has told her family that she is on a three year visa and they know when she is coming back. She said they will trace her name and make enquiries at the airports. She said in their mind she will finish in December. She said in Islamabad, Lahore and Peshawar they go there often for documentation and have connections.
108. The Tribunal questioned her claim that the entire country is Taliban dominated and that she would face difficulties as a result She said there are bombs exploding in this manner and that she faces it more so because they think she is Taliban.

Evidence of the Second Named Applicant

109. The second named applicant indicated that he was a Urdu speaking Mohajir whose family came to Pakistan from India after partition. He claims he has always lived in [Suburb 1], and his mother and father are not alive. He said his mother died [in] September 2008 and died of many illnesses, including high blood pressure but he was not talking to her at that time because she disapproved of the marriage and him coming to Australia. He confirmed she had been sick for many years.
110. The Tribunal asked him about [Suburb 1], Karachi where he has lived most of his life. He said it was a modern area but not that posh. He said it was mixed with regard to education and some women observed purdah. He confirmed that there were women from [Suburb 1] who are educated and work.
111. The second named applicant confirmed the first named applicant's address in [Suburb 1], and that was her family's address. He said she had lived with him for three to four months, in the second half of 2005.
112. He confirmed that her father died in 2004. The Tribunal asked whether her situation changed after her father died and he said he did not know as he never lived at her house. The Tribunal asked whether she talked about any changes and he said that she had told him that her uncles grabbed the house and wanted the property.
113. The Tribunal asked where her uncles were living after her father died and he said her uncles started living in her house. He said both of her uncles lived with her. The Tribunal confirmed that both lived with them and he said they did take short trips away. The Tribunal asked their names and he said he was not sure of their exact names, but thought one was called [name deleted: s431(2)] and he was the younger one and the other one was called [name deleted: s431(2)].
114. The Tribunal asked whether anything changed for his wife when the uncles came to live with her. He said that they placed restrictions on her. He said they did not let her go out of the house, she had to wear a burqa and she was not to do her job anymore.

115. He confirmed that after his father died he became head of the house but the assets were placed in his mother's name.
116. The Tribunal asked a number of questions about the inception and development of their relationship. He said they met when they were at separate Colleges. The Tribunal asked whether anyone introduced them and he said no. He said he could not remember how they met. He said that he had a friend or cousin and she had a friend and they met at a party and they are both from [Suburb 1]. He said he was at College, not University when they met. He said they then kept dating each other and would meet at a friend's place or at other places.
117. The Tribunal asked about the proposal for marriage. He said he proposed but that she said they would face many problems. He said there was an ongoing discussion and she indicated that her family would disapprove. He said they went to a restaurant after her work and then he proposed. He said they were at a restaurant in the airport when they finally agreed to marry. He said it was a safe place.
118. He confirmed they went to court to get married. He said two of his friends stood with him.
119. The Tribunal asked who is [names deleted: s.431(2)] and he said they are the names of his wife's cousins. The Tribunal asked who is [name deleted: s431(2)] and he said he is his wife's brother-in-law. The Tribunal indicated that it seemed that people knew and approved of the marriage and he said that the lawyer advised that they needed to give names of relatives for the marriage, and he did so, but they did not know of the marriage.
120. The Tribunal asked for the original marriage certificate and he said it is in Pakistan.
121. He said they were married in the middle of the day and afterwards went home. He said that after the traditional wedding on the following day, they met friends. The Tribunal asked whether they ever went to a hotel together from 1997 to 2005 and he said 5 to 10 times but that they really started their relationship in 2005. The Tribunal asked when they began an intimate relationship. He said the intimate relationship began in 2005.
122. The Tribunal asked why they did not go elsewhere in Pakistan to have a relationship together. He said the main problem was they did not tell their family members about their marriage and their jobs were not secure and they were staying in their own homes.
123. The Tribunal asked how the issue of their marriage became difficult and he said her uncles saw her with him and when they caught her they kept an eye on her.
124. The Tribunal asked after she left his house in 2005 whether he saw her again until they left Pakistan He said he didn't see her for long, for many days. The Tribunal asked him to clarify how often he saw his wife after she left living with him until they came to Australia. He said they disclosed the marriage and then the uncles attacked him.
125. The Tribunal asked what happened in 2005 for the first named applicant to come and live with him. He said she was really terrified what was happening and when she went back she cut her wrists. The Tribunal asked him again what triggered the first named

applicant to come to live with him. He said she was beaten by the uncles as they had seen the two of them together, and they found out they were married.

126. The Tribunal asked why the first named applicant left her house in 2005. He said he was attacked by the uncles and his mother was worried about him and so his mother wanted him to abandon her. He said so she had to leave the house as his mother was angry.
127. The Tribunal asked after she left his house, whether he saw her until they fled to Australia together. He said there were problems between the families. He said they wanted him to divorce her and her uncle wanted him to take the initiative.
128. The Tribunal asked why she did not tell her father of the marriage who seemed far more modern and a liberal man. He said because of their jobs and because he is an Urdu speaking Mohajir.
129. He said his family also did not accept her after he was attacked and he described how he was attacked by her family
130. The Tribunal asked who organized the student application, and he said both of them secretly. He said the uncles had indicated that if he did not take the initiative for the divorce then they would apply for divorce.
131. The Tribunal asked how he communicated with her and he said he had a mobile phone but she had no mobile and they met in a secret place
132. The Tribunal asked who paid for the study fees and he said the first named applicant's mother. He said her mother went to the bank to pay for it. He confirmed that the uncles did not know she was going overseas to study.
133. The Tribunal asked why they did not leave Pakistan earlier and he said they were both planning and his mother was sick
134. Both applicants indicated that when the second named applicant's mother died the uncles expected that the second named uncle would return to Pakistan for the funeral and both came. They said the second named applicant's cousin called for him to return and indicated that it is a disgrace that he did not return. He said he could not return as he would be killed by her family.
135. The Tribunal asked her if there was anything the first named applicant wished to add and she handed the Tribunal a summary of her claims on a piece of paper

Further Evidence obtained after the Tribunal hearing

136. The Tribunal contacted the first named applicant's former employer, [Employer A], [in] November 2009, directly after the hearing, and obtained the following information from them in answer to a number of questions asked by the Tribunal The Tribunal independently obtained the contact details of the first named applicant's employer from the internet.

Re: [first named applicant's name] (we have her date of birth as [date]) according to NIC (National Identity Card) copy.

[First named applicant] worked at [Employer A] from [date] May 2002 until [date] January 2006.

[First named applicant] submitted to us a copy of her Marriage Certificate when she commenced work with us, which is a Pakistan Legal Requirement. A copy is kept confidentially for record purposes.

According to the copy of the Marriage Certificate on record. The person [First named applicant] married is written as [Second named applicant]. There is no date of birth on the Marriage Certificate just the Age of the Bride which is written as 26. The Date of Marriage written is [date] September 1997.

I have checked with our records and [First named applicant] gave the reason of leaving employment due to family problems, causing depression and stress.

[First named applicant] indicated in confidence some of the difficulties she was having at home were effecting her work at [Employer A]. These matters are quite confidential, if you require further information, I would have to obtain approval from [First named applicant] before replying in further details. If you want me to do this, you will need to give me her details.

Second Tribunal hearing

137. The applicants appeared before the Tribunal [in] December 2009 to give evidence and present arguments. The Tribunal also received oral evidence from the second named applicant. The Tribunal hearing was conducted with the assistance of an interpreter in the Urdu and English languages.
138. The Tribunal indicated that as it had received new evidence and as it was required to discuss this with her at hearing, it had decided to hold a further hearing
139. The applicant submitted the original of her marriage certificate.
140. The first named applicant confirmed that she wrote her statement attached to her protection visa application, with some help and it was true and correct. She said her English translation had indicated a few mistakes such as the part that reference to two and a half years. She indicated she was referring to two and a half years between the date her uncles found out and the date she left Pakistan, not that she and her husband lived together for two and a half years.
141. The Tribunal asked her about the Certificate of Domicile she had attached to her application. She confirmed she had prepared it for her position with [Employer A], and it is a requirement to obtain a Certificate of Domicile for employment. She said they therefore believed her to be single, but after her uncles found out in 2005 and the difficulties began she had to tell them.
142. The Tribunal indicated that it will put to her a concern it has with her evidence under s.424AA of the Act. The Tribunal then said it was going to give the applicant information which it considered could be the reason, or part of the reason, for affirming the decision under review. It indicated that it would explain the information to her and would explain the consequences of relying on the information and would invite her to comment or respond to that information. It indicated that she could respond to that

information orally or in writing and could seek additional time to comment on or respond to the information. At all instances the first named applicant chose to respond orally at hearing.

143. The Tribunal read to her information received from [Employer A] referred to above. It indicated to her that this was in contrast to her evidence that she had advised them she was single when she began, and that they did not know she was married until the difficulties began in 2005. It noted that in contrast her employer had advised that she had submitted a Marriage Certificate when she commenced her employment with them in 2002. It noted that the information from [Employer A] is relevant as it may indicate she is not credible, and that her marriage was not secret as she claimed. It noted that it may indicate that she was not targeted in the manner she claims because of her secret marriage.
144. The first named applicant indicated that she submitted both the Certificate of Domicile indicating she was single and her Marriage Certificate, but advised the management that her marriage was secret from her family. She said she told them that because sometimes her husband would come and meet her at work. She confirmed that she told management that her marriage was a secret
145. She said her Certificate of Domicile had to be shown and was necessary for her employment. She said she advised her employer that if there were any enquiries to refer to her Certificate of Domicile, and not to show the Nikah to anyone. She said the information in the Certificate of Domicile is not correct but she had to do this to ensure her father did not find out.
146. The applicant submitted copies and translations of her Identity Cards and noted that the one of 2003 noted the name of her father and that she was living at [Address 1] Karachi, whereas the one issued [in] January 2007 noted the name of her husband, the second named applicant and that her address is [Address 2], Karachi. She noted that in Pakistan on identity cards if one is single the name of their father is included and if married, the name of one's husband is included.
147. The Tribunal outlined to her information from the Department interview in which she told the Department nobody knew of her marriage from 1997 until 2005 and indicated the relevance of the Tribunal relying on it. It noted that this is inconsistent with her current evidence that she told her employer. She said at the Department interview she was referring to the family's knowledge. The Tribunal indicated that she had said at this hearing that her employer believed her to be single until 2005. She indicated that she gave her Nikah to her employer privately and asked them not to disclose it. She said it was only after 2005 when her employer became fully aware of the difficulties associated with her marriage and family problems.
148. The Tribunal referred to her submission to the Tribunal as follows:

As I told the interviewer it was eight full years of marriage before anyone found out....So we were married but with no ones knowledge.
149. It notes this is inconsistent with information that she had advised her employer they were married when she began her employment in 2002. It outlined the relevance. She said she was referring to her family members and she was confident her employer would not disclose it. The Tribunal noted that her employer had advised the Tribunal

when it had contacted them that she was married and she said that after 2005 they were aware it was well known.

150. The Tribunal referred to the applicant's student visa application, and outlined information in the application dated 2007 where they had both indicated they were living at the same address at [Address 2] in their applications and in their medical examination forms. It also noted the translations of the identity cards of 2003 and 2007 indicated her husband's name and not her father's and that they were living at the same address of [Address 2]. The Tribunal outlined the relevance of relying on this information and that it may indicate they were living together in 2003 and 2007. The applicant indicated she provided the statements to the agent who advised that the identity cards showed they were living at the same address for her husband to be eligible for a dependant visa. She said the agent was not aware of the marriage problem.
151. She also notes that the translations submitted for her 2003 identity card in the student visa application are wrong and that the 2003 identity card indicates a different name than that of her husband's, as in her 2007 identity card. On closer inspection the Tribunal notes that the 2003 identity card does not indicate she is at the same address as her husband at [Address 2] but that she lives at her family address and that the translation of the 2003 identity card in the student visa is incorrect. She indicated that she is not saying she was living at her husband's address after 2007 but that for the application to be accepted they needed to show they were living together so gave their address as the same.
152. The Tribunal asked whether she had a brother and she said yes, a twin brother but he is [medical conditions deleted: s431(2)].
153. The Tribunal asked the names of the first named applicant's uncles who had caused her difficulty and she said they were called, [names deleted: s431(2)]. It notes that the second named applicant indicated their names were [names deleted: s431(2)] and noted that it found this surprising as it may expect that if the uncles were the cause of such trouble for them, the second named applicant would know their name. It outlined the relevance of relying on the information. The first named applicant indicated it was culturally inappropriate to mention their actual names, and she does not address them by their name. She said her husband does not know their names and the names they mentioned are his mother's uncles. She said he met the maternal uncles with his uncles, as well as her paternal uncles and outlined in detail how this occurred. She said it was in 2005 when they wanted her to take a divorce.
154. She said soon after this she tried to commit suicide, as her uncles advised her that after she is divorced she will be given to the Jirga to marry a village man.
155. The Tribunal asked her a number of questions as to why the divorce had not been sanctioned by the Court prior to her leaving Pakistan. She said she committed suicide soon after and then refused to go to a lawyer and did not go until mid 2006.
156. The Tribunal put to her independent country information indicating a large number of women in Pakistan go unveiled in the cities and that difficulties arise only for those women, due to a family's belief not because of difficulties with the general public. The applicant agreed that it depended on the views of one's family.

Further Information sought and received by the Tribunal

157. [In] December 2008 the Tribunal received the following information from [name deleted: s431(2)], Accounts Manager at [Employer A] in answer to a number of questions asked

1. [First named applicant] as I told you gave the reason of family problems, depression and stress. It is her private matter. She only told management briefly that her family had come to know her marriage and this marriage was not approved by family. They were not allowing her to work anymore.
2. She gave her Domicile because that was her document showing her address. This is law in Pakistan. As I told you before she also give Nikkah Copy, but only because of legal requirement and asked management to keep it private. I attach Domicile we have on records, you can see yourself what information you need.
3. I don't know any further details of her marriage, except what given before.
4. Only few people knew of her marriage in office.
5. Residential address was given as [Address 1], Karachi as given on Domicile.
6. I have had no contact with [first named applicant] since leaving our employment.

FINDINGS AND REASONS

158. On the basis of the applicants' passports, certified copies of which are on file, the Tribunal finds that they are citizens of the Islamic Republic of Pakistan and assesses the claims of the applicants against that country.
159. The first named applicant fears she will be beaten, killed and/or forced to marry another person if she returns to Pakistan. She claims that the first named applicant's family view her marriage to the second named applicant to be against their beliefs and honour as it is a love marriage, and a marriage between two different castes or ethnicities. She claims she is a Punjabi Pathan, and her family follows a traditional strand of Islam and her husband is an Urdu speaking Mohajir.
160. The first named applicant also fears persecution because of her dress and western ways.
161. The Tribunal has found this a very difficult case to assess. It is the Tribunal's view that the first named applicant is prone to exaggeration and embellishment and it is of the view her evidence cannot be entirely relied upon For example, the Tribunal has difficulty accepting she did not apply for asylum when she first arrived in Australia, her confusing evidence as to when she advised her employer she was married and who knew of their marriage prior to 2005 and her husband's lack of knowledge of the name of her paternal uncles who are the source of much of their difficulties and the length of time she lived with her husband, advising this to be two and a half years in her statement.
162. However, the first named applicant was generally consistent and provided much detail in a prompt and at times emotional and desperate manner, when concerns were put to

her. She also provided an extensive and detailed submission to the Tribunal on the Department's interview, its erred reasoning and decision, outlining thoroughly the difficulties she faces in Pakistan as well as attaching supporting country information. The applicants evidence was also corroborative as to the difficulties they faced once the uncles arrived, and in particular the first named applicant's family's attack on the second named applicant in 2005.

163. While it has concerns the Tribunal has decided to give the first named applicant the benefit of the doubt as it cannot be completely convinced her claims of facing difficulty from her family due to her love marriage are not true, particularly given the corroborative and independent evidence obtained from her former employer that she advised them of her secret marriage when she began her employment in 2002. The Tribunal has placed significant weight on this evidence as it was independently obtained by the Tribunal after finding their contact details on the internet. It is also of the view that the evidence of the employer was given in a professional and prompt manner and it appears from the employer's website that the company is not small and insignificant, and therefore more likely not prone to manipulation. It accepts the employer's evidence that it has not had recent contact with the first named applicant.
164. It also accepts that her Certificate of Domicile indicates she was considered single as at July 2003 as given to her employer, despite her being married. The Tribunal also sited the original marriage certificate of the applicants and notes their marriage was accepted by the Department in their student visa application.
165. Further independent country information supports that marriages between different ethnic groups are generally disapproved of in Pakistan and that violence can be part of the pressure brought to bear, particularly in Karachi In answer to whether marriage between persons from different ethnic groups (eg: Pashtun, Punjabi, Mohajir, Sindhi, Baluchi, etc) are common and how a family might react to such a marriage, Dr Shakira Hussein advised as follows in a telephone interview of 2 December 2009:

Marriage outside your own ethnic community is generally disapproved of by most Pakistani families. Arranged marriages within a person's own ethnic community tend to be the norm. This is very much the case across Pakistan as a whole. Western observers are often surprised to discover that affluent urban Pakistani families (who may otherwise seem outwardly no different to a Western family in their dress and behaviours) will nonetheless still expect their children to meet the expectation of entering into an arranged marriage with a partner from their own ethnic community. Some inter-ethnic marriage does occur, with family approval, where there are family connections of a caste and/or tribal nature but, generally speaking, marriages of this kind are not the norm. Moreover, love marriages which transgress family expectations can result in considerable family pressure being brought to bear. Again, violence could be a part of such pressure. In instances where the male partner to the marriage was from an ill-regarded community or caste then he, as much as the female partner to the marriage, could likely find himself the subject of a violent reprisal. In a city like Karachi where there is a long history of tensions and violence between the various ethnic communities such a response would be all the more likely.
166. Of note Dr Hussein has appeared as a commentator on issues relating to Muslim women and veiling on a number of panels in recent years¹; having undertaken field

¹ For examples, see: 'The politics of the hijab' 2009, *Unleashed, ABC News*, 21 April <http://www.abc.net.au/unleashed/stories/s2548643.htm> – Accessed 9 December 2009 –;

work in both Pakistan and Afghanistan as part of her recently completed doctoral dissertation on encounters between Muslim and western women.² Dr Hussein is currently a visiting fellow at the Australian National University.³ The information has been authorised by Dr Hussein as a record of the advice which she provided in her 2 December 2009 telephone conversation with the Tribunal⁴

167. There is also much independent evidence to support that honour killings occur frequently in Pakistan and that there is little effective protection.

Every year an immense number of women, of all ages and in all parts of Pakistan, are reported killed in the name of honor, making Pakistan the home of an “honor killing industry.” In fact, honor killings in general, and in response to love marriages in particular, are so prevalent that government statistics report that not a day goes by without at least one woman being killed in the name of distorted notions of honor. While a woman who marries without parental consent is frequently murdered to restore her family’s honor, her husband can escape this fate by paying her father what her “worth” was. More often than not, the man “pays” his wife’s family not financial compensation, but another woman such as his sister or cousin.

What’s worse, honor killings, however repugnant, are nonetheless socially sanctioned; those who perpetrate them are not perceived as criminals, but rather as persons rendering punishment to a wrongdoer, they may even be applauded and respected by their peers, and may not face criminal prosecution. Even when they do, lower courts have tended to be lenient and forgiving, either drastically reducing the killers’ sentences or acquitting them of murder altogether. As one court put it, the Qur’an establishes men as the “custodians of women;” so, a man who kills another man for tarnishing the honor of his wife or daughter is merely defending his property.

‘Should We Ban the Burka?’, 2009, Australian National University website, 15 July http://www.anu.edu.au/discoveranu/content/podcasts/should_we_ban_the_burka/ – Accessed 9 December 2009 –; ‘Why is there fear and friction between Muslims and non-Muslims?’ 2007, *Difference of Opinion*, ABC News, 2 April <http://www.abc.net.au/tv/differenceofopinion/content/2007/s1887181.htm> – Accessed 9 December 2009 –.

² For further background on Dr Hussein’s research work and views, see: Cambourne, K. 2008, ‘Fly into your fieldwork’, *Sydney Morning Herald*, 12 April <http://www.smh.com.au/news/national/fly-into-your-fieldwork/2008/04/11/1207856832463.html> – Accessed 9 December 2009 –; Hussein, S. 2007, ‘The Limits of Force/Choice Discourses in Discussing Muslim Women’s Dress Codes’, *Transforming Cultures eJournal*, vol.2: no.1, November <http://epress.lib.uts.edu.au/ojs/index.php/TfC/article/view/612/547> – Accessed 9 December 2009 –; Hussein, S. 2009, ‘Face-veiling: a “conversation” between Islam and the West’, Australian National University website, 24 July <http://asiapacific.anu.edu.au/blogs/southasiamasala/2009/07/24/face-veiling-a-conversation-between-islam-and-the-west/> – Accessed 6 November 2009–.

³ ‘Speakers: Shakira Hussein’ (undated), *Adelaide Festival of Ideas, 9–12 July 2009* http://www.adelaidefestivalofideas.com.au/speaker_20.htm – Accessed 9 December 2009 – Attachment 7; ‘Experts List: Hussein, Dr Shakira’ (undated), Australian National University website http://info.anu.edu.au/ovc/media/experts_list/_searchresults.asp – Accessed 9 December 2009 –.

⁴ Hussein, S. 2009, Email to RRT: ‘PAK3584 Record of Conversation’, 7 December –

(Yafeet, K.C. 2009, 'What's the constitution got to do with it? Regulating marriage in Pakistan', *Duke Journal of Gender Law & Policy*, vol.16, August, page 361)

168. There is also independent country information to support tension between Mohajir's and Pathan's, particularly in Karachi, which supports the first named applicant's claim that her traditional family is opposed to her marriage to a Mohajir. An article in a United Arab Emirates newspaper *The National* dated 24 August 2009 refers to the Pashtun community in Karachi having "been engaged in intermittent urban warfare in Karachi with Mohajir hardliners for almost 25 years." ('In a city of ethnic friction, more tinder' 2009, *The National*, 24 August <http://www.thenational.ae/apps/pbcs.dll/article?AID=/20090825/FOREIGN/708249931/1394> - Accessed 18 September 2009).

169. Based on the oral evidence of the applicants and the evidence referred to above the Tribunal accepts that the applicants were married secretly for love in 1997. It accepts that due to their being of different ethnicities, she Punjabi Pathan and he Urdu speaking Mohajir, they did not tell her father, and either of the applicants' families. It accepts she secretly advised management of her marriage when she began her employment but also gave them her single Certificate of Domicile.

170. It accepts the first named applicant's more moderate father died in 2004 and her uncles who are from the North of Pakistan, 200km from [Location 1], and from the conservative Wahabi sect of Islam, moved to Karachi. It accepts they imposed on her increasing restrictions as to her dress and movement. It accepts in 2005 her uncles discovered she was married to the second named applicant and that as he was from a different ethnicity and it was a love match she was beaten. It accepts she fled to live with her husband, the second named visa applicant, he was attacked and she was forced to return to her home. It accepts when she returned purdah was forced upon her and she left her employment. It accepts that her family wanted a divorce so that she could marry a man from her traditional village and that due to the stress she tried to commit suicide. It accepts she fled secretly with her husband to Australia on a student visa in 2007 with money secretly provided by her mother. It accepts that since her family has found she fled to Australia with the second named applicant, the honour of her family has been questioned, and if she returns to Pakistan she will be severely beaten, seriously harmed or even killed.

171. On the basis of this the Tribunal is satisfied that the harm the first named applicant would be subjected to at the hands of her family involves "serious harm" as required by section 91R(1)(b) of the Act. It also finds that it would be systematic and discriminatory conduct in line with s.91R(1)(c).

172. The meaning of the expression 'for reasons of...membership of a particular social group' was considered by the High Court in *Applicant A's* case and also in *Applicant S*. In *Applicant S* Gleeson CJ, Gummow and Kirby JJ gave the following summary of principles for the determination of whether a group falls within the definition of particular social group at [36]:

...First, the group must be identifiable by a characteristic or attribute common to all members of the group. Secondly, the characteristic or attribute common to all members of the group cannot be the shared fear of persecution. Thirdly, the possession of that characteristic or attribute must distinguish the group from society at large. Borrowing the language of Dawson J in Applicant A, a group that fulfils the first two propositions, but not the third, is merely a "social group" and not a "particular social group"...

173. On the basis of the independent country information and the first named applicant's evidence, the Tribunal is satisfied that this situation may fall into a number of particular social groups, including "people in love matches", "people who marry outside their ethnic group" or "people who marry contrary to their family's wishes"

174. The Tribunal is satisfied that these people in any of these groups possess characteristics and attributes that make them distinguishable from the rest of society and that they constitute a particular social group within the Convention meaning. Based on the evidence before it the Tribunal is satisfied that the essential and significant reason for the persecution feared by the applicant is her membership of the particular social group of one of the groups mentioned above.

175. The Tribunal has considered whether effective state protection is available to the first named applicant. The independent country information from Dr Babar following on from her advice in a telephone discussion on 2 December 2009 as to inter-ethnic marriage indicates the following

As per the above it could not be guaranteed that police would assist a couple who were being threatened by family members in such instances. It is just as likely that local police would assist the family in asserting pressure on the transgressing couple rather than offering effective protection to them.

There have been some cases where higher courts have ruled in favour of couples in such predicaments in recent years but it should be noted that the progression of such a case to higher courts can take years and, in most cases, the offending couple will not have the opportunity or the means to argue their case in this way. The statistics associated with honour killing indicate the extent to which numerous individuals are never able to survive family reprisals. Moreover, in the lower courts the effects of the Qisas and Diyat law are such that the persons accused of such killings may be forgiven, or subject to little punishment or a financial settlement, if such is the choice of the murdered victim's family.⁵

176. On the basis of this information the Tribunal is satisfied that the first named applicant does not have adequate and effective state protection available to her in Pakistan.

177. The Tribunal has also considered whether internal relocation is a safe and reasonable option available to the first named applicant and the second named applicant. The Tribunal accepts the applicant's evidence based on her overall positive credibility that she will be pursued by her family throughout Pakistan as she has disgraced them by marrying for love and outside their caste or ethnicity. The Tribunal therefore finds that it is not safe for the first named applicant to relocate.

178. Accordingly, the Tribunal is satisfied that the first named applicant would suffer persecution as a member of a particular social group of one of those named above if she returned to Pakistan now or in the reasonably foreseeable future.

179. The Tribunal is satisfied that the first named applicant does not have a legally enforceable right to enter and reside in any other country other than her country of nationality, Pakistan. The Tribunal finds that the second named applicant is not excluded from Australia's protection by subsection 36(3) of the Act.

⁵ RRT Country Advice Service 2009, *Record of Conversation with Dr Shakira Hussein of the Australian National University on 2 December*, 2 December –

180. The Tribunal is therefore satisfied that the first named applicant has a well-founded fear of persecution within the meaning of the Convention.

CONCLUSIONS

181. The Tribunal is satisfied that the first named applicant is a person to whom Australia has protection obligations under the Refugees Convention. Therefore the first named applicant satisfies the criterion set out in s.36(2)(a) for a protection visa and will be entitled to such a visa, provided she satisfies the remaining criteria for the visa.

182. The Tribunal is satisfied that the second named applicant is the husband of the first named applicant and is therefore a member of the same family unit as the first named applicant for the purposes of s.36(2)(b)(i). As such, the fate of his application depends on the outcome of the first named applicant's application. As the first named applicant satisfies the criterion set out in s.36(2)(a), it follows that the other applicant will be entitled to a protection visa provided he meets the criterion in s.36(2)(b)(ii) and the remaining criteria for the visa.

DECISION

183 The Tribunal remits the matter for reconsideration with the following directions:

- (i) that the first named applicant satisfies s.36(2)(a) of the Migration Act, being a person to whom Australia has protection obligations under the Refugees Convention; and
- (ii) that the second named applicant satisfies s.36(2)(b)(i) of the Migration Act, being a member of the same family unit as the first named applicant.

I certify that this decision contains no information which might identify the applicant or any relative or dependant of the applicant or that is the subject of a direction pursuant to section 440 of the *Migration Act 1958*

Sealing Officer's I.D. prrt44