



KNOWLEDGE-BASED HARMONISATION OF EUROPEAN ASYLUM PRACTICES

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Case Summary Template

Country of Decision/Jurisdiction	Bulgaria
Case Name/Title	Albashir v. the head of the State Agency for Refugees
Court Name <i>(Both in English and in the original language)</i>	Supreme Administrative Court <i>(Върховен административен съд)</i> Panel of three judges
Neutral Citation Number	11774/2007
Other Citation Number	
Date Decision Delivered	30/06/2008
Country of Applicant/Claimant	Sudan
Keywords	country of origin information
Head Note (Summary of Summary)	The head of the State Agency for Refugees had issued a decision to refuse refugee and subsidiary protection to Mr. Albashir on the basis of lack of credibility due to contradictions in his statements at the interviews with him. Mr. Albashir left his country of origin, Sudan, after armed men attacked his village and killed his family. Only he and his sister survived. The Court noted that the administrative organ had not contested the main facts presented by the applicant – the murder of his family. Taking into account the existing country of origin information, the Court ruled that Mr. Albashir should be given subsidiary protection because of the wide spread violence and internal conflict in Sudan.
Case Summary (150-500)	
<i>Facts</i>	The head of the State Agency for Refugees had issued a decision to reject refugee and subsidiary protection to Mr. Albashir on the basis of lack of credibility due to contradictions in his statements at the interviews with him. Mr. Albashir left his country of origin, Sudan, after armed men attacked his village and killed his family. Only he and his sister survived. The Court noted that the administrative organ had not contested the main facts presented by the applicant – the murder of his family. Taking into account the existing country of origin information, the Court ruled that Mr. Albashir should be given subsidiary protection because of the wide spread violence and internal conflict in Sudan.
<i>Decision & Reasoning</i>	The court differentiated between the facts that have been contested by the head of the State Agency for Refugees and the facts that have not been contested. Therefore, the Court noted that the most significant fact – the murder of the applicant's family had not been contested by the administrative organ. <i>"Although there are contradictions regarding some of the circumstances</i>



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	<p><i>presented at the interview, the fact that the applicant's family was killed by armed militia has not been contested."</i></p> <p><i>"Въпреки, че се наблюдават противоречия за някои от обстоятелствата, изнесени в интервюто, обстоятелството, че семейството на молителя е било избито от въоръжените милиции, не е било спорно."</i></p> <p>In confirming the overall credibility of the applicant the Court took into account the existing country of origin information on Sudan.</p>
<i>Outcome</i>	<p>The decision of the administrative organ was repealed and the Court ruled that Mr. Albashir should be given subsidiary protection because of the wide spread violence and internal conflict in Sudan.</p>