

REFUGEE STATUS APPEALS AUTHORITY
NEW ZEALAND

REFUGEE APPEAL NO 76199

AT AUCKLAND

<u>Before:</u>	A N Molloy (Member)
<u>Counsel for the Appellant:</u>	E Griffin
<u>Appearing for the Department of Labour:</u>	No Appearance
<u>Dates of Hearing:</u>	19 & 20 May 2008
<u>Date of Decision:</u>	11 November 2008

DECISION

[1] The appellant is a national of Sri Lanka, of Tamil ethnicity. He appeals against the decision of a refugee status officer of the Refugee Status Branch (RSB) of the Department of Labour (DOL), declining his application for refugee status.

[2] The appellant claims that if returned to Sri Lanka, he would be seriously harmed by the Sri Lankan government, the Liberation Tigers of Tamil Eelam (LTTE) and various factions of the LTTE, for reasons of his ethnicity and of an imputed political opinion. The appeal turns upon whether his claim is well-founded.

THE APPELLANT'S CASE

[3] The appellant is a married man. He is now in his late 30s. His wife and their two children currently live in Canada where they obtained refugee status in April 2008.

[4] The appellant is the youngest member of a large family. He was born and raised in a village on the Jaffna peninsula in the north of Sri Lanka. During the 1980s his family was displaced as a result of the conflict between the Sri Lankan Army (SLA) and the LTTE. Later, during the 1990s, the appellant was seriously injured during a military attack launched by the SLA. He suffered disfiguring injuries which have left him with a permanent disability.

[5] After recuperating from his injuries, the appellant rebuilt his life. He married and opened a small grocery store from which he sold various everyday items. He also supplied goods to outlying villages throughout his region. During this time the appellant developed a friendship with a man named AB. This relationship became important to the appellant during the early part of this decade, when the SLA and the LTTE negotiated a ceasefire which interrupted the conflict.

[6] AB was a sales agent in Killinochchi, an area which had been controlled by the SLA and was therefore exempt from the embargo which the Sri Lankan government imposed upon the north of the country. When the government reopened the main highway which joined the north of Sri Lanka to the rest of the country, this effectively ended the embargo and created commercial opportunities.

[7] AB had a business relationship with a large company based in Colombo called Hemas Pty Ltd, which supplied groceries and toiletries. After the ceasefire, the appellant and AB formed a company which obtained the agency to distribute goods supplied by Hemas throughout the north. They raised enough capital to secure a line of credit from a bank, which enabled them to buy stock from Hemas.

[8] Like all other business owners in the area, the appellant had been required to pay taxes to the LTTE from the time he had opened his grocery. The joint venture with AB was also subjected to taxes demanded by the LTTE. While the business generated a high turnover, the profit was not particularly high once the taxes were deducted along with the cost of purchasing stock from Hemas.

[9] Over time, the appellant formed the view that the general environment in the north was beginning to deteriorate, despite the ceasefire. By 2005, the LTTE had begun to require local families to undergo arms training. The appellant's wife had been pressed to look after children and soldiers who had been maimed in earlier conflicts. His concerns were amplified towards the end of 2005 when the LTTE

demanded that the joint venture pay a lump sum of Rs500,000. As a result the appellant began to consider his family's future.

[10] The appellant and AB managed to raise part of the amount quickly and were given a month to raise the rest. However, the appellant concluded that this was unlikely to be the last such demand. He also knew that his businesses were not sufficiently profitable to sustain even a small number of such demands. This, together with the gradual implosion of the ceasefire, convinced the appellant that it was time for him to take his family away from the north. He and AB ended the joint venture with Hemas and the appellant took his family to Colombo. While AB paid the remainder of his share of the demand from the LTTE, the appellant did not.

[11] The appellant and his family stayed in Colombo with a friend, YZ. One morning shortly after they moved the police conducted a door to door check to determine who was in the neighbourhood. The appellant and his wife were taken to the local police station. The wife was released after three or four hours, but the appellant was detained for about 10 days. During that time he was interrogated about his injuries, accused of being part of the LTTE and was punched and beaten with a baton.

[12] Several days passed before three police officers approached the appellant's cell. They were accompanied by another man whom the appellant did not know. The appellant was told to state his name and where he was from. As the officers walked away the appellant overheard the unknown man tell the police, in Tamil, that the appellant was a not a member of the LTTE.

[13] Around this time AB forwarded to the appellant's wife the appellant's share of the bond refunded by Hemas. She gave this to YZ who was accompanied to the police station by a Sinhalese intermediary unknown to the appellant. A sum of money was paid to have the appellant released.

[14] YZ then suggested to the appellant that he treat the Sinhalese man to a meal at a restaurant as an expression of gratitude. The appellant complied later that evening. To the appellant's surprise, the three of them were joined at the restaurant by the Tamil man who had come to the appellant's police cell. He identified himself as "MN" and told the appellant that he was a member of the Karuna group, a breakaway faction of the LTTE which has established some

presence in the east of Sri Lanka and in Colombo.

[15] MN told the appellant that he had been instrumental in negotiating a lower price for the appellant's release from the police station. In return he demanded that the appellant pay Rs1 million to the Karuna group. He said that half had to be paid within a week and the remainder within a month.

[16] This demand, together with his detention by the police and the problem with the LTTE in the north convinced the appellant that he had no option but to leave Sri Lanka. He ensured that the first payment of Rs500,000 was made to MN, but then obtained a visa for Malaysia. The appellant was afraid that the Karuna group might use its influence with the government authorities and the SLA to prevent him from leaving the airport. He therefore paid an agent to avoid any such difficulties and departed Sri Lanka by air in February 2006. The appellant's family joined him in Malaysia the following month, March 2006.

[17] The appellant eventually concluded that he would be unable to build a future for his family in Malaysia. He had tried, unsuccessfully, to develop a viable business and he was aware that he did not have any right to remain there permanently. The appellant sent his wife and children to be with his wife's family, many of whom had moved to Canada over a period of years. He remained in Malaysia, from where he eventually managed to obtain a visa for New Zealand. The appellant arrived here in 2007 and applied for refugee status.

[18] After interviewing the appellant on 22 and 23 November 2007, a refugee status officer of the DOL issued a decision dated 13 March 2008, declining the appellant's application for refugee status. He appeals from that decision.

[19] The appellant claims that if he were to return to Sri Lanka now his life would be at risk from any of several different factions. He claims that he would be detained by the police at the airport. He also claims that his Tamil ethnicity and his physical injury would cause the police to suspect him of past LTTE activity. He also claims that his life is at risk from the Karuna group, to whom he is in debt for Rs500,000. Finally, the appellant said that if he were to return to his home in the north the LTTE would seek to punish him because of his failure to pay the full amount demanded of him in 2005/2006.

Material provided by the appellant

[20] Counsel provided written submissions under cover of a letter dated 13 May 2008, together with a supplementary statement signed by the appellant on 12 May 2008 and various items of country information.

[21] Following the second day of the interview, counsel obtained various additional documents. These were forwarded under cover of letters to the Authority dated 12 and 18 June 2008. They include a copy of the written statement signed by the appellant's wife in support of her application for refugee status in Canada, and copies of correspondence between the appellant and his Sri Lankan Bank, in connection with his business affairs with AB.

THE ISSUES

[22] The Inclusion Clause in Article 1A(2) of the Refugee Convention provides that a refugee is a 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 as a result of such events, is unable or, owing to such fear, is unwilling to return to it."

[23] In terms of *Refugee Appeal No 70074/96* (17 September 1996), the principal issues are:

- (a) Objectively, on the facts as found, is there a real chance of the appellant being persecuted if returned to the country of nationality?
- (b) If the answer is yes, is there a Convention reason for that persecution?

ASSESSMENT OF THE APPELLANT'S CASE

CREDIBILITY

[24] Before turning to address the principal issues identified, it is necessary to determine whether the appellant is a credible witness. For the reasons set out

below, the Authority finds that his claim is credible, in part.

[25] When giving evidence in connection with his life in the north of Sri Lanka and his business arrangement with AB, the appellant's evidence was spontaneous, plausible and consistent with previous accounts which he had given. He provided detailed information about the nature of the business, the manner of its operation and his relationship with Hemas. This is also supported by documentary evidence substantiating the existence of the business and the appellant's connection to it.

[26] His evidence about the ongoing LTTE demands for taxes was also plausible, understated and consistent with country information. To the extent necessary the appellant is given the benefit of the doubt in this connection.

[27] The appellant's evidence with regard to the additional difficulties which he claimed to have experienced in Sri Lanka is in marked contrast.

[28] In short, he claims to have been detained and mistreated by the police. Arising out of that detention he was brought into contact with, and subjected to additional demands by, the Karuna group. His failure to comply with those demands has, he claims, exposed him to additional risk of serious harm. Finally, he claims that in order to safely depart from Sri Lanka he had to pay an agent to smooth his path.

[29] The appellant's evidence in respect of these matters was inconsistent and contrived. It is rejected for reasons which follow.

Detention by the police

[30] The appellant maintained that he was mistreated by the police on two separate days during his detention in Colombo. In contrast, he told the Authority that he was beaten only once, on the first day.

[31] When the Authority brought this discrepancy to the appellant's attention, he maintained that he was only mistreated once. He attributed the discrepancy to an error by the interpreter during the RSB interview.

[32] However, it is apparent from the transcript of the RSB interview that this issue was addressed by the RSB at two separate times. The refugee status officer

sought to clarify the issue with the appellant on the second day of the RSB interview. The appellant then repeated what he is recorded as having said during the first day of the interview. He claimed that he was mistreated twice; on the first day that he was detained and then again on the third day. This discrepancy is not attributable to interpreter error.

Encounter in police cells

[33] The appellant also gave inconsistent evidence about his encounter with MN. During his RSB interview, the appellant said that when MN was brought to the police cells, he spoke to the appellant directly and the appellant responded to him directly. In contrast, the appellant told the Authority that MN did not speak to him at all.

[34] The evidence relating to MN is also a highly significant part of the appellant's account. The fact that MN informed the police that he was not a member of the LTTE supposedly had a direct impact upon the appellant's ability to bribe his way out of custody. The appellant's recollection of this significant event was inconsistent because he was not truthfully recalling events which actually took place.

Meeting at the restaurant

[35] The appellant claimed that he did not know the name of the Sinhalese man who had attended the police station to assist in obtaining his release. He said that he was not interested in finding out the man's name because the man did not speak Tamil and the appellant cannot speak Sinhalese.

[36] It is contrived to suggest that the appellant would not know the name of this gentleman. According to the appellant, this man had been instrumental in negotiating the appellant's release from police custody. They spent half an hour together in a taxi immediately after the appellant's release and they then spent time in each other's company at a restaurant to which the appellant had taken the trouble of inviting the man in order to express his appreciation.

Departure

[37] The appellant's evidence about his departure from Sri Lanka was also contrived. In a written statement provided by the appellant in support of his original application for refugee status, he claimed that this agent had "paid some money to the airport security officers to ensure an easy departure". Yet the appellant was unable to describe any specific assistance given by the agent. He merely said that he had accompanied the appellant to the airport and to the immigration desk.

[38] The appellant was able to leave Sri Lanka lawfully, using his own passport. There is no evidence of any attempt by the authorities to prevent him from doing so, nor any reason why they should. His attempt to suggest otherwise is rejected.

SUMMARY OF CREDIBILITY FINDINGS

[39] The Authority rejects the appellant's claim to have been detained by the Sri Lankan police, to have been released through the intervention of a member of the Karuna group, to have been subjected to a demand for a payment by the Karuna group and to have left Sri Lanka without paying the entire sum of the demand.

[40] In contrast, there was a clear difference in the quality and the nature of the appellant's evidence about the problems he experienced in the north of Sri Lanka and those experienced in Colombo.

[41] The Authority has also been provided with a copy of the written statement signed by the appellant's wife in support of her (successful) application for refugee status in Canada. The statement is broadly consistent with the claim outlined by the appellant. While there are minor areas of divergence, the appellant's wife has not been interviewed in person, and she has not had the opportunity to elaborate upon the content of her brief written statement or to place it in context.

[42] Having heard from the appellant and having had the opportunity to consider all of the evidence, the Authority finds that his claim with respect to the problems he experienced at the hands of the LTTE is credible.

[43] The Authority therefore finds that the appellant is a Sri Lankan man of Tamil ethnicity from the north of Sri Lanka. He has an idiosyncratic injury which is readily apparent and which makes him easily identifiable. In his capacity as a businessman, he was subjected to ongoing demands by the LTTE for the payment of tax, with which he complied. He was also subjected to one significant one-off

demand for a large sum of money, with which he did not comply.

[44] The Authority finds that the appellant and his family left the north and travelled south to Colombo before leaving Sri Lanka for Malaysia in 2006. We find that he remained in Malaysia for a period of 18 months before travelling to New Zealand and claiming refugee status.

[45] It is on this basis that the Authority turns to address first the country information on the current situation in Sri Lanka and, then, the principal issues identified.

Country information as to the general situation in Sri Lanka

[46] The history of the conflict in Sri Lanka is summarised in the report of the International Crisis Group *Sri Lanka: The failure of the peace process* (28 November 2006) ("the 2006 ICG Report"), (1-5). That report refers to the ceasefire agreement (CFA) reached between the Sri Lankan government and the LTTE in February 2002, and outlines the subsequent implosion of the peace process. By the end of 2006, the ICG referred to the CFA as being "intact on paper", but stated that it is "flouted on the ground with increasing regularity and frequent brutality" (the 2006 ICG Report, executive summary).

[47] A more recent report, *Sri Lanka's Return to War: Limiting the Damage* International Crisis Group (20 February 2008) (the ICG Report), states that:

"The humanitarian crisis is deepening, abuses of human rights by both sides are increasing, and those calling for peace are being silenced. There is no present chance of a new ceasefire or negotiations since the government, despite pro forma statements in favour of a political solution, is dependent on hardliners and appears intent on a military decision. International actors must concentrate for now on damage limitation: protecting civilians from the war's worst effects and supporting those working to preserve Sri Lanka's democratic institutions." (executive summary)

[48] The 2008 ICG Report identifies the existence of ongoing human rights abuses perpetrated by both the Sri Lankan government and the LTTE, and states that:

"Much of the blame for the resumption in violence lies with the LTTE; its ceasefire violations and abuses of the population under its control pushed the government towards war." (executive summary)

[49] The UNHCR published an appraisal of conditions in December 2006 *Position on the International Protection Needs of Asylum-Seekers from Sri Lanka* in which it states:

“The LTTE has proven on numerous occasions that it can track down its opponents throughout the country, and kill them, as illustrated by the number of targeted killings and the increased number of claymore and other explosive devices discovered and detonated in Colombo and elsewhere in government-controlled areas.” [para 10.17]

and:

“One of the most disturbing aspects of post-ceasefire violence has been the use of killing to control the Tamil population...the LTTE and, to a lesser extent, other groups have elected to reinforce their political and financial support from the Tamil population through the use of violence. The LTTE’s classification of its political opponents within the Tamil community as ‘traitors’ and its efforts to enforce obedience with killings constitute fundamental violations of human rights.” [para 10.19]

[50] More recently the United States Department of State *Country Reports on Human Rights Practices for 2007* (March 11 2008) (the DOS report) stated that:

“The LTTE, which maintained control of large sections of the north, continued to attack civilians and engage in torture and arbitrary arrest and detention; denied fair, public trials; arbitrarily interfered with privacy; denied freedoms of speech, press, and assembly and association; and forced recruitment, including of children.” (Intro)

[51] The United Kingdom Home Office's *Country Of Origin Information Report: Sri Lanka* (11 May 2007) (the Home Office Report) supports the appellant’s evidence that the LTTE imposes and collects taxes:

“The ‘Tamil Eelam Police’, with its headquarters at Killinochchi was formed in [the] year 1993, and reportedly has several wings, including traffic, crime prevention, crime detection, information bureau, administration and a special force. LTTE cadres collect taxes, its courts administer their version of justice and the entire law and order machinery is LTTE-controlled.” [para 8.14] (emphasis added).

[52] A subsequent Home Office Report (March 2008) contains extracts from a press statement issued on 13 October 2007 by Louise Arbour, the High Commissioner for Human Rights. In summing up, the High Commissioner noted that:

“... I regret that time did not permit me to visit the Eastern Province. I also regret that I did not have the opportunity to visit Killinochchi, where I would have liked to convey directly to the LTTE my deep concern about their violations of human rights and humanitarian law, including the recruitment of children, forced recruitment and abduction of adults, and political killings.

[53] The 2006 ICG Report attributes ongoing human rights abuses to both the Sri Lankan government and the LTTE and accuses the Sri Lankan security forces of routinely ignoring or covering up abuses (the ICG Report, p 21). It also outlines some of the consequences of the resumption of violence for, including arbitrary measures aimed at the Tamil people:

“With the collapse of the ceasefire, the LTTE’s return to terror attacks and the government’s counter-terrorism measures, fear and inter-ethnic tension have grown significantly. Tamils increasingly see themselves, not the Tigers, as the government’s target. The decision in June 2007 to evict some 375 Tamils from hotels and boarding houses in Colombo and bus them “home” to the north and east and to the central hill country was a major blow to confidence. This was followed by mass round-ups of more than 2,500 in Colombo in early December after a series of bomb attacks blamed on the Tigers. The arrests were disorganised and indiscriminate, affecting many long-established residents of the capital with proper identification. More than 400 were sent to detention centres in the south. Most were released within a week, but the experience was a shock. Many felt such “security measures” were meant to send a message that all Tamils pose a security threat and are unwelcome in Colombo or Sinhalese areas. Tamils from the north and east are particularly vulnerable.” (page 10)

[54] The Human Rights Watch (HRW) report *Return to War, Human Rights under Siege* (6 August 2007) recorded that:

“Over the past 18 months, the Rajapaksa government has detained an undetermined number of people reaching into the hundreds under the regulations. The primary targets are young Tamil men suspected of being LTTE members or supporters ...” (Summary)

and continues:

“According to Sri Lankan lawyers and human rights activists, the typical profile of a detainee under the Emergency Regulations is an ethnic Tamil man between the ages of 18 and 40.”

[55] The HRW *World Report 2008 Sri Lanka* (January 2008) noted:

“Hundreds of people have been detained under newly strengthened Emergency Regulations that give the government broad powers of arrest and detention without charge. The regulations have been used to conduct mass arbitrary arrests of ethnic Tamils in the capital Colombo, as well as to detain political opponents, journalists, and civil society activists.”

[56] The DOS Report refers to an “endemic” use of police torture as a means of extracting admissions or confessions (para 1c), which are said to be carried out with impunity. This is mirrored by Amnesty International, which recorded “numerous” reports of torture in police custody in its annual Report for 2007, covering events from January – December 2006.

[57] It is also consistent with a statement issued on 29 October 2007 by the UN Special Rapporteur on Torture, Manfred Nowak, after his visit to Sri Lanka earlier that month:

“Though the Government has disagreed, in my opinion the high number of indictments for torture filed by the Attorney General's Office, the number of successful fundamental rights cases decided by the Supreme Court of Sri Lanka, as well as the high number of complaints that the National Human Rights Commission continues to receive on an almost daily basis indicates that torture is widely practiced in Sri Lanka. Moreover, I observe that this practice is prone to become routine in the context of counter-terrorism operations, in particular by the TID [Terrorist Investigation Department]. Over the course of my visits to police stations and prisons, I received numerous consistent and credible allegations from detainees who reported that they were ill-treated by the police during inquiries in order to extract confessions, or to obtain information in relation to other criminal offences. Similar allegations were received with respect to the army. Methods reported included beating with various weapons, beating on the soles of the feet (falaqa), blows to the ears (‘telephono’), positional abuse when handcuffed or bound, suspension in various positions, including strappado, ‘butchery’, ‘reversed butchery’, and ‘parrot's perch’ (or dharma chakara), burning with metal objects and cigarettes, asphyxiation with plastic bags with chilli pepper or gasoline, and various forms of genital torture. This array of torture finds its fullest manifestation at the TID detention facility in Boossa.” (ReliefWeb, quoting the United Nations Human Rights Council) [para 8.85].

[58] The 2006 ICG Report identifies the failure of domestic institutions to address or prevent the abuses of human rights, and states that official inquiries have been perceived as shams, having led to neither prosecutions nor conviction in respect of such abuses.

[59] The appellant's claim is assessed against that general background.

OBJECTIVELY, ON THE FACTS AS FOUND, IS THERE A REAL CHANCE OF THE APPELLANT BEING PERSECUTED IF RETURNED TO SRI LANKA?

[60] For the purposes of refugee determination, “being persecuted” has been described as the sustained or systemic violation of basic or core human rights, such as to be demonstrative of a failure of state protection; see *Refugee Appeal No 2039/93* (12 February 1996).

[61] The threshold is not whether an appellant will be persecuted, but whether there is a real chance of the appellant being persecuted if he is returned to Sri Lanka. In that context, the Authority has consistently adopted the approach set out in *Chan v Minister for Immigration and Ethnic Affairs* (1989) 169 CLR 379 (HCA), in which it was held that a well-founded fear of being persecuted is established

when there is a real, as opposed to a remote or speculative, chance of such persecution occurring.

[62] For the reasons set out below, the Authority finds that there is a real chance that the appellant would be subjected to serious harm tantamount to being persecuted if he were to return to Sri Lanka.

[63] The appellant is a young male of Tamil ethnicity. He has an idiosyncratic and readily identifiable physical injury. At the time he left Sri Lanka the appellant had failed to pay a significant part of a sum demanded by the LTTE as an impost on his business. Given the conditions outlined by the country information there is a real, as opposed to remote, chance that the appellant would be identified and punished by the LTTE if he were to return to the north.

[64] The LTTE wields less influence in the south, and the appellant's lack of any particular political profile makes it unlikely that the LTTE would pursue him outside the area of his origin in the north. However the threat posed by the LTTE in the north is relevant to the question whether he can access state protection outside his home area. For various reasons, the Authority finds that he cannot.

[65] It is also necessary to consider whether the appellant might be able to access an internal protection alternative, within Sri Lanka. The logical choice to consider is Colombo, as the only major population centre in the south with a relatively large resident Tamil population, especially in suburbs such as Wellawatte.

[66] The approach of the Authority to an 'internal protection alternative' has recently been revisited in *Refugee Appeal No 76044* (11 September 2008), at [95]-[177]. There, the Authority re-affirmed its endorsement of the approach postulated by the *Michigan Guidelines on the Internal Protection Alternative* and approved in *Refugee Appeal No 71684* (29 October 1999). There, at [73], it was held that an internal protection alternative can only exist if certain conditions are met, namely:

"Can the refugee claimant genuinely access domestic protection which is meaningful?

In particular:

(a) In the proposed site of internal protection, is the real chance of persecution for a Convention reason eliminated?

(b) Is the proposed site of internal protection one in which there is no real chance of persecution, or of other particularly serious harms of the kind that might give rise to the risk of return to the place of origin?

(c) Do local conditions in the proposed site of internal protection meet the standard of protection prescribed by the Refugee Convention?"

[67] Here, the Authority is satisfied that the suggestion of an internal protection alternative fails at the first hurdle.

[68] The Authority has already found that the appellant is at risk of being seriously harmed if he were to return to his home in the north. It finds further that the appellant's age, sex, ethnicity and his injury contribute to a real chance of him being detained and questioned by government authorities in Colombo at roadblocks or in random neighbourhood checks. If he were to be stopped and questioned it would become apparent that he is a young male from the north (his passport and his identity card expressly state that he is from the north) and that he does not speak Sinhalese.

[69] It would also become apparent that he has no employment and no other reason to be in Colombo. He has not registered as a resident there in the past; has no support network or family members in Colombo, and has lived there only briefly while waiting to leave the country.

[70] The country information cited above indicates that Sri Lankan government authorities act arbitrarily with respect to such suspects. They are accused of torturing and seriously mistreating suspects in order to obtain information, and it is apparent that they may do so with impunity.

[71] The Authority is satisfied that the chance that the appellant would be mistreated by the authorities in Colombo is real rather than remote.

[72] The Authority is satisfied that there is no internal protection alternative.

CONVENTION REASON

[73] The first principal issue being answered in the affirmative, it is necessary to address the second issue – that of Convention reason.

[74] The persecution the appellant faces is on account of his ethnicity or on account of an imputed political opinion. The second issue is also answered in the affirmative.

CONCLUSION

[75] Turning to the issues framed for consideration, the Authority finds that objectively, on the facts as found, there is a real chance of the appellant being persecuted if returned to Sri Lanka. The persecution he faces is on account of his ethnicity or on account of an imputed political opinion.

[76] For these reasons, the Authority finds that the appellant is a refugee within the meaning of Article 1A(2) of the Refugee Convention. Refugee status is granted. The appeal is allowed.

"A N Molloy"
A N Molloy
Member