



**Upper Tribunal
(Immigration
Chamber)**

and Asylum

Appeal Number: PA/09812/2018

THE IMMIGRATION ACTS

On Papers

**Decision & Reasons
Promulgated
On 16th November 2021**

Before

**UPPER TRIBUNAL JUDGE NORTON-TAYLOR
UPPER TRIBUNAL JUDGE BLUNDELL**

Between

**S A
(ANONYMITY DIRECTION MADE)**

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DECISION AND REASONS

1. This appeal was due to come before the Upper Tribunal tomorrow. On 4 November 2021, Upper Tribunal Judge Norton-Taylor issued a direction to the respondent, requiring her to confirm whether she continued to resist the appellant's appeal in light of the changes in Afghanistan.
2. On 5 November 2021, a Senior Presenting Officer (Mr Clarke) filed and served a short response to the direction. He conceded on behalf of the respondent that the appellant is a refugee and he invited the Upper Tribunal to allow the appellant's appeal on asylum grounds.
3. By an email of today's date, the appellant's solicitors have confirmed that the appellant is content for his appeal to be allowed on the basis suggested by the respondent.
4. In the circumstances, we have concluded that the appeal might properly be determined without a hearing under rule 34 of the Tribunal

Procedure (Upper Tribunal) Rules 2008. We allow the appeal on the basis that the appellant's removal would be contrary to the United Kingdom's obligations under the Refugee Convention.

Notice of Decision

The appellant's appeal is allowed on asylum grounds.

Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008

Unless and until a Tribunal or court directs otherwise, the appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him or any member of his family. This direction applies both to the appellant and to the respondent. Failure to comply with this direction could lead to contempt of court proceedings.

M.J.Blundell

Judge of the Upper Tribunal
Immigration and Asylum Chamber

9 November 2021