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| Last updated: 27.04.2007 | Starred Determinations | | | |
|-----------------------------|--|------------------------------|----------------------|---|
| Name | Neutral Citation number | Previous Citation | Date of Promulgation | Main Issues |
| AE & FE (SSHD v AE & FE) | AE FE (PTSD-Internal Relocation) Sri Lanka * [2002] UKIAT 05237 | [2002] UKIAT 05237 | 12.11.2002 | Refugee law, internal relocation, mental/medical condition, psychiatric evidence |
| Abdillahi | Abdillahi (Appeal - Sections 69(3) 1999 Act - Notice of Decision) Somalia * [2002] UKIAT 00266 | [2002] UKIAT 00266 | 05.02.2002 | S69(3) appeals, notices of decision |
| Ahmed | Ahmed (Restriction of Submissions) Pakistan * [2000] UKIAT 00002 | (00/TH/00230) | 25.02.2000 | Restriction of submissions |
| Ahmed (Tanveer) | AHMED (Documents unreliable and forged) Pakistan * [2002] UKIAT 00439 | [2002] UKIAT 00439 | 19.02.2002 | Documentary evidence, burden & standard of proof |
| AK SS KT | AK and others (Tribunal Appeal- out of time) Bulgaria * [2004] UKIAT 00201 | | 23.07.2004 | Tribunal appeal - out of time |
| AM | AM ("Upgrade" appeals: Art 6?) Afghanistan * [2004] UKIAT 00186 | | 09.07.2004 | Upgrade appeals – Article 6 |
| Baig | Baig (Immigration - Validity of Pakistani Divorce) Pakistan * [2002] UKIAT 04229 | [2002] UKIAT 04429 | 13.09.2002 | Validity of Pakistani divorces |
| BD | BD (Application of SK and DK) Croatia CG* [2004] UKIAT 00032 | [2004] UKIAT 00032 D Croatia | 26.02.2004 | Consideration of new country material at substantive appeal |
| Chang | Chang (EEA Nationals - Spouses) Malaysia * [2001] UKIAT 00012 | (01/TH/00100) | 24.04.2001 | Spouses of EEA nationals |
| Chawish | Chawish (Section 65 1999 Act - Removal - Destitution) Iraq * [2002] UKIAT 01376 | [2002] UKIAT 01376 | 02.05.2002 | Human rights appeals re destitution of irremovable failed asylum seekers |
| Dag | Dag (Nationality – Country of Habitual Residence –TRNC) Cyprus * CG [2001] 00002 | (01/TH/00075) | 14.03.2001 | Country of nationality/former habitual residence; northern Cyprus |
| Devaseelan | Devaseelan (Second Appeals - ECHR - Extra-Territorial Effect) Sri Lanka * [2002] UKIAT 00702 | [2002] UKIAT 00702 | 14.03.2001 | Human rights appeals where human rights were not considered in previous appeal, extra-territorial application of ECHR |
| DM | DM (Proportionality – Article 8) Croatia * [2004] UKIAT 00024 | [2004] UKIAT 00024 M Croatia | 12.02.2004 | Art 8 ECHR, proportionality, unreasonable delay. |

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| DR | DR (ECO: post-decision evidence) Morocco* [2005] UKIAT 00038 | | 09.02.2005 | ECO, post decision evidence |
| Dyli | Fadil Dyli (Protection – UNMIK – Arif – IFA – Art1D) Kosovo CG * [2000] UKIAT 00001 | (00/TH/02186) | 30.08.2000 | Kosovo, Art 1D Refugee Convention, reverse burden of proof in Arif, country of nationality, internal flight alternative |
| El-Ali ¹ | El-Ali (Palestinians: Article 1D) Lebanon * [2002] UKIAT 00159 | [2002] UKIAT 00159 | 29.01.2002 | Art 1D Refugee Convention, UNWRA refugees |
| GA | GA (“Subsisting” marriage) Ghana * [2006] UKAIT 00046 | | 11.05.2006 | Paragraph 281 HC 395, meaning of “...and the marriage is subsisting...” |
| Gardi ² | Gardi (Asylum – KAA – Internal Flight Alternative) Iraq * [2001] UKIAT 00017 | (01/TH/02997) | 16.11.2001 | Iraq (Kurdish autonomous area), removal directions |
| Gomez | Gomez (Non-state actors: Acero-Garces disapproved) Colombia * [2000] UKIAT 00007 | (01/TH/02257) | 24.11.2000 | Political opinion, imputed political opinion |
| Gremesty | Gremesty (Abandonment of Appeal - Non-Compliance with Directions) Lebanon * [2001] UKIAT 00011 | (01/TH/00096) | 23.02.2001 | Abandonment of appeal. Non-compliance with directions |
| Gurung | Gurung (Exclusion – Risk - Maoists) Nepal * [2002] UKIAT 04870 | [2002] UKIAT 04870 | 14.10.2002 | Asylum, Exclusion Clause Art 1F Refugee Convention |
| Haddad | Haddad (Paragraph 340 of HC 395 - Co-operation) Algeria *[2000] UKIAT 00008 | (00/HX/00926) | 13.03.2000 | Paragraph 340 HC 395, non-compliance refusal of asylum applications |
| Hamza | Hamza (Disputed Nationality - Removal Directions - Section 66(2) 1999 Act) Kenya * [2002] UKIAT 05185 | [2002] UKIAT 05185 | 11.11.2002 | Removal directions, S66(2) appeals, disputed nationality cases |
| Hughes | Hughes (Leave to Appeal - Time Limits) Zimbabwe * [2001] UKIAT 00015 | (01/TH01147) | 22.06.2001 | Withdrawal of appeal, applications for leave to appeal |
| Jazayeri | Jazayeri (Removal Directions) Iran * [2001] UKIAT 00014 | (01/TH/00110) | 16.05.2001 | Removal directions |
| JM ³ | JM (Rule 62(7); human rights unarguable) Liberia * [2006] UKAIT 00009 | | 06.02.2006 | 2005 Procedure Rule 62(7), restriction on reconsideration grounds. Availability of human rights claim where no removal. |

1. UK law on Art 1D Refugee Convention is now as stated by the Court of Appeal *El-Ali v SSHD* [200] EWCA Civ 1103, 26 July 2002, IAA Legal Update August 2002.

2. Upheld on the law by the Court of Appeal remitted to IAT on the facts (*Gardi v SSHD*, [2002] EWCA Civ 750).

3. See *JM v SSHD* [2006] EWCA Civ 1402.

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| Kacaj ⁴ | Kacaj (Article 3 – Standard of Proof – Non-State Actors) Albania * [2001] UKIAT 00018 | (01/TH/00634) | 19.07.2001 | ECHR, extra territorial effect. Interaction of ECHR and Refugee Convention |
| Kehinde | Kehinde (Appeal - Section 65 1999 Act - Rights of Others) Nigeria * [2001] UKIAT 00010 | (01/TH/02668) | 19.12.2001 | S65 1999 Act (human rights appeals), jurisdiction, taking rights of persons other than appellant into account |
| Khan | Khan (Disputed Nationality - Removal Directions) Afghanistan * [2002] UKIAT 04412 | [2002] UKIAT 04412 | 26.09.2002 | Validity of removal directions where nationality is disputed |
| MNM | MNM (Surendran guidelines for Adjudicators) Kenya * [2000] UKIAT 00005 | (00/TH/02423) | 31.10.2000 | Art 6 ECHR, <i>Surendran</i> guidelines. Adjudicator approach to questioning appellant if no HOPO |
| MA | MA (Fresh evidence) Sri Lanka * [2004] UKIAT 00161 | | 21.06.2004 | Fresh evidence |
| MY | MY (Disputed Somali nationality) Somalia * [2004] UKIAT 00174 | | 02.06.2004 | Disputed Somali nationality |
| MM and Others | MM and others (Out of time appeals) Burundi * [2004] UKIAT 00182 | | 07.07.2004 | Out of time appeals |
| Noruwa | Noruwa (Proportionality appeal: assessment, not discretion) Nigeria * [2001] UKIAT 00016 | (00/TH/02345) | 11.12.2001 | Human rights appeals: proportionality |
| Pardeepan | Pardeepan (Pre-2000 decision: human rights?) Sri Lanka * [2000] UKIAT 00006 | (00/TH/02414) | 06.10.2000 | Appeals to IAA ECHR, commencement date for s65 1999 Act appeals (human rights appeals) |
| Rajan | Rajan (Related Claimants:Kimbesa Explained) Sri Lanka * [2001] UKIAT 00008 | (01/TH/00244) | 08.02.2001 | Adjournment of cases where there are appeals from other family members |
| Sepet & Bulbul ⁵ | Sepet & Bulbul (Conscientious objection: Convention reason?) Turkey * [2000] UKIAT 00003 | (00/TH/01266) | 07.04.2000 | Military service |
| Slimani | Slimani (Content of Adjudicator Determination) Algeria * [2001] UKIAT 00009 | (01/TH/00092) | 12.02.2001 | Contents of adjudicator determination, expert evidence |
| S & K | S K (Return – Ethnic Serb) Croatia CG* [2002] UKIAT 05613 | [2002] UKIAT 05613 | 03.12.2002 | S77(4) 1999 Act, Serbian Croats |
| SS | SS (ECO -Article 8) Malaysia * [2004] UKIAT 00091 | | 29.04.2004 | ECO, Article 8 |
| Zenovics ⁶ | Zenovics (Right of Appeal - Certification) Latvia 2001 * UKIAT 00013 | (01/TH/00631) | 04.05.2001 | Certification |
| Zeqaj | Zeqaj (Removal Directions to Wrong Country) Albanian * [2002] UKIAT 00232 | [2002] UKIAT 00232 | 04.02.2002 | Removal directions to wrong country, procedure |

4. Remitted to the IAT on a point of fact only by Court of Appeal judgement 14 March 2002.

5. Overturned by Court of Appeal judgement 11 May 2001.

6. Overturned by the Court of Appeal 7 March 2002.