



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Number: AA/06041/2015

THE IMMIGRATION ACTS

**Heard at Field House
On 26th APRIL 2016**

**Decision & Reasons
Promulgated
On 11th May 2016**

Before

**DEPUTY JUDGE OF THE UPPER TRIBUNAL
MS GA BLACK**

Between

**MR ABU NACHER AHAMMAD
(NO ANONYMITY ORDER MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: No Appearance by or on behalf of the appellant
For the Respondent: Ms A. Fijiwala (Home officer presenting officer)

DECISION AND REASONS

1. The appellant, whose date of birth is 01.01.1983, is a citizen of Bangladesh. He appeals against a decision and reasons by the First-tier

Tribunal (Judge Robinson) (“FTT”) promulgated on 8th January 2016, in which he dismissed the appeals on asylum, humanitarian protection and human rights grounds.

FTT decision

2. The appellant’s claim was that he faced a real risk of persecution as an atheist blogger. Whilst accepting that the background material was externally corroborative of the risk on return, the FTT found that the appellant was not credible. The FTT concluded that his evidence of recent internet activity or blogging had been produced in order to bolster his weak asylum claim. In any event the FTT concluded that the evidence failed to show that he was or would be identifiable as a blogger and/or as a person who had distributed anti Islamic material. The FTT found that the appellant would not express views offensive to Muslims in Bangladesh as he did not do so in the UK and where he was not offensive to Muslims.

Grounds for permission

3. The grounds renewing the application for permission to appeal to the Upper Tribunal were undated. The grounds refer to the decision and reasons by FTTJ Robinson and to a refusal of permission by FTTJ Ford, but the paragraphs cited in the grounds do not correlate with those in FTTJ Robinson’s decision. It appears that the cited paragraphs related to a previous decision and reasons before FTTJ Hembrough promulgated on 14th May 2015 and which was set aside.
4. The grounds of appeal to the FTT (also undated) which were considered by FTTJ Ford and do relate to the FTT decision, contend that the FTT erred by failing to consider that the appellant’s profile was public and that he identified himself as an atheist. Reliance was placed on articles showing that persons who killed atheists had not seen any blogs. The FTT ignored an extract from Wikipedia listing the appellant as an atheist in Bangladesh. FTTJ Ford concluded that no material error of law arose. On renewal to the Upper Tribunal relying on grounds of appeal relating to the previous decision, permission was granted by UTJ Finch.

Error of law hearing

5. The appellant was not represented at the hearing and he did not attend in person. There were no representations made on his behalf. Ms Fijiwala submitted that the appeal should be dismissed. The grounds renewing the application for permission to the UT did not relate to the relevant decision and reasons.
6. Having considered the submission made by Ms Fijiwala I dismissed the appeal. The renewed grounds of application failed to challenge the correct decision and reasons made by the FTT. The appellant made no attempt to argue any grounds before me. The grounds could not be sustained.

7. In dismissing the appeal I have also taken into account the overriding objective under Rule 2 (2)(b) Tribunal Procedure (Upper Tribunal) Rules 2008. In so doing I have considered whether or not the grounds submitted to the First-tier Tribunal show any material error of law by the FTT. I am satisfied that the FTT made no error. In its decision the FTT clearly considered all of the evidence as to the appellant's atheism including his Facebook profile and the Wikipedia entry [47 -52, 54,58 and 59]. Further although the FTT took into account the appellant's failure to refer to the blogging issue in his screening interview, there was in addition ample evidence before the FTT to support the finding that the appellant's account was not credible. There was no material error of law. The FTT gave adequate reasons for concluding that the appellant would not express anti Islamic views on return to Bangladesh. The grounds amount to a disagreement with the findings made and reasons given by the FTT.

Decision

8. There is no material error of law.
The decision and reasons shall stand.
The appeal is dismissed.

Signed
6.5.2016

Date

GA Black
Deputy Judge of the Upper Tribunal

No anonymity order
No fee award

Signed
6.5.2016

Date

GA Black
Deputy Judge of the Upper Tribunal