

3. A recognised country expert, Mr Peter Verney, who has provided an initial and supplementary report dated 16 February 2022, also attended together with the appellant, remotely.
4. During the course of preliminary discussions Mr Williams advised the Tribunal of his earlier conversation with Mr Hussain in which he accepted the evidence supported the appellant being a speaker of the Fur language and the absence of any report or source of any other nature indicating that a speaker of this language was other than a member of the Fur tribe.
5. A schedule of issues was provided by Fountain Solicitors the first of which was disposed of in the appellant's favour by Mr Williams submission.
6. The supplementary report of Mr Verney sets out in detail of the deteriorating situation within Sudan since the publication of the Secretary of State's CIPU in October 2021 written following the installation of a civilian government and the end of military rule. Mr Verney's position is that the military coup which took place after the publication of the CIPU has effectively returned Sudan to the position it was previously, especially as some of those responsible for atrocities within Sudan such as the persecution of non-Arab Darfuri in Darfur have returned to positions of power.
7. There are a number of country guidance cases relating to Sudan and the second issue raised by Fountain Solicitors was whether there was anything by reference to the current country situation that would warrant a departure from existing country guidance.
8. The Fur are predominantly concentrated in the Darfur region where they are the largest ethnic group. As a member of the Fur tribe the appellant is a non-Arab Darfuri.
9. The country guidance case of AA [2009] UKAIT 56 found that all non-Arab Darfuris are at risk of persecution in Darfur and cannot reasonably be expected to relocate elsewhere in Sudan.
10. The evidence before this tribunal provides no basis for departing from the country guidance when assessing any risk to this particular appellant.
11. I find the appellant has established, based upon his ethnicity as a member of the Fur tribe, that he faces a real risk of persecution if returned to Sudan sufficient to entitle him to be recognised as a refugee. On that basis I allowed the appeal.

Decision

12. I allow the appeal.

Anonymity.

13. The First-tier Tribunal made an order pursuant to rule 45(4)(i) of the Asylum and Immigration Tribunal (Procedure) Rules 2005.

I make such order pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008. No-one shall publish or reveal any information,

including the name or address of the appellant, likely to lead members of the public to identify the appellant. Failure to comply with this order could amount to a contempt of court.

Signed.....
Upper Tribunal Judge Hanson

Dated 29 September 2022