

Uh-oh: this dude's in strife

A High Court judge has suggested that the Home Secretary might wish to reconsider a decision to deny asylum to a West African who feared that if he returned home to Togo he would become a ritual sacrifice.

Mr Justice Rose said that last November Home Office officials and David Waddington, then Home Secretary, accepted that the unnamed man, aged 27, from northern Togo, might have a genuine fear of returning home.

They ruled, however, that the reason for his fear — that he would be killed in an old religious ritual involving ancestor worship — was not covered by the 1951 Convention on Refugee Status and he was not entitled to asylum.

Under the Convention, the man had to show that he had a well-founded fear of persecution on religious or political grounds to qualify as a refugee.

The Home Office had decided that he had failed to show that his alleged selection as a "candidate for ritual slaughter" was the result of his reli-

gious or political beliefs.

The judge has refused the man leave to seek a judicial review of that decision, saying it could not be faulted in law.

But there were fresh arguments that should now be considered.

Such an exceptional case might be dealt with "outside the rules."

Lawyers had argued that to send the man, now in detention awaiting deportation, back to Togo would breach the European Convention on Human Rights.

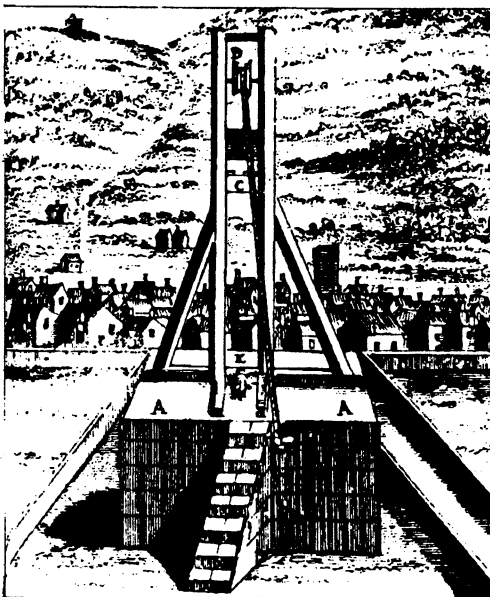
He was a Muslim member of the Chamba tribe.

Most in his village practised the old local religion, which included human sacrifice.

He had claimed that uncles and cousins had been sacrificed and that he had been warned he was to be the next victim.

Susan Drucken-Brown, of the department of social anthropology at Cambridge University, submitted new evidence that his family might be particularly vulnerable as potential sacrifice victims. The Home Office said it would consider the judge's recommendations.

Extracted from the April 1991 edition of the Commonwealth Law Bulletin.



CONFERENCE UPDATE...CONFERENCE UPDATE...CONFERENCE UP

University of New South Wales presents ENVIRONMENTAL REGULATIONS, COMPLIANCE AND LIABILITIES, February 6-7 1992. Registration \$400 before 13 Jan, \$450 after 13 Jan. Enquiries to the Key Centre for Mines at the School of Mines, UNSW, PO Box 1 Kensington NSW 2033

Criminal Law Section, LCA, presents ROYAL COMMISSIONS/CHILD ABUSE in Hobart on 7 March 1992. Contact Rosita Johnson at the Law Council for details.

LCA and the Law Society of Queensland present CONFISCATION OF PROFITS - TRACING IN FOREIGN JURISDICTIONS, in Hong Kong from 30 March to 6 April 1992. Contact Rosita Johnson at the Law Council for details.

LCA Federal Litigation Section in conjunction with the AIJA present EVIDENCE AND PROCEDURE IN A FEDERATION. Melbourne 9-10 April 1992. For information contact Anne Craig at the Law Council GPO Box 1989, Canberra ACT 2601, DX5719 Canberra, ph (06) 2473788, fax (06) 2480639

Criminal Law Section of the LCA and the Law Society of WA present ROYAL COMMISSIONS/CHILD ABUSE in Perth, 27 June 1992. Details from Rosita Johnson at the Law Council.

4TH INTERNATIONAL CRIMINAL LAW CONGRESS, Auckland, 13-18 September. Details from Rosita Johnson at the Law Council.

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