



IN THE SUPREME COURT OF NAURU
AT YAREN

Appeal No. 33 of 2025

IN THE MATTER OF an appeal
against a decision of the Refugee Status
Review Tribunal brought pursuant to
s.43 of the *Refugees Convention Act*
2012

BETWEEN:

BG25

Appellant

AND:

REPUBLIC OF NAURU

Respondent

Before: Brady J

Dates of Hearing: 27 November 2025

Date of Judgment: 24 February 2026

Citation: *BG25 v Republic of Nauru*

CATCHWORDS:

APPEAL - *Refugees – Refugee Status Review Tribunal – Whether Tribunal made an error of law - Tribunal did not make error of law– Appeal Dismissed*

LEGISLATION:

Refugees Convention Act 2012 (Nr), s.43,44

APPEARANCES:

Appellant appeared in person

Counsel for Respondent: Ms K McInnes (instructed by Republic of Nauru)

REASONS FOR JUDGMENT

INTRODUCTION

1. The Appellant is a Bangladeshi national. He claims to be a refugee based on his fear of persecution in Bangladesh due to his political opinion as a supporter of the Awami League (AL).
2. Pursuant to s 43 of the *Refugees Convention Act 2012 (Nr)* (**the Act**), the Appellant appeals from a decision of the Refugee Status Review Tribunal (**Tribunal**) made on 23 June 2025 (**Tribunal Decision**). The Tribunal affirmed a determination of the Secretary of the Department of Multicultural Affairs (**Secretary**) dated 1 April 2025 (**Secretary's Decision**). The Secretary determined that the Appellant was not recognised as a refugee under the Act and that he was not owed complementary protection.
3. By s 43(1) of the Act, the Appellant may appeal to this Court on a point of law. By s 44(1) of the Act, this Court may make either of the two following orders:
 - (a) an order affirming the Tribunal Decision; or
 - (b) an order remitting the matter to the Tribunal for reconsideration in accordance with any directions of this Court.
4. The Appellant appeared before me unrepresented after I gave leave to his former representative to withdraw.
5. The Appellant's Notice of Appeal filed 27 June 2025 was unparticularised and advanced only one ground of appeal in the following terms:

The Tribunal made errors of law in its decision.

PROCEDURAL HISTORY

6. The Appellant arrived in Australia in early December 2024. On 12 December 2024 he was transferred to Nauru pursuant to the memorandum of understanding between the Governments of Nauru and Australia.
7. On 23 January 2025, the Appellant made an application for Refugee Status Determination (**RSD**).
8. The Secretary's Decision was made on 1 April 2025. The Appellant applied to the Tribunal for review of the Secretary's Decision. The Appellant provided further submissions to the Tribunal on 1 May 2025 together with a further statement dated 14 April 2025.
9. Supplementary submissions were filed dated 12 May 2025.
10. On 13 May 2025, the Appellant appeared before the Tribunal to give evidence and to present his arguments. At that time he was represented. He also appeared with an interpreter.
11. The Tribunal Decision was delivered on 23 June 2025.
12. The Appellant filed his Notice of Appeal in this Court on 27 June 2025. The Republic's response to the ground of appeal was filed on 26 November 2025. The response was to the effect that the sole ground of appeal did not particularise or identify any point of law, and the appeal should therefore be dismissed.
13. On 27 November 2025, the firm previously representing the Appellant (International Crossover) sought leave to withdraw from acting on his behalf in this appeal. I gave that leave at the commencement of the hearing of the appeal on 27 November 2025. I then heard argument on the substance of the appeal directly from the Appellant in person.

APPELLANT'S CLAIM

14. The Appellant provided an extensive statement as part of the RSD process and was interviewed by the Secretary's delegate as part of that process. Further, the Tribunal took account of detailed submissions made on behalf of the Appellant on 1 May 2025 and 12 May 2025, as well as a further statement by him. The material is extensive but for the purposes of this judgment it has been summarised by the Republic in its outline of submissions on this appeal in the following terms:

5 The Appellant's Statement of Claim explained that he was an AL supporter, and that he had been involved in politics for the last 10 years. He directly helped the local AL MP [C] which included sometimes travelling with him in his car to visit people. The Appellant claimed that on one occasion he got into a car with [C] and four others, and was attacked by about 15 to 20 BNP supporters, who broke the car windows and dragged [C] out and beat him. The Appellant managed to run away. The Appellant claimed that BNP supporters were looking for him after the attack. One person called the

Appellant and threatened to beat him. The Appellant initially fled to his sister's village nearby, and then later left Bangladesh to go to Australia.

6 The Appellant also claimed that he had borrowed seven lakh from two different loan sharks and had six months to repay the loans. The Appellant claimed that his family would be pressured to pay the interest on the loans and if they cannot pay, then he fear [sic] they will be physically harmed.

7 The Appellant claimed that after Sheikh Hasina (the former Prime Minister) fled Bangladesh, any AL supporter's life is at risk, and that many BNP supporters are still seeking to hurt people associated with the AL. The Appellant claimed he would receive no protection from the State in Bangladesh.

15. In the conclusion to the Appellant's advisor's further submission dated 12 May 2025, the advisor submitted:

[The Appellant] has established a well-founded fear of persecution upon return to Bangladesh. His political involvement with a now-banned party, direct association with a persecuted MP, previous targeting and threats, and the current political climate, all support a strong claim for protection. The decision to ban the Awami League, the subsequent empowerment of the International War Crimes Tribunal to prosecute the party and its supporters, and the ongoing political purges constitute a substantial change in circumstances since the Secretary's original decision. These developments significantly worsen [the Appellant's] risk profile and warrant a consideration of his protection claim.

THE TRIBUNAL DECISION

16. The Tribunal commenced by setting out in detail the terms of the Appellant's statement provided as part of the RSD process dated 21 January 2025. It extracted relevant parts from the RSD interview held on 6 March 2025. The Tribunal then went on to set out relevant parts of the Appellant's further statement dated 24 March 2025 and his second further statement dated 16 April 2025. The relevant parts of the further submission dated 12 May 2025 were also extracted.

17. The Tribunal then went on to summarise the events of the hearing which it conducted on 13 May 2025.

18. After a short passage dealing with country information, the Tribunal proceeded to deal in detail with a consideration of the Appellant's claims and evidence starting at [54] of the Tribunal Decision. In relation to the Tribunal's finding that it did not accept that the events alleged by the Appellant in Bangladesh actually occurred, the Tribunal said the following:

[55] In his RSD application, the Applicant stated he lived in [K] village, ... from birth until 2 November 2024 and worked in [S] city as an electrical assistant from approximately May 2024 to November 2024 [which was when he left Bangladesh]. His attached RSD statement also states he worked as an electrical assistant up until he left the country. He also stated that he was an Awami League (AL) supporter

and had been involved in politics for the last 10 years, that [C] had over 20 years, won four times as their local MP, but after about two years he helped [C] and was a kind of bodyguard and would take documents or travel with him. He stated after Sheikh Hasina left the country in August 2024, there was a lot of unrest and one day he was planning to travel with [C] to the [S] police station but after [C] got into the car, BNP supporters attacked, dragged [C] from the car, beat him and the Applicant ran away. He stated he took shelter in a yard of a nearby house and later heard the BNP people had knives and many people were injured. He also stated that night he went to his sister's place and remained there for about a month and a half and borrowed seven lakh from two different loan sharks and had six months to repay these loans.

- [56] The Applicant's April 2025 statement and his evidence at hearing however provided yet another version of events. At hearing he stated before he left Bangladesh in November 2024 he was at his sister's place for five months and left his electrical assistant job around June 2024 and not November 2024. He also stated he only saw [C] in 2016 and met him in November 2023. He added he was actively and regularly involved in [C's] election campaign and at hearing said he helped [C] win the election by distributing leaflets, door knocking and organising people. He also said after [C] went to the police station in July 2024, which was before Hasina left, he saw the BNP attack [C] with a knife and the applicant ran to a stranger's house to let him inside.
- [57] The Tribunal finds the Applicant's account has changed with each telling in relation to when he allegedly helped [C], how much he allegedly helped [C], when and how [C] was allegedly attacked [that is whether he was bashed or stabbed] and where and for how long the applicant went [that is whether he took shelter in a yard or inside a house and when he actually stopped working].
- [58] [C] was an MP from 25 January 2009 - 29 January 2014 and then again on 29 January 2024 to 6 August 2024. However, the Applicant told the RSD officer at interview that [C] *became* an MP in 2014 up until 5 December 2024 and that the Applicant assisted him for that entire time. He also told the RSD officer that [C] was attacked outside the [S] police station at the end of September 2024, while [C] was still working and failed to understand that when the National Parliament was dissolved in August 2024 [C] lost his job as an MP.
- [59] The applicant also failed to tell the RSD officer there was an election in 2024 even though she asked specific questions and repeated those questions to give the Applicant further opportunity to respond. While the Applicant stated in his April 2025 statement he misunderstood the question, and the advisor has submitted that such misunderstanding is credible given the language barriers, interview stress and ambiguity of political terminology, the Tribunal considers the RSD officer's simple, specific and repeated questions to the Applicant, as well as his

responses do not suggest the Applicant was confused. Rather, it suggests the Applicant did not know.

- [60] The Applicant's RSD statement and his comments at RSD interview indicate he was ignorant about the ramifications for AL politicians in the wake of Sheikh Hasina's departure in August 2024. In addition, the changing nature of the applicants evidence in relation to basic things such as when and what he allegedly did for [C] and his lack of awareness of matters such as [Cs] terms in office as an MP, including how events in August 2024 would have affected [C] as well as his lack of knowledge of the 2024 election leads the Tribunal to conclude the applicant knows little about politics.
- [61] While the Applicant subsequently stated on 1 April 2025 any inconsistencies were due to misunderstandings or stress, the Tribunal does not accept those contentions. As someone who claims he was somewhat politically knowledgeable and who participated in the January 2024 election, and who was recounting events that had occurred recently, it was not persuasive that the Applicant would demonstrate such poor awareness of the January 2024 election or about what the dissolution of Parliament in August 2024, following Sheikh Hasina's departure, meant for MPs representing the AL.
- [62] While the Tribunal accepts the applicant may prefer the AL, the Tribunal does not accept his preference for the AL has influenced the Applicant to vote for them in the past. Nor does it accept he has assisted [C] after he became MP or done anything to assist him or the AL at any time. It follows the Tribunal does not accept the Applicant was involved with [C] in any way or that he has been linked to or associated with [C] or shown him any public support and does not accept the applicant campaigned for [C], was employed by [C], witnessed [C] being attacked or that the applicant subsequently fled and went into hiding.
- [63] The Tribunal does not accept the Applicant was targeted in any way or that he received a call from a BNP supporter or that he was in hiding until he fled Bangladesh. In reaching this conclusion the Tribunal has also considered the applicants address history in his RSD application as well as his employment history as disclosed in his RSD application and his RSD statement. His RSD application suggests he remained in his village up until his departure from Bangladesh in November 2024 and his RSD application and RSD statement suggest he also continued to work up until then. Neither suggest he was in hiding.
- [64] In sum, the Tribunal does not accept any of the claimed past events in Bangladesh occurred. The Tribunal does not accept the applicant was or is politically involved. Nor does the Tribunal accept the representative's submission that the reason the Applicant has not returned to Bangladesh is because he fears being involved in the AL.

[65] While the Tribunal accepts the applicant may prefer the AL, the Tribunal does not accept this motivated him to do anything in the past such as to vote or in any way assist the AL. Neither does the Tribunal accept it will motivate him to vote or do anything to assist the AL in the future.

19. In essence then, the Tribunal, whilst accepting that the Appellant preferred the AL, rejected his narrative of events prior to leaving Bangladesh, principally for the reason of the Appellant's shifting narrative.

20. The Tribunal then went on to consider its assessment of the Appellant's claims to refugee status at [66]. The Tribunal reached the following conclusions in relation to its assessment of the Appellant's claim to refugee status:

[66] It was submitted on the Applicant's behalf that the interim government has outlawed the AL and that this has created a risk for the Applicant whose past activities are now seen through a criminal lens. The Tribunal does not accept the Applicant's preference for the AL motivated him to either vote for or support the AL in any way. Neither does the Tribunal accept the Applicant was exposed to political violence and threats, nor that he fears persecution because of any past political activities and/or his actual and/or imputed political opinion as an AL support at.

[67] Given his lack of past activity, the Tribunal does not accept it is known that the Applicant prefers the AL. The Tribunal does not accept that his preference for the AL will motivate him to do anything of a political nature in the future.

[68] The Tribunal does not accept the representative's submission that the interim government has outlawed the AL since the country information does not support that. Even if there is uncertainty regarding the AL's legality, following the interim government's decision to ban their activities, the Applicant is not an AL member, has not participated in AL activities in the past, including voting. Accordingly, the Tribunal does not accept the advisors' submissions that because the AL activities have been banned, the Applicant will be either at risk of harm because of his past non-existent political activity, or that he will be somehow motivated but unable to be politically active in the future. The Tribunal is not satisfied the Applicant was motivated to be politically active in the past and does not accept he will be politically active in the future, or that he is, or will be targeted for reason of, his being a member of a particular social group as a victim of violent acts of revenge from BNP supporters.

[69] The Tribunal accepts there are concerns surrounding the interim government's decision to ban the AL activities, however, it does not accept it is reasonably foreseeable this will increase the risk of any harm to the Applicant

[70] In sum, given these findings, the Tribunal does not accept the Applicant was targeted or will be targeted because of his preference for the AL and does not consider there is a reasonable possibility the Applicant would be harmed by the BNP, by the country's interim government, by the AL or by others if he were to return to Bangladesh.

21. These paragraphs record the Tribunal's consideration of, and conclusions concerning, the question whether the Appellant would be targeted for persecution by reason of his preference for the AL.

22. The Tribunal then went on to consider the Appellant's claim to fear harm arising from the debts which he owed following borrowing 7 lakh taka from two different loan sharks. The Tribunal also had concerns about the reliability of the Appellant's claims and evidence relating to the loan. The Tribunal rejected the Appellant's contentions in relation to this aspect of his claim for the following reasons:

[73] Firstly, the evidence indicates the Applicant was working up until his departure from Bangladesh and suggests he had access to undisclosed funds. Secondly, the Applicant's evidence indicates it was his father who agreed to the debt and not the Applicant. While he stated he spoke to the money lenders who made clear the repayment terms, being 50,000 taka interest per lakh borrowed, that is inconsistent with his earlier evidence which was he did not specifically know who his father borrowed the money from and did not know the interest but then stated it was 70,000 taka interest per lakh borrowed.

[74] The Tribunal also has difficulty accepting that money lenders lend money to people, including his father, without first ascertaining their capacity to repay the money or obtain some other form of recoverable capital. The Tribunal also put the Applicant at hearing that DFAT said in 2022 money lenders were more likely to lend more money to fund further migration attempts than they were to use violence to recover a debt and violence would not lead to money being repaid.

[75] The Tribunal finds the Applicant's evidence in relation to his own involvement in his father's debt as well as his evidence in relation to his father's debt has changed and is unreliable. While the Tribunal accepts there is country information that suggests there may be aggressive attempts to recover debt, the Tribunal remains unconvinced money lenders would lend money to his father, who he claimed was elderly and no longer worked, on the unsecured terms the Applicant has alleged.

[76] Taking all these factors into account, the Tribunal does not accept the Applicant has taken out any loans and is unpersuaded he has been telling the truth about the claimed loan and its terms. In any event, if any such loans exists [sic] on the Applicant's evidence it was his father who entered into them and agreed to those loans and not the Applicant. It therefore finds the Applicant's evidence unreliable about the loans, including its terms and whether he or his family have been, or will be, subject to threats of harm from money lenders.

- [77] At hearing, the Applicant raised a new aspect to his claim stating he thought the money lenders were not convinced he had been detained on Nauru and they thought he had deceived them. However, the Applicant's evidence in relation to the money lenders is unreliable and the Tribunal does not accept this latest claim.
- [78] The Tribunal accepts that the Applicant strongly wishes to provide for his family and that he would be distressed if he were to return to Bangladesh without covering his journey's costs and being able to provide financial support for his family.
- [79] However, the Tribunal does not accept that the Applicant fears persecutory harm or faces a real chance of serious harm at the hands of money lenders, including violence or threats to his life and that of his family if he were to return to Bangladesh.
- [80] Neither does it accept the representative's submission that the Applicant has chosen not to go home because of a fear of the debtors.
- [81] The Tribunal has considered the Applicant's claims individually and cumulatively and finds that he does not have a well-founded fear of persecution for reason of his political opinion, actual or imputed, or because of his membership of a particular social group of victims of violent acts of revenge from BNP supporters, the BNP or other opposition groups or supporters of his father's alleged debt or for any other convention reason.
- [82] The Tribunal finds that the Applicant does not have a well-founded fear of persecution for a convention reason and is not a refugee.
23. Thus, the Tribunal concluded that it did not accept the Appellant's evidence about the debts he said he had incurred. Nor did it accept that he was at risk of being targeted as an AL supporter. Accordingly, the Appellant did not make out a well-founded fear of persecution for a Convention reason.
24. The Tribunal then proceeded to consider the Appellant's claim for complementary protection. The Tribunal disposed of this aspect of the Appellant's claim as follows:
- [86] For the reasons set out above, the Tribunal has already found it does not consider the Applicant's preference for the AL resulted in him being targeted in the past and nor does it accept there is a reasonable possibility the Applicant will be subjected to physical harm or any other mistreatment if he returns to Bangladesh for any of the reasons claimed.
- [87] Given its earlier findings, the Tribunal is not satisfied that there is a reasonable possibility the Applicant will suffer prohibited treatment on return to Bangladesh and the Tribunal finds returning the Applicant would not breach Nauru's international obligations and, therefore, he is not owed complimentary protection.

THE APPELLANT'S SUBMISSIONS

25. The written notice of appeal does not specify any particularised grounds of appeal other than that "the Tribunal made errors of law in its decision."
26. After I explained to the Appellant the need for him to articulate some legal error in the case, I invited him to do so: T5 lines 156-157. His initial response was to state that he was "putting all of my trust to this Court" and asked that the Tribunal Decision be reviewed. He indicated that he was ready to answer any questions that the Court might have. He reiterated his request that the Court review his case without any statement of the legal error he contended occurred: T5 line 159 to T160 line 177.
27. In light of the Appellant's inability to himself articulate any potential legal error, the Court took him through aspects of the decision and invited him to specifically address the issue as to whether there was any legal error in those aspects. I took him to the Tribunal's finding that his description of the help that he provided to [C] changed every time he told it. I asked him whether he said that the Tribunal's conclusion that his story changed involved the Tribunal making some legal error of the sort that I had earlier described to him. The Appellant responded at T6 lines 191-192:
- Okay, I did not know the significance of telling exactly the same thing or same story each time, I did not know about that.
28. I then asked him whether there was some evidence which the Appellant says that the Tribunal overlooked when it reached that conclusion. The Appellant ultimately replied in these terms at T6 line 209 to T7 line 220:
- Yes, actually I told them about my story that happened to me but I don't have that much knowledge, understanding by that - how Tribunal even [unintelligible] that thing, how Tribunal understood that information. My life was not safe, that's why I left my country. Yet still now they're threatening some persecution going over to [unintelligible] found someone, so they're still doing this type of still - thing still over there. Even the government fled the country. And the previous MP and ministers also fled, or I can say they're hiding. Even [unintelligible] or something like that, they are not allowed to do any procession or gathering so that have been banned now. Even they file some false case against the government and there is a case against the government, the previous prime minister and the previous prime minister has been sentenced to death, something like that.
29. I then asked whether the Appellant contended that the Tribunal failed to take some of that evidence into account and the Appellant responded that he told the truth and again asked me to please consider his case stating, "it's up to you now": at T7 line 226.
30. I also asked the Appellant questions about his claim for refugee status on the basis of his financial debts. I noted that the Tribunal did not accept that he had taken out any loans and it did not think that he had been telling the truth about the loan that he claimed, and its terms. The Appellant was unable to articulate any evidence about that matter that he said the Tribunal failed to take into account: at T7 lines 242 to 244.

31. I enquired as to whether there was any evidence at all on any issue that he says the Tribunal should have considered but did not. He responded in these terms at T8 lines 257 to 259:

Yeah, because I told the truth, whatever happened. Okay, even the BNP people threaten me, threaten to kill me whenever they find me anywhere. That's why I have to leave my country.

32. I then asked whether there was any evidence that the Tribunal considered but which the Appellant did not know about, or have an opportunity to make submissions about. His answer was no: at T8 line 264.

33. I asked whether the Tribunal failed to give him a fair hearing. The Appellant responded at T8 lines 268 to 270:

Yeah, they gave me that opportunity but I do not understand some of their talking over there, so that was some problem. That's why there were some mistakes.

34. Upon enquiring as to what it was that the Appellant thought the Tribunal did not properly understand, the Appellant responded at T8 lines 275 to 277:

Okay, actually, there was a discussion in regards to election and I made one mistake about telling one particular day. Actually, that incident happened somewhere between 6 to 7 July but I told them it was happened in August. [sic]

35. I asked why his evidence was that it happened in August rather than July. His response at T8 lines 287 to 288 was:

Actually, I could not recall that information and I answered promptly so that's why I made that mistake.

36. I asked whether there was any other occasion when the Appellant misunderstood what was happening before the Tribunal and he responded, no: at T8 line 293.

REPUBLIC'S SUBMISSIONS

37. The Republic filed detailed written submissions in the matter. It submitted that the Tribunal Decision demonstrated that the Tribunal carefully considered the Appellant's claims that he is a refugee or owed complementary protection. It did not accept those claims primarily because it found the Appellant not to be a credible witness.

38. The Republic noted that the Tribunal explained that it had numerous concerns with the Appellant's credibility, including as to the Appellant's evidence about the claimed attack on [C] and with that "changing with every telling of it". The Republic also noted the Tribunal's concerns that the Appellant had failed to mention key matters in his RSD interview, such as the election in 2024. The Tribunal also noted the Appellant's lack of awareness of [C's] terms in office as an MP.

39. In summary, the Republic submitted that the Tribunal did not accept any of the claimed past events in Bangladesh occurred. It did not accept that the Appellant was, or is, politically involved and it followed therefore that the Tribunal did not accept that the Appellant was targeted, or would be targeted, because of his preference for

the AL. As to the Appellant's claim that he feared harm from loan sharks, the Republic noted that the Tribunal ultimately did not accept that the Appellant had taken out any loans and was unpersuaded that he had been telling the truth about the claimed loan and its terms. Accordingly, the Tribunal did not accept that the Appellant fears persecutory harm or faces a real chance of serious harm at the hands of money lenders if he were to return to Bangladesh.

40. The Republic concluded its written submissions as follows:

[28] There is no error of law in the Tribunal's finding that the Appellant is not credible, or in not being satisfied of his claims at a factual level. The Tribunal gave cogent reasons for finding the Appellant not to be credible and reached those findings after appropriately considering whether there were other explanations for inconsistency.

[29] The Appellant was also not denied procedural fairness.

[a] He was invited to the hearing in accordance with s 40 of the Act and attended the hearing. He had the opportunity to give evidence and present arguments relating to the issues arising in the review. Those issues were the same as the issues that arose before the Secretary, and he was on notice of them.

[b] The country information relied upon by the Tribunal was either not adverse to the Appellant, or was known to him. The Wikipedia entry on [C] [which was referred to by the Tribunal at paragraphs [52] and [58] was consistent with the Appellant's own evidence at the hearing ... an article about the banning of AL activities (referred to at paragraph [53]) was supportive of the Appellant's claims. DFAT information about money lenders (which was relied upon at paragraph [74]) had been discussed with the Appellant at the hearing (see paragraph [40]).

[30] The Tribunal's reasons do not demonstrate any error of law.

41. In her oral submissions, Ms McInnes for the Republic noted that the misunderstanding of when the Appellant was talking about an incident occurring in August or July 2024 was dealt with before the Secretary. My attention was drawn to paragraph [10] of the Tribunal Decision which sets out the detail of the Appellant's 24 March 2025 statement. That statement included the following:

The event I have described in my original application where he was attacked in his car actually happened around 5 or 6 of July 2024. I mixed up the dates. It happened at the beginning of the unrest and riots against Sheikh Hasina. I have been stressed and worried about being on Nauru. I have mounting debts I cannot pay.

42. The Republic submitted that to the extent the Appellant now makes a claim that there was a denial of procedural fairness because of a mistake that he made in relation to the dates, that was something which was addressed very early in the process and did

not affect the Tribunal hearing. The Tribunal otherwise fully considered the explanations that had been put forward for why the Appellant's accounts had changed over time. In particular, the Tribunal considered a submission that inconsistencies were due to misunderstandings or stress, but it did not accept that contention.

CONSIDERATION

43. It was difficult to discern from the written notice of appeal and the Appellant's oral submissions precisely what errors of law the Appellant advanced in this appeal. As best I can discern, the following matters arise from his oral submissions.
44. The Appellant suggested that some legal error might arise from the Tribunal's finding that his story about the help that he provided to [C] changed every time he told it. He said that he "did not know the significance" of telling the same story each time. He explained that the incident happened "long ago" and that was maybe why he made some mistakes about it.
45. However, even accepting these matters, I am unable to identify any legal error arising from the Tribunal's approach to this question. It clearly considered a submission to the effect that that any inconsistencies were due to misunderstandings or stress: at [61]. Most of the relevant events happened in 2024, only the year before the hearing before the Tribunal was conducted. I am unable to discern any legal error by way of failing to take account of relevant considerations or taking account of irrelevant considerations in this respect. There does not appear to have been any failure to afford the Appellant procedural fairness in relation to this aspect of the matter.
46. The Appellant also contended that the Tribunal did not consider that his life was not safe and that was why he left the country. He contended that the Tribunal did not take account of the threats of persecution to him and the fact that even the former government had fled the country, as well as previous MPs and ministers also either having fled or being in hiding. He said that the Tribunal failed to take account of the fact that they are not allowed to do any procession or gathering so that they have now been banned. There is also a case against the former government and the previous Prime Minister, and the previous prime minister has been sentenced to death.
47. The Tribunal however did record submissions made on behalf of the Appellant in relation to these developments after the fall of the Sheikh Hasina government. At paragraph [14] of the Tribunal Decision, the Appellant's representative recorded a number of "key developments", including the prosecution of the AL and its members before a specially empowered International Crimes Tribunal, violent reprisals against AL supporters and ongoing political instability. The Tribunal also noted at [68] (as set out above) that the Tribunal did not accept the representative's submission that the interim government had outlawed the AL since country information did not support that.
48. However, even if there is uncertainty regarding the AL's legality, the Tribunal found that the Applicant was not an AL member, and had not participated in AL activities in the past, including voting. Accordingly, having regard to the factual findings about the Appellant's lack of involvement in AL activities, the Tribunal did not fail to take these matters into account. It clearly did take those matters into account, notwithstanding that it had already found the Appellant not to be engaged in AL

activities. Accordingly, there was no failure to consider relevant matters or otherwise any failure to afford procedural fairness to the Appellant.

49. The Appellant articulated a concern that the Tribunal misunderstood his evidence about the incident with [C] occurring in August 2024 or 6-7 July 2024. However, the Tribunal Decision reveals that in fact the Tribunal did not have any misunderstanding in relation to this matter. At paragraph [10] of the Tribunal Decision, the Tribunal records the Appellant's statement about the confusion in his original statements of the dates of the relevant event. At paragraphs [55] - [57] of the Tribunal Decision, no misunderstanding on the part of the Tribunal is revealed. I am not satisfied that there is any legal error in relation to the Tribunal's approach to this issue.
50. I have carefully considered the entirety of the Tribunal Decision. The Appellant was properly invited to the hearing before the Tribunal, and he appeared and gave evidence before it. He was given a full opportunity to present evidence and arguments. When asked about this matter before me, the Appellant did not suggest that he was denied an opportunity to fully put his case to the Tribunal.
51. The material relied upon by the Tribunal appears to have either been supportive of the Appellant's claims or otherwise material that was available to the Appellant and which was discussed with the Appellant at the hearing before the Tribunal. There is no reason to conclude that the Tribunal relied upon evidence which was either irrelevant to the task it was required to perform, or that was not addressed with the Appellant as part of the hearing process.
52. I have not identified any error of law in relation to the Tribunal's approach to the matters which it determined in the Tribunal Decision.
53. Accordingly, the single ground of appeal in the notice of appeal before me has not been established.

CONCLUSION

54. For the reasons I have set out above, the Appellant has failed in his sole ground of appeal. The appeal is dismissed.
55. Pursuant to s 44(1) of the Act, I make an order affirming the Tribunal Decision. I make no order as to cost.



JUSTICE MATTHEW BRADY

24 February 2026