



Sam is a national of Goldland who has applied for asylum in Silverland. During his interview with the asylum authority, Sam explains that he belonged to an organization which opposed the authoritarian government of Goldland and sought to bring about democratic change. After many years of unsuccessful campaigning, during which a number of the members of the organization were subjected to harassment and threats by the authorities, the organization decided to carry out selective attacks against installations of the police and the military.

Sam was personally involved in one incident, in which he and three other members of the organization set off a car bomb in a busy street of the capital when a military truck passed by. Sam connected the wires of the car bomb, which had been planted by two other members of the organization and was detonated by the fourth in the group. Three soldiers were seriously injured. Two civilians who happened to walk past the car just as it exploded were killed. Sam said that he was sorry about the death of the civilians, which he described as unfortunate but inevitable. This was the only attack carried out by the organization.














Immediately after the incident, the authorities began arresting members of the organization. There are reports from a number of renowned human rights groups according to which some of those arrested were tortured and subsequently disappeared. Sam feared that he too would be arrested. Therefore, he decided to leave for Silverland and apply for asylum. Silverland is Party to the 1951 Convention and 1967 Protocol. It has also ratified the 1984 Convention Against Torture and the 1966 International Covenant on Civil and Political Rights.

Exam questions (Both BA and MA level):

1. Which issues does this case raise? List the issues in the order in which they should be considered.
2. Does Sam qualify for refugee status? List the relevant inclusion criteria of the refugee definition and consider if they are met.
3. Do exclusion considerations arise in this case? If so, which is the relevant provision of the 1951 Convention? List the stages of the exclusion analysis and note the issues which would need to be considered at each of these stages.

# 1 Question

Fill in your answer here

Format | **B** | *I* | U |  $x_2$  |  $x^2$  |  $I_x$  |  |  |  |  |  |  |  |  |  |  |  |  | 

Words: 0

Maximum marks: 0