



IN THE SUPREME COURT OF NAURU

Appeal No 40 of 2015

IN THE MATTER OF an appeal against a
Decision of the Refugee Status Review
Tribunal, TFN 14047

Between

SOS 011

Appellant

and

Republic of Nauru

Respondent

Being an appeal against a decision of the Nauru Refugee
Status Review Tribunal brought pursuant to s. 43 of the

Refugees Convention Act 1972

ORDER

UPON HEARING *Amicus curiae* for the Appellant and Counsel for the respondent Ms. S. Vohra and upon consideration of the proposed consent orders filed by the parties I make the following orders:

1. The decision of the Refugee Status Review Tribunal (the Tribunal) dated 15 March 2015 be remitted to the Tribunal for reconsideration in accordance with the following directions:
 - (a) The Tribunal determine the appellant's claim that he is owed complementary protection because he would face harm on account of generalised sectarian and political violence in the context of complementary protection.

(b) The Tribunal's determination that the appellant, at the time of the decision, did not have a well-founded fear of being persecuted for any Convention reason, is not affected by legal error.

2. There be no order as to costs.

Dated 14 November 2016



J.E. Crulci, Acting Chief Justice