

07-499 NEGUSIE V. MUKASEY

DECISION BELOW:231 Fed. Appx 325

LOWER COURT CASE NUMBER: 06-60193

QUESTIONS PRESENTED:

The Immigration and Nationality Act (INA) prohibits the Secretary of Homeland Security and the Attorney General from granting asylum to, or withholding removal of, a refugee who has “ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.” INA § 208(b)(2)(A), 8 U.S.C. § 1158(b)(2)(A). The question presented is:

Whether this “persecutor exception” prohibits granting asylum to, and withholding of removal of, a refugee who is compelled against his will by credible threats of death or torture to assist or participate in acts of persecution.

CERT. GRANTED 3/17/2008