Expert Meeting on credibility assessment in asylum procedures
The Hague,
8-9 December, 2014

CONCEPT PAPER

Credibility is an important element in the process of assessing asylum applications. Eligibility for asylum is based on the level of risk an asylum seeker faces in his or her home country. The level of risk an asylum seeker is likely to face, is based on his experiences in his country of origin before leaving. Generally, the asylum seeker himself is the main source of information about these events. Thus, in order to determine eligibility, one must determine the credibility of the information supplied by the asylum seeker.

Credibility is one of the first elements that needs to be assessed in an asylum procedure. It applies to all the statements of the asylum seeker, ranging from his identity to his motives for leaving. Status determination can only take place after the decision-maker has assessed the credibility of the claims.

In the European Union credibility is assessed within the framework of European rules and regulations, especially article 4 of the Qualification Directive (Directive 2011/95/EU) and the Handbook of the UNHCR (Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees).

The asylum seeker is primarily responsible for submitting all elements substantiating his application for international protection as soon as possible. To do this, the asylum seeker may have documents supporting parts of his claim. However, in many cases an asylum seeker may not be able to support (all of) his statements by convincing proof. It should be noted that an asylum seeker does not have to prove his statements, but only to make them plausible. This is based on the assumption that an asylum seeker has left his country under difficult circumstances and may not have been able to adequately prepare himself and his subsequent asylum application.

To establish the credibility of a statement, adequate interviewing techniques are essential. By asking the right questions, the applicant can be provided with an opportunity to clarify his statements and ensures that the applicant can provide all the information needed to assess his application.

The country of origin information (COI) and/or the UN Refugee Agency (UNHCR) may be used as the source of credible information to establish whether the information supplied by
the asylum seeker is credible. Also, the European Asylum Support Office (EASO) may provide relevant assistance to the EU Member States. An in-depth research can be necessary using instruments such as technical analyses of the documents provided by the applicant or language analyses.

Within this assessment it will be determined if the asylum seeker can be given the benefit of the doubt. It is possible that the claim of the asylum seeker contains elements that are identified as non-plausible. However, the overall conclusion still maybe that the statements of the asylum seeker are considered credible, if these non-plausible elements are not directly related to the core of the claim.

Once this procedure has been followed, the asylum office can make a decision about the credibility of the information provided by the asylum seeker. This conclusion may be that (i) all of the asylum seekers statements, or (ii) that only some of his statements are credible. Those statements that are deemed credible form the basis of second part of the assessment i.e. determination of status or the qualification phase. Only the statements that are deemed credible are consequently taken into account.

To conclude, determination of credibility is a pivotal part of status determination, which needs to be carefully assessed. Both the applicant and the decision-maker need to cooperate with each other to ensure a careful credibility assessment.

At the expert meeting a further introduction to credibility and credibility assessment will be given. Furthermore, it also offers an opportunity to share national practices and experiences both from the EU and Eastern Partnership countries.