



What is Credibility in RSD?

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+ The Refugee Definition



“owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country ...”

CREDIBILITY IS NOT A CONVENTION CRITERIA



Credibility is a Step, Not a Requirement



- Credibility allows the applicant's testimony to be granted the "benefit of the doubt"
- In practice, most refugee cases depend on the applicant's testimony, so credibility becomes a central issue.



How much trust do you need?



- To convict someone of a murder
- To give someone a job as an office cleaner?
- To feed someone who is hungry?
- To give someone a job as an accountant?
- To loan someone your car?
- To let someone watch your children?



“I was in prison”



- I trust this person enough to ...
 - Loan money
 - Go on a date
 - Start a business together
- For the purpose of RSD, I will accept that s/he was in prison

+

How much trust do you need?

- *Different decisions require different levels of trust.*
 - *A question of balance.*
- **What is the harm** of disbelieving an true claim (false negative)?
- **What is the harm** of believing an untrue claim(false positive)

+ What is credibility?

“Credibility is established where the applicant has presented a claim which is coherent and plausible, not contradicting generally known facts, and therefore is, on balance, capable of being believed.”



Credible Claim v. Honest Person



- Said: “You look nice today.”
- Lied on a job application.
- Cheated on a spouse.
- Cheated in sports.
- Lied to the police, who were persecuting him.
- Used a fraudulent passport to escape.

Do any of these facts mean anything for whether a person’s refugee application?

+ Truth, Relative Truth, and Interpretation

Truth

- I am a law professor
- I support a political party
- I was mistreated in prison

Relative or Interpretive Truth

- I am a very important law professor
- I am a leader of my political party
- I was tortured



Subjective Credibility Assessment



- “I can tell if someone is lying to me within the first minute of an interview.”
- “If something doesn’t quite feel right, it’s probably not true.”
- “If I’m going to believe someone, I need them to look me in the eyes.”

+ Objective Credibility Assessment



Standard criteria, Standard criteria, concrete basis for decision, reasoned decisions, and a structured inquiry.

concrete basis for decision, reasoned decisions, and a structured inquiry.

Subject to review.

+ Credibility in RSD is objective

Subjective Assessment

Friendship, dating and love

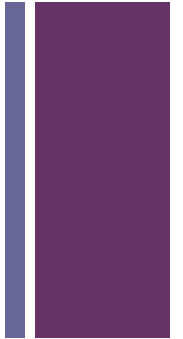
Based on impressions, feelings,
instinct.

Objective Assessment

**Courts, institutions, official decision-
making**

(and money)

Standard criteria, concrete basis for
decision, reasoned decisions, and a
structured inquiry.





Internal v. External Credibility



External Credibility

- Testimony compared to other evidence
- Reports, maps, news reports, etc.

Internal Credibility

- Testimony compared to itself.
- Detail, Consistency