

CASE STUDY

This is an excerpt from a first-instance decision rejecting the asylum claim of a Congolese national, who was detained for supporting a regional opposition political group, in which her partner held an important position.

What do you think about the justification of this negative decision? Which credibility indicators were applied? Prepare a list.

Are credibility indicators applied properly? If not, how would you argue against the wrong use of any indicator, and/or what additional information would you try to gather?

“Serious doubts arose regarding the credibility of the applicant. While in the first asylum interview she said that her parents had died many years ago, at the second interview she already claimed that she had escaped from prison with the help of her parents. She was unable to describe how the prison cells or the uniform of prison guards looked like, and could not specify the ill-treatment methods she was subject to while in detention, not even after repeated questions. Her partner, with whom she fled the Congo together and who also asked for asylum, confirmed the fact of detention, but did not know about any ill-treatment that his girlfriend would have suffered there. The applicant and her partner gave different information regarding the date of departure from home (2 and 5 February, respectively). When asked about her boyfriend’s political involvement and activities, she could not provide specific information, which could have been reasonably expected, given their intimate relationship.

In addition, various country information reports [which were attached to the file] confirmed that the prison in which the applicant was allegedly held (and which is infamous for its inhuman detention conditions and torture methods), only holds *male* inmates, but not women.

Her spontaneous reactions and demeanour also suggested that she only invented her story. She continuously avoided eye contact with the interviewer and was nervously wringing her hands all the time. She gave short answers, which lacked any sort of details.

A number of contradictions were identified in her statements. She claimed to be of 30 years of age, but in her alien policing file her alleged date of birth was 1980. She first said that she was born in a small village where she lived until the age of five or six (but could not name the village), later she claimed that she was born in a town and lived there until she went to school at the age of eight. She claimed to be of Baptist religion (to which she voluntarily converted when she was twenty and which she claimed to regularly practice), however she could not explain in what this religion was different than Catholicism, the faith in which she was brought up. During her hearing with the alien police she said that a Lebanese man helped her to travel to Europe after she accidentally got separated from her boyfriend in the desert, while at the asylum hearing she referred to a Liberian smuggler.

All these contradictions and doubts confirm that the applicant just invented her story and therefore the claim for refugee status shall be rejected.”