

The checklist for the interview related to an application for protection

A. GENEVA CONVENTION

1. What is the country of reference?

- Country or countries of nationality (citizenship)
- Statelessness – country/ countries of former habitual residence

2. Well-founded fear.

- What harm does the applicant fear?
- Is there an objective basis for his fear?
- To determine this, consider COI. Is there COI showing that people in the same situation as the applicant suffer this harm?
- Is state protection available?
- What does COI say about protection?
- What did the applicant do to get protection?
- Find out whether the acts suffered by the applicant were reported to authorities of the country of origin. If so, what happened, and if not, why they were not reported.
- Find out if other persons known by the applicant have applied to authorities for similar problems.
- Find out if the applicant (or his/her family) moved to another area or region of the country of origin to avoid threats. If so, what happened, and if not, why he/she did not move to avoid threats.

3. Persecution

- Learn to what extent was the applicant (or his/her family) affected by the alleged acts of persecution, threatened or felt threatened in the country of origin.
- Identify whether it is discrimination or persecution.
- Persecution v. prosecution – e.g. criminal laws/ exit laws/ military service laws
- Persecution and policies and social norms – e.g. one child policy; dress code violations; honour killing
- Learn what facts described by the applicant made him decide to leave the country of origin.
- Find out who was responsible for the problems alleged (state or non-state agents of persecution).

4. Political opinion

- Find out if the applicant (or his/her family) was a member or supporter of any political party or other political organization.

- Learn what was the role, position in the party and the period in which he/she held that position and duties incumbent for that position
- In the case of party members – how he/she became a member, the procedure for accession to the party, what documents were they issued, what is the doctrine of the party.
- Learn which specific political activities were undertaken.
- Identify the nature of beliefs/ opinions of the applicant (or his/her family).
- Find out if that party is or is not legal in the country of origin.

5. Race, nationality, ethnicity

- What is the nationality of the applicant? Find out if it is different from that of the most of the population in the country of origin.
- Find out if the applicant (or his/her family) is a member of a clan or tribe, or have a common descendent with any clan member.
- Find out if there are linguistic or cultural differences or disparities inflicted by ethnic origin between the applicant (or his/her family) and the majority of the population in the country of origin.
- If there are such differences, specify them.

6. Religion

- Find out if the applicant is a member or supporter of a particular religion, cult or faith.
- Learn as much detail as possible about that religion, cult or faith - especially the doctrine and the expression of faith (participation in rituals, forms of personal or common conduct based on or imposed by that particular religion).
- What, if any role did the applicant play in his religious community?

7. Membership of a particular social group

- Find out if there are certain elements that distinguish the applicant (or his/her family) from the majority of the population in the country of origin.
- Learn how that distinction is displayed.
- Find out if the applicant was required to fulfill military service in their country of origin. If military service was fulfilled, what was the period of that service and what happened during that period?
- If applicable, find out which were the reasons of the applicant for not willing to perform military service or for which he deserted from the army.

B. A REAL RISK OF SERIOUS HARM

1. Death penalty

- Find out if the applicant risks death penalty or extrajudicial execution in the country of origin.
- Find out if the applicant's country of origin uses death penalty and extrajudicial execution.
- Do non-state actors carry out extra-judicial killing in the country of origin – e.g. rebel groups, terrorist organizations, criminal groups

2. Torture, inhuman or degrading treatment

- Find out if the applicant was subjected to ill-treatment, by whom, why and when.
- Learn how, when and where he/she was tortured, taking into account the degree to which the applicant has been or is affected by torture, inhuman or degrading treatment.
- Determine if the applicant can provide relevant evidence (e.g. traces of such acts on the body, psychological damage, medical certificate issued in the country of origin or another country).
- Find out if the applicant was detained or arrested and, if so, by whom, why, when and where.

3. Serious and individual threat to a civilian's life to the life or integrity of the applicant as a result of indiscriminate violence in situations of armed conflict

- Find out if there is a serious threat to the life or integrity of the applicant.
- Find out whether the applicant belongs to the civilian population or combatants.
- If he/she was a combatant, find out where and when he/she fought, and whether he/she used weapons, what was his/her position and what were his/her duties in that position.