



UNHCR Refugee Status Determination (“**RSD**”)

Self Help Kit for Asylum Seekers in Indonesia

Appeal

How to Appeal UNHCR’s Rejection of Your
Application for Refugee Status

What to Expect at Your Appeal Interview

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WHAT IS THE PURPOSE OF THIS SELF HELP KIT?

This Self Help Kit will help you understand whether you should appeal UNHCR's rejection of your application for refugee status and the steps you might take to appeal. It also includes information about how you might write an appeal statement.

This document contains general information about the appeal process. It is not meant to be legal advice. If you have questions, please contact Suaka by email on Suaka.LegalAid@gmail.com.

WHO IS A REFUGEE?

The definition of a refugee is found within the 1951 Convention Relating to the Status of Refugees

To meet this definition you must meet all of the following criteria:

You must be outside your country of origin;

You must be unable or unwilling to return to the country you are from;

Because you have a well-founded fear of

persecution, or serious harm or threat to your life or freedom, or other serious human rights violations,

due to one or more of the following reasons:

- ***Your race;***
- ***Your religion;***
- ***Your nationality;***
- ***Your political opinion; or***
- ***Your membership of a particular social group (for example, women, families, tribes, occupational groups, or due to your sexual orientation / gender identity);***

and

The persecution you fear is by the government, or by another group and the government cannot or will not protect you.

Note: UNHCR's mandate has on some occasions been extended to those who have fled widespread generalized violence, so you may be recognized as a refugee if there is a war or a breakdown in law and order in your country.

It is also important that your case is not "excluded" under sections of the Convention regarding issues such as serious non-political crimes such as crimes against humanity or war crimes. Even if you meet all of the 5 criteria set out above, under certain circumstances, you may not be recognized as a refugee.

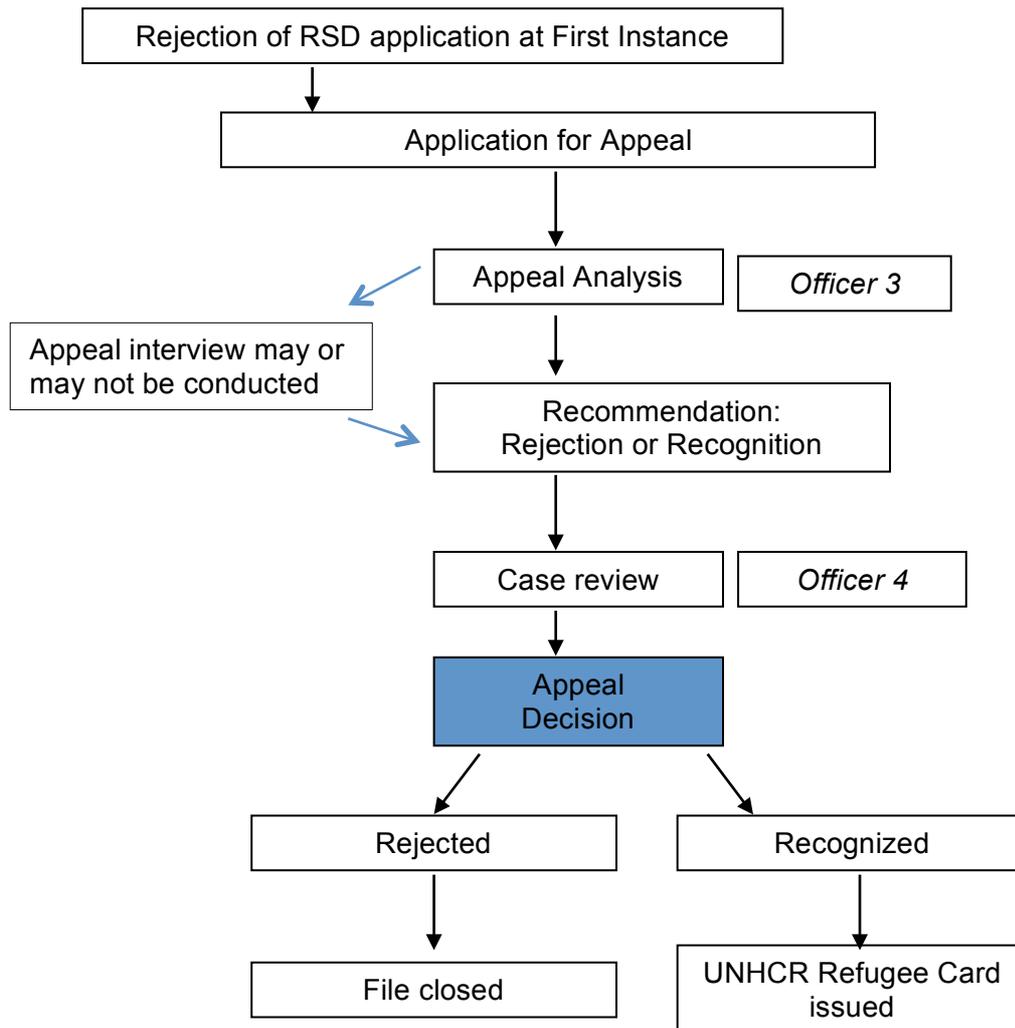
WHO HELPS REFUGEES IN INDONESIA?

The Government of Indonesia does not formally recognize refugees. The UNHCR, the United Nations Refugee Agency, has an office in Indonesia that is responsible for registering asylum seekers and conducting Refugee Status Determination (RSD) on behalf of the Government of Indonesia.

Suaka is the Indonesian Civil Society Network for Refugee Rights Protection. Suaka is not the same organisation as UNHCR. Suaka helps refugees and asylum seekers with information and advice about the UNHCR's refugee status determination process.

Other organisations that work with refugees and asylum seekers in Indonesia are: International Organisation for Migration (IOM), Church World Service (CWS) and Jesuit Refugee Service (JRS). They are all different organisations and are not part of UNHCR.

UNHCR'S REFUGEE STATUS DETERMINATION PROCESS – APPEAL



PLEASE NOTE:

IF YOUR APPLICATION IS REJECTED AGAIN AFTER AN APPEAL, UNHCR WILL “CLOSE” YOUR FILE. IN CERTAIN CIRCUMSTANCES, YOU WILL BE ABLE TO REQUEST FOR YOUR FILE TO BE “REOPENED”. FOR FURTHER INFORMATION, PLEASE REFER TO THE “REOPENING” SELK HELP KIT.

WHAT ARE UNHCR'S REASONS FOR REJECTING YOUR APPLICATION FOR RSD?

Before deciding whether you should appeal, it is necessary that you understand the reason(s) UNHCR has rejected your application for refugee status. The Notification of Reasons for Decision from UNHCR you will describe the reasons.

If you do not understand the Notification, you can request to meet with a UNHCR staff member to discuss your appeal.

UNHCR commonly rejects applications for 1 (or more) of 8 reasons:

- 1. You did not give sufficiently detailed information to support your claim for refugee status, and you did not give a reason why you could not give more detailed information;**
- 2. UNHCR did not consider your information reliable or credible because:**
 - a. You gave inconsistent information (for example, you stated different facts in your interview than in your written statement);
 - b. You gave information that was inconsistent with other sources of information about your home country; or
 - c. You gave information that was not believable or convincing;
- 3. The harm you fear is not a kind of harm or a serious enough harm to meet the Convention definition of "persecution", namely a threat to your life, freedom, or fundamental human rights;**
- 4. The reasons you gave for being afraid to return to your home country are not related to the criteria in the Convention refugee definition, namely:**
 - a. Your race;
 - b. Your religion;
 - c. Your nationality;
 - d. Your political opinion; or
 - e. Your membership in a particular social group (this could be your family or persons with similar backgrounds, habits or social status);
- 5. The authorities in your home country can protect you;**
- 6. You can live in another part of your home country without fear of persecution;**
- 7. You have more than one nationality and you have not shown that none of those countries can protect you; and/or**
- 8. You have committed or contributed to serious criminal or similar acts that exclude you from refugee protection.**

SHOULD YOU APPEAL?

If UNHCR does not recognize you as a refugee, you have a right to appeal.

The purpose of the appeal process is to make sure UNHCR has understood and considered all the facts of your case and correctly applied the refugee definition.

REASONS TO APPEAL

You should consider filing an appeal if:

1. The rejection is based on credibility problems and the **interviewer did not give you an opportunity to properly explain those issues at your RSD interview**; or
2. You presented evidence in your first statement or during your RSD interview that **UNHCR did not adequately consider**; or
3. You have **new evidence** to support your claim that you have not given to the UNHCR before; or
4. There were **serious problems with the process, meaning that the RSD interview or process did not allow you to properly present your claim for refugee status**, such as, for example:
 - a. You did not understand what was happening because of some problem with interpretation;
 - b. You felt uncomfortable with the conduct or some characteristic of the interviewer or interpreter;
 - c. You did not have an opportunity to present relevant evidence;
 - d. You did not believe that your information would be kept confidential; or
 - e. You were asked inappropriate questions.

EXPLAINING THE REASONS FOR REJECTION

The information below explains the most common reasons for rejection that arise most frequently and how you might address them. Please keep in mind that this is general information, not legal advice.

Consider the reasons in your **Notification of Reasons for Decision** and think about how you might address those reasons in your appeal.

1. YOU DID NOT GIVE SUFFICIENTLY DETAILED INFORMATION TO SUPPORT YOUR CLAIM, AND YOU DID NOT GIVE A REASON WHY YOU COULD NOT GIVE MORE DETAILED INFORMATION

This means UNHCR does not think you gave enough information to convince them that your claim is true, or that you meet the definition of a refugee. In the Notification, UNHCR should point out specific areas, or examples of areas, where it needs more information.

If you do not understand what information UNHCR needs, you should contact the UNHCR.

If your application is rejected for this reason, you need to provide more information. Focus on providing details about the specific examples UNHCR pointed out in the Notification. Be sure to address all of the issues that UNHCR listed in the Notification, even if you don't think that the information is important, or think other information is more important.

Details like names, dates, times, places, what people said or did, why they said or did it, are helpful. Remember, if you do not know details, do not make them up. Instead, explain why you do not know them.

Put facts in chronological order.

Tell UNHCR when you are providing new information and explain why you did not provide that information previously, and attach any relevant documents.

2. UNHCR DID NOT CONSIDER YOUR INFORMATION RELIABLE OR “CREDIBLE”

Information is not “credible” when the interviewer believes it is unlikely that you are telling the truth. The Notification should explain what information UNHCR did not believe and, if appropriate, what outside information UNHCR considered. If the Notification does not contain this information, you should contact the UNHCR and ask for more information.

UNHCR usually finds that testimony is not credible either because UNHCR found inconsistencies in prior testimony (for example, the information you gave in your interview was different than in your statement) or because the information that you provided was not consistent with other information about your home country, for example, newspaper articles and/or UN reports.

You should explain all inconsistencies pointed out by UNHCR with as much detail as possible. This means both:

- telling UNHCR why you believe the interviewer made a mistake in deciding that the statements were inconsistent (for example, the interviewer did not consider other facts that explain what happened, there was a problem with the interpreter, or you made a mistake); and
- giving UNHCR the correct information. Be as detailed as you can. For example, provide names, dates, times, places, what people said and did, etc. Put information in chronological order wherever possible. If you think you did not make inconsistent statements, explain why and, if helpful, cite to portions of your previous statement(s) and/or other evidence you have already give to UNHCR. If you are providing new information, explain why you did not provide that information previously, and attach any new relevant documents.

3. THE HARM YOU FEAR IS NOT A KIND OF HARM OR A SERIOUS ENOUGH HARM TO MEET THE CONVENTION DEFINITION OF “PERSECUTION”

The Convention definition of “persecution” means a threat to your life, freedom, or other fundamental human rights. Examples of persecution include:

- death;
- torture;
- rape;
- slavery;
- arbitrary arrest or detention;
- deprivation of legal personality or citizenship; or
- deprivation of freedom of thought, conscience, or religion.

Serious economic hardship is not, however, “persecution” under the Convention unless it results from persecution because of one or more of the reasons in the Convention: your race, religion, nationality, political opinion or membership of a social group.

Your appeal statement should make clear why the harm you fear falls into one of these categories. You should highlight all the information that you provided showing that your life, freedom or other fundamental human rights are being threatened.

You should include any new information showing that you, your family, or others sharing similar characteristics to you and your family continue to be persecuted in your home country. Be sure to tell UNHCR when you are providing new information, and explain why you did not provide that information before.

4. THE AUTHORITIES IN YOUR HOME COUNTRY CAN PROTECT YOU

If you are afraid of persecution by non-government forces (a rebel group, family members, etc.), UNHCR may believe that the police, army, or other government authorities in your home country will protect you.

If you tried to get protection from government authorities in your home country, you should explain when, where, from whom, and why you sought protection, and what happened. If you did not seek protection, you should explain why not. If you know of other people in similar circumstances who sought protection for government authorities in your home country, you can explain what happened to them.

If you fear harm from the government, you should explain why. You can use examples from your past as well as examples where government authorities have pursued your family members and/or other people in similar circumstances.

If possible, cite to paragraphs, pages or documents you have already give to UNHCR where this information is discussed. Also tell UNHCR when you are providing new information, and explain why you did not provide that information before.

5. YOU CAN LIVE IN ANOTHER PART OF YOUR HOME COUNTRY WITHOUT FEAR OF PERSECUTION

UNHCR may have decided that you have a well-founded fear of persecution in one area of your home country, but that you can live safely in another area of the country. The safe area should be identified in the Notification. If it is not, please contact UNHCR.

The safe are must be practically, safely, and legally accessible and liveable for you, such that you could reasonably be expected to move there without undue hardship. If you believe the safe area is not in fact safe or accessible you should explain why. You should also explain the problems you believe you would face in the safe area, for example, physical insecurity, discrimination, lack of housing or employment opportunities, etc.

Be as detailed as possible. Tell UNHCR when you are providing new information, and explain why you did not provide that information before.

HOW TO APPEAL

APPEAL APPLICATION FORM

UNHCR will give you an Appeal Application Form attached to the Notification of Reasons for Decision. The Notification will be in English; the Appeal Application Form will typically be in your language.

If you wish to appeal, you have **30 days from the day you received the Notification of Reasons for Decisions and Appeal Application Form**. Sometimes, the Notification will not have a date or will have a date different from the date on the Appeal Application Form. If this is the case, count 30 days from the date you received the Notification and Application Form from UNHCR.

If you need more than 30 days to file an appeal—for example, if you need more time to collect new evidence—you can ask UNHCR to give you additional time.

When filing an appeal, you should provide a detailed appeal statement in writing and, if possible, new evidence or information that explains your story and/or shows that you are at risk of serious harm in your country of origin.

YOUR WRITTEN APPEAL STATEMENT

A written statement is the most important part of your appeal. You can write your appeal statement on the Appeal Application Form UNHCR has given you or on another paper(s).

If you are able to write in your own language then **you should write your appeal statement in your own language**.

If you are unable to write a statement (because of illiteracy, physical disability, etc), please ask UNHCR to provide an interpreter to assist you, or contact Suaka.

THE PURPOSE OF YOUR APPEAL STATEMENT

Your appeal statement should not repeat the same information given to UNHCR. The purpose of your appeal statement is to:

1. Clarify information you think UNHCR has misunderstood or misinterpreted;
2. Correct and explain misstatements you might have made to UNHCR in earlier written statement(s) or in your RSD interview(s);
3. Provide UNHCR with new information relevant to your claim for refugee status and explain why you did not provide that information before; and
4. Explain to UNHCR why you fear returning to your country of origin and why you think meet the definition of a refugee.

Please Before starting to write your appeal statement, please see the **information starting set out earlier in this Self Help Kit that looks at the most common reasons for rejection and explains and how to address them in an appeal.**

Consider the reasons in your Notification of Reasons for Decision and think about how you might address those reasons in your appeal statement.

You may also include information in your statement about problems you are experiencing in Indonesia, for example, problems with housing or mental or physical health. However, these problems should not be the focus of your statement. While they are important to your wellbeing, they are most likely irrelevant to whether you meet the definition of a refugee, which is about whether you are at risk of serious harm if you return to your country of origin.

THINGS TO REMEMBER WHEN WRITING YOUR APPEAL STATEMENT

Remember that **everything you write and say to UNHCR is kept strictly confidential** and cannot be shared with anyone else without your consent.

Be as detailed as possible about **why UNHCR should reverse its decision and why you meet the definition of a refugee**. It is not enough to say that UNHCR was wrong or made a mistake. You must clearly state the facts and explain why you think UNHCR has misunderstood information or made a mistake in its decision-making.

Your statement must be in **your own words** and must only include information that is true and that is not exaggerated.

- **It is important to provide truthful information.**
- If you make false statements to UNHCR, it will hurt your credibility and could mean that you are not recognized as a refugee.
- **Do not let anyone tell you what to include in your appeal statement** or allow anyone add anything to your appeal statement that you disagree with or that is untrue.

If you cannot write in your own language, make sure that the person who writes the appeal statement for you only includes information you have told them to include. To check the statement, ask a trusted person to read it back to you.

Include as much detail as possible.

- Do not leave out information about what happened to you and what you fear.
- If you have **new information, explain why you did not provide that information to UNHCR before**.
- If there is information you do not feel safe about including in your written statement, ask UNHCR to grant you another interview in order to provide the information.

Include as much detail as you can remember about the important things that happened.

- If there are things you don't remember, don't make something up. It is fine to say that you don't remember.
- If there is something you are not sure about then you should say something like, "I believe that ..." or "I think that ..." but don't say, "I know that ...". Also explain why you are not sure.

Your appeal statement should be consistent with all information that you have previously told or given to UNHCR.

If you include information in your appeal statement that is not consistent with information that you have previously given to UNHCR, you need to explain why the new information is inconsistent.

The following notes will give you some guidance and tips on how to write your appeal statement:

Dates and Times: When things happened. For example, "On 16 June 2005 at about 6pm..." If you don't remember exact dates and times, then you should try to remember approximate dates and times or things that happened around the same time. For example, "One day in March 2006, late at night...", "One day, about two weeks before New Year in 2007, early in the morning...", "Soon after my 30th birthday...", "When I was about 20 years old...", etc. You can also say things like "Soon after the [last event]..." or "Around the same time as ..."

If you are unsure of dates and/or times, do not guess!

Places: Where things happened. If you cannot remember the exact place, you should try to give as much detail as possible or try to describe what the place was like. For example, you could say, "I was kidnapped when I was walking from Town A to Town B", "I went to a large

brick house which was about 5 minutes walk from my house” or “I was taken to a small village about 30km south of my village”.

People: If you can remember the names of people, you should always include this information. If you do not know people’s names or you cannot remember them, try to describe the people, especially if: you are scared of them, they are people who hurt you, they are the reason why you left your country, or if you think they are important to what happened to you.

When describing people, you can explain what they were wearing, whether they had weapons, what language they spoke, etc. You should also explain who you think the people were and why you think that.

Duration: When you are describing things that happened to you, include how long these things lasted. For example, you could say, “I was kept in prison for two days” or “I was in the hospital for two weeks”.

NEW EVIDENCE OR NEW INFORMATION

If you have new evidence or information that proves your story and/or shows that you are at risk of serious harm in your country of origin, you should describe the evidence and **explain how you obtained it and why it is important.**

If you had the evidence when you first made your claim for refugee status with UNHCR or when you had your RSD interview(s) with UNHCR or that you could have given to UNHCR before the rejection, **you must explain why you did not give the evidence to UNHCR earlier.** For example, if you did not give the evidence because you did not know it was important, please explain.

Remember, new evidence or new information is helpful to your appeal, but not necessary. If you presented all your evidence and information at the first stage of the RSD process and UNHCR misunderstood the evidence/information or made a mistake in its decision, you still can be recognized as a refugee on appeal.

HOW TO ORGANIZE YOUR APPEAL STATEMENT

One way you can organize your appeal statement is set out in headings 1 to 8 below.

Your statement should be **in your own words and must only include information that is true** and that is not exaggerated.

What is important is that you tell UNHCR the truth about what happened to you in your country to make you leave and why you cannot go back.

Your appeal statement could look something like the example below.

Date: *[insert the date that you’re writing the letter]*

UNHCR Representative in Indonesia
Menara Ravindo
Jl. Kebon Sirih Kav.75
Jakarta Pusat 10340, Indonesia
Attention: RSD Unit

Dear Sir/Madam,

My name is *[insert your name]* and this is my statement for my appeal with UNHCR.

1. Personal Information

UNHCR Case Number: *[insert UNHCR case number]*

Gender: *[male or female]*

Nationality: [insert your nationality]
Ethnicity: [insert your ethnicity]
Languages: [insert the languages that you can speak and understand fluently]
Date of Birth: [insert your date of birth]
Place of Birth: [insert the city and the country where you were born]
Passport Number: [include your passport country and number – if you have one]
Marital status: [say whether you married, single or widowed]
Date arrived in Indonesia: [insert date]
Date registered with UNHCR: [insert date]
Date of RSD interview with UNHCR: [insert date]
Date of notification of UNHCR decision: [insert date]
Current contact information: [insert your phone number if you have one, otherwise your address]

2. Problems with the Interview or Refugee Status Determination Process

[In this section, explain any problems you experienced during your interview(s) with UNHCR and explain why you think these problems affected the UNHCR's decision. Write about any problems you had in your UNHCR interview or other parts of the RSD process if there were any.]

Leave this section out if there were no problems.

For example, if you believe that your testimony was not properly translated or that the interviewer asked inappropriate questions, please explain what happened and why you think that UNHCR made the wrong decision because of these problems.]

3. Reasons for Rejection

[Separately list each of the reasons that UNHCR gave in the Notification for rejecting your application for refugee status – include all of the reasons in your Notification, not just the ones listed in numbered or lettered paragraphs.]

See the information starting on page 6 explaining the possible reasons for rejection. Consider the reasons in your Notification of Reasons for Decision and think about how you might address those reasons in your appeal statement.]

[Write a new heading for each of the rejection reasons from the Notification separately. Under each reason, write the explanation with facts and arguments of why you believe UNHCR should reconsider its decision that point. Remember to explain information you have not given to UNHCR earlier.]

3.1 ***[If you were rejected for not providing enough information to support your claim, you need to provide more details. Focus on providing details about the specific examples UNHCR pointed out in the Notification. Be sure to address all of the issues that UNHCR listed in the Notification, even if you don't think that the information is important, or think other information is more important.]***

3.2 ***[If you were rejected for credibility reasons, explain any inconsistencies in your prior evidence; provide as many facts as possible; focus on the specific areas that UNHCR points out in the Notification; put facts in chronological order whenever possible.]***

2.3. ***[If you were rejected because UNHCR said the harm that you fear is not "persecution", explain why the harm you fear is a threat to your life or freedom or fundamental human rights; explain why you fear that you will be persecuted if you return home.]***

3.4 ***[If you were rejected because UNHCR believes that authorities in your country can protect you, explain why that is not the case; provide details about any attempts you (or others such as your family or neighbours) made to get help from the authorities.]***

3.5 ***[If you were rejected because UNHCR believes that you can live in another part of your country, explain why you cannot live in that other part of the country; focus on both why you have a fear of persecution in this other place and why moving there would be a hardship.]***

4. New Evidence or New Information

[Describe new evidence or information you have; explain how you obtained it and why it is important. If you could have presented the evidence and/or information to UNHCR earlier, explain why you did not.]

5. Why I am a Refugee

[You need to explain to UNHCR how you meet the refugee definition (as explained in page 3) and specifically, why you have a 'well founded fear of persecution' because of one or more of: your race, religion, nationality, political opinion or membership of a social group.]

Things you should explain include:

- What harm do you fear?
- Why do you fear this?
- Why can you not get protection / safety in your country?

***You do not need to repeat all of the facts that you included in your initial statement or earlier in your appeal statement.** Instead you should summarize all of the facts that show that you meet this definition and highlight the new (or newly clarified) facts that show that you are a refugee. It is helpful to go through the refugee definition point-by-point.]*

6. Documents or attachments

[List new documents and/or other evidence that you are including with your appeal statement. You do not need to include documents or other evidence you have already given to UNHCR.]

If you are including new documents and/or evidence, give copies to UNHCR. Keep the originals.]

7. Request for an Appeal Interview

[UNHCR does not always conduct appeal interviews after rejecting an application. If you have new information or want to provide more details that you cannot put in the statement, ask UNHCR for an appeal interview so that you can explain further.]

8. Summary and Signature

All the information that I have included in this statement is true. Thank you for considering my application for Appeal.

[Sign your name here]

_____ *[Write your name here]*

BEFORE YOU GIVE YOUR STATEMENT TO UNHCR

- Reread the appeal statement to make sure that you have included all the information you think important to help UNHCR understand why its initial decision was incorrect and why you meet the definition of a refugee.
- Make sure that everything you have included is the truth and has not been exaggerated.
- Make sure your appeal statement is organized in a way that makes sense. If it is confusing to you, it is also likely to be confusing to UNHCR.
- Check whether anything in the appeal is different to what you said in your earlier statement(s) or interviews with UNHCR. If anything is different, explain why.
- Make a copy of the statement for yourself so that you can use it to prepare if you have to have an appeal interview.

PREPARING FOR YOUR APPEAL INTERVIEW WITH UNHCR

APPEAL INTERVIEWS

UNHCR **might** ask you to go to UNHCR for an appeal interview before making a decision on your appeal. If you believe you should have another interview to explain your case to UNHCR, make sure to request an additional interview. If you provided new information in your written appeal statement, UNHCR should interview you again to discuss that new information.

Because of the large number of appeals to UNHCR, it will take a very long time for UNHCR to respond to your application for appeal or schedule an appeal interview.

PRIOR TO THE INTERVIEW

- Take all your original documents with you and be prepared to answer questions about them. Also, take a copy of your appeal statement and your UNHCR asylum seeker's certificate.
- Make sure you arrive on time. If you are late, your interview might be postponed.
- There may be a long waiting period before the interview. Take some food with you.
- The interview may take several hours (usually 2-4 hours) and may even go on for the whole day.

INTRODUCTION TO THE INTERVIEW

The interviewer will make a short introduction. This should explain the definition of a refugee, the confidentiality of everything that happens in the interview, and your duty to tell the truth.

The interviewer should check that you and the interpreter understand each other, and that you are comfortable with the interpreter and the interviewer.

PROBLEMS WITH THE INTERVIEWER OR INTERPRETER

If you have any problems with the interviewer or interpreter (for example, if you suspect the interviewer or interpreter has any bias towards you), you have the right to request a different interviewer or interpreter (but this will likely result in your interview being postponed).

If you feel the interpreter is not interpreting correctly or if there are any communication difficulties, you should tell the interviewer immediately.

TELLING YOUR STORY

Please listen carefully to the question asked and do your best to answer that question. However, if the interviewer asks you a general question – for example, why did you leave your country? – you should talk about the events that happened in the order in which they happened, and this should be consistent with your written statement.

- Provide dates – if you do not know the date, do not make one up. Provide an approximate date, for example, “early May, 2007”.
- Tell the interviewer where things happened – what region, village, or even neighbourhood and street. If you are not sure of the exact location, provide an approximate location.
- Identify who did things to you – how many of them, what were they wearing, did they identify themselves, and who do you think they were?
- Identify how often events occurred – did the event happen only once? If not, how many times did it happen, and during what period of time did it happen?

Please speak a few sentences, stop, and allow the interpreter to interpret. If you do not stop frequently, the interpreter might begin summarizing your story.

SENSITIVE INFORMATION

Some aspects of your story may be sensitive or difficult to talk about. It is important to provide all the necessary information about your story and to include as much detail as possible.

- If you leave out information about what happened to you or what you fear because you not feel safe about talking about it, or if you are scared or ashamed to talk about it, UNHCR will not know important details about why you need international protection. This means that UNHCR might reject your application for RSD.
- **You should always tell UNHCR everything important about what happened to you.**
- If you feel uncomfortable about something that happened to you, or what you are scared of, you should tell UNHCR that you have something sensitive to say – UNHCR will take all steps possible to make you feel safe to tell your story.

You should be interviewed separately from your family. If you have information that you want to be kept secret from your family, make sure you tell UNHCR that you do not want anyone else to know.

Remember that **everything you write and say to UNHCR is kept strictly confidential** and cannot be shared with anyone else without your consent. UNHCR will not report back to your government or any

QUESTIONING BY THE INTERVIEWER

If you have an appeal interview, UNHCR will be checking whether your claim is credible and plausible. The interviewer will be testing whether you are telling the truth using available information about the situation in your country. The interviewer will also test your story by asking detailed questions about your statement.

You should ask the interviewer to clarify any questions you do not understand.

The interviewer will ask you questions to test whether you are telling the truth, so some of the interviewing may seem tough.

- The interviewer might ask questions to clarify incomplete or contradictory statements.
- It is important not to get upset or defensive. Remain calm and answer the questions.

The interviewer may not ask questions about events in the order that the events happened. For example, the interviewer might start by asking about more recent events.

The interviewer will have looked at information about what is happening in your country and might ask you questions to test whether your story is plausible.

In providing details to the interviewer, it is important that you be precise. **If you are not sure about any facts, you should tell the interviewer why you are not sure.** You should say what you believe the facts are and why you believe that. **It is OK if you cannot remember or are uncertain.**

You can ask for a break whenever you want one.

You should ask for a break if you are feeling tired or upset.

EXPLAINING MISUNDERSTANDINGS

One reason why your application was rejected may be because there was a misunderstanding about what you wrote in your first instance statement or said in your first interview.

- Be clear and explain what was misunderstood or incorrect in the Notification of Reasons of Decision.
- If there have been misunderstandings or mistranslations, make sure you clarify the facts of what happened.
- **If the interviewer asks you to explain any confusion and are not sure of the answer, you should tell the interviewer why you are not sure.** You should say what you believe the facts are and why you believe that.
- **It is OK if you cannot remember or are uncertain about questions the interviewer asks you.** Make sure you explain why you cannot remember.

AT THE END OF THE INTERVIEW

If there were important points that you want to clarify or if you want to give additional information, ask for a chance to say it, and tell the interviewer.

If you have not mentioned any event associated with your reasons for leaving your country, or if no questions were asked about a certain event which is important to your case, you should mention it at the end of the interview when the interviewer asks if there is there anything you wish to add before the close of the interview. **If there is some information about your story of why you left and why you cannot return that you have not mentioned, you need to tell it to UNHCR even if they did not ask you about it.**

You should ask the interviewer to read back the important parts of your interview transcript. This is to check that it is accurate – it does not mean that you do not trust the interviewer.

If you or the interpreter wrote anything on a piece of paper, ask the interviewer to keep a copy of it in the file.

AFTER THE INTERVIEW

These steps may be useful after the interview:

- Write down the names of the interviewer and the interpreter, as well as when the interview started and when it finished.
- Write down as many of the interviewer's questions as you can remember. Write down your answers.
- Write down any concerns or complaints you may have about the interview.

It may take some time for the UNHCR to make a decision about your appeal. Usually you will have to wait for several months before you receive your decision.

If you receive any new information about your case (such as documents or news from your country) or remember more information after your interview, you should submit it to the UNHCR as soon as possible.