

Assessing credibility in conversion-based asylum claims

Towards a better approach

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Abstract

This article emphasizes the complexity of credibility assessment in asylum claims involving religious conversion. It outlines national and international legal provisions concerning conversion credibility assessment, along with difficulties associated with them and with their implementation in practice. The article evaluates assessment standards and practices in the United Kingdom and Germany. Finally, it identifies best practices and proposes recommendations to ensure a more objective approach.

Keywords religious freedom, religious conversion, conversion-based asylum claims, procedures for refugee status determination, credibility assessment, religious persecution.

1. Introduction

The human right to freedom of thought, conscience, and religion (UDHR 1948:Art. 18) includes the freedom to “have or to adopt” a religion or belief, which “necessarily entails the freedom to choose a religion or belief, including the right to replace one’s current religion or belief with another” (UN Human Rights Committee 1993). This freedom falls within the realm of the *forum internum*, benefiting from the unconditional protection accorded to the inner dimension of freedom of religion or belief (Bielefeldt, Ghana and Wiener 2017:64). Yet individuals often find themselves being persecuted as a result of having converted to a different faith. In some countries, converts are treated as traitors, and a conversion from the mainstream religion is classified as apostasy and punishable by death.

Changing one’s religion can thus constitute a reason to flee one’s country of origin based on the fear of persecution, and to seek protection as a refugee in a different state. One might also become a refugee due to a post-departure religious conversion occurring in another country, which makes the person a refugee *sur place* (UN High Commissioner for Refugees [UNHCR] 2011). The most commonly

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encountered category of conversion among asylum applicants is from Islam to Christianity, although other faiths may of course be at issue in other cases (United Kingdom: Home Office 2015:§7.4).

Authorities often find it difficult to assess religion-based asylum claims and their credibility, especially those involving conversion. The term “religion” is not explicitly defined in legal texts, let alone “religious conversion”; therefore, to conduct a proper assessment of asylum claims, officials must turn to guidelines and draw on international human rights standards (UNHCR 2004:§§2, 4). Regrettably, this is not always done in practice.

In addition, religion can be perceived as a very sensitive and abstract subject. Religious freedom is known to be a “complicated human right, exposed to many misunderstandings, controversies, and emotional conflicts” (Bielefeldt, Ghanaia and Wiener 2017:4). It can be problematic to test a belief against objective criteria or to verify a person’s faith based on independent evidence. Moreover, often no independent evidence is present in refugee claims and the authorities must make their decision based solely on the applicant’s unique statements. These can be influenced by numerous personal and external factors and thus sometimes appear not credible, even when true (Kagan 2010:1179).

Post-departure conversions are treated with particular suspicion, as they are sometimes an asylum-seeking tactic recommended by smugglers. However, such conversions should not give rise to the presumption that the asylum claim is fabricated, and officials should evaluate such claims on a case-by-case basis (Jahangir 2007:§31).

Due to the absence of uniform regulation, there is an extensive variation in assessment methods and in the factors analyzed in the process of refugee status determination. These factors can range from the applicant’s demeanor to membership in religious organizations in exile (Kagan 2010:1187). Often, the outcome depends largely on the examiner’s subjective perception of the religion in question (Schaverein 2019). Remarkably, in many cases authorities tend to test religious knowledge and the intellectual ability of the applicants, instead of the genuineness of their belief or involvement in spiritual life (Zatat 2017). One problem with knowledge testing is that it is possible to learn the answers without being sincere. For example, a study analyzing the asylum claims from 2015 to 2018 of 619 Afghan converts to Christianity in Sweden outlined serious shortcomings in the Swedish Migration Board’s process due to the emphasis on knowledge testing (Observatory on Intolerance and Discrimination against Christians in Europe 2019). In the United Kingdom, an asylum application was rejected because the applicant did not give the right answer when asked what color the cover of the Bible was and could not list the Ten Commandments (Eekhoff Zylstra 2016).

As we can see, credibility assessment in conversion-based asylum claims is a complex process. This article reviews the existing provisions regarding such assessments. It identifies advantages and shortcomings associated with international and national regulation and practice of conversion credibility assessments by decision makers in selected countries. It concludes by proposing recommendations to tackle the problems identified in the previous sections.

2. International regulation

2.1 The Geneva Convention

The 1951 Geneva Convention on the Status of Refugees (“the Geneva Convention”) identifies religion as a legitimate reason for being recognized as a refugee (UN General Assembly 1951). Its *travaux préparatoires* show that religion-based persecution formed an integral and accepted part of the definition of a refugee throughout the drafting process (UNHCR 2021:§2.2).

The Geneva Convention sets minimum of requirements for the treatment of refugees but does not provide detailed regulation. To describe general procedural principles, the Office of the United Nations High Commissioner for Refugees issued a *Handbook on Procedures and Criteria for Determining Refugee Status* (UNHCR 2011; hereafter “the Handbook”).

2.2 The Handbook

The Handbook clarifies that persecution for “reasons of religion” may take various forms, such as prohibition of membership in a religious community, of private or public worship, or of religious instruction, as well as serious measures of discrimination imposed on persons because they practice their religion or belong to a particular religious community (UNHCR 2011:72). The Handbook further emphasizes that mere membership of a particular religious community would normally not be enough to substantiate a religion-based refugee claim; however, special circumstances can be taken into account (UNHCR 2011:§73). The examiner bears the primary responsibility in this regard (UNHCR 2011:§67).

The Handbook outlines the procedure for the determination of refugee status. It emphasizes the extreme difficulty of submitting a refugee case to the authorities of a foreign country due to language, technical, and psychological barriers. Therefore, the application should be examined within the framework of specially established procedures, by qualified personnel who have the necessary knowledge and experience and an understanding of the applicant’s particular difficulties and needs (UNHCR 2011:§190). Even though countries’ procedures for determining refugee status vary considerably, they all have to satisfy certain basic requirements, and the applicant should be provided with certain essential guarantees (UNHCR 2011:§192).

The Handbook defines general principles and methods for establishing the facts during a refugee status determination. The basic information collected through a standard questionnaire is complemented by one or more personal interviews, during which the cumulative effect of the applicant's experience must be taken into account (UNHCR 2011:§201).

The relevant facts must be provided by the applicant, and the burden of proof lies on him or her. However, the duty to ascertain and evaluate all the relevant facts is shared between the applicant and the examiner (UNHCR 2011:§196).

It is not usually the case in religion-based refugee claims that a person can provide documentary evidence for all the statements presented. The applicant is expected to compensate for this lack of evidence by a "genuine effort to substantiate the story" (UNHCR 2011:§203). The applicant's statements must be coherent and plausible, and the examiner must be satisfied as to his or her general credibility. If the applicant's account appears credible and the statements are consistent, he or she should be given the benefit of the doubt (UNHCR 2011:§§196-197).

2.3 Guidelines No. 6

The 2004 UNHCR Guidelines on International Protection No. 6 (UNHCR 2004; hereafter "the Guidelines") complement the UNHCR Handbook with regard to procedures and criteria for determining refugee status in religion-based claims. The document provides interpretative legal guidance for governments, legal practitioners, decision makers, and the judiciary, as well as UNHCR staff.

The Guidelines cover procedural issues such as credibility, *inter alia*, addressing *sur place* claims based on post-departure conversions. The main focus of the document, however, is to guide decision makers regarding the terms "religion" and "persecution." The Guidelines clarify that religion-based claims may involve one or more of the following elements: religion as belief (including non-belief); religion as identity; and religion as a way of life (UNHCR 2004:§6). They point out that religious belief, identity, or way of life can be so fundamental to human identity that one should not be compelled to hide, change, or renounce this aspect of one's nature to avoid persecution (UNHCR 2004:§13).

The Guidelines underscore the need to avoid making general assumptions or arriving at conclusions based solely upon one's own experiences, even when one belongs to the same religion as the claimant (UNHCR 2004:§27). Interviewers should be aware of the potential of hostile bias toward the claimant by interpreters (UNHCR 2004:§27).

Generally, the Guidelines recognize credibility assessment as a central issue in religion-based asylum claims. They further note that *sur place* claims raise particular concerns in this regard, calling for a rigorous and in-depth examination of the

circumstances and genuineness of the conversion (UNHCR 2004:§34). The decision maker is required to assess, *inter alia*, the nature of the convictions held in the country of origin and in the asylum country, as well as the connection between them, in the course of which “additional probing into particular claims” may be justified (UNHCR 2004:§§34-35). Open questions must be asked to elicit the motivations for conversion and what effect the conversion has had on the applicant’s life (UNHCR 2004:§35). The final test, however, according to the Guidelines, remains the well-founded fear of persecution upon return to the country of origin, which requires detailed Country of Origin Information (COI).

3. European Regulation

In the European Union (EU), the EU Qualification Directive (Council of the European Union 2011) and the EU Procedures Directive (Council of the European Union 2013) set standards for identifying people in need of asylum in the EU. The former directive contains general credibility assessment principles (Council of the European Union 2011:Art. 4), which must be transposed into national law.

Both the Qualification Directive and the Procedures Directive confirm their respect for the EU’s fundamental rights and principles, but neither of them explicitly nor comprehensively prescribes how the credibility assessment should be carried out, leading to considerable confusion in practice. Studies have highlighted that the different practices across Member States leads to vastly different recognition rates for the same profile of asylum seekers (UNHCR 2009:2). A common trend identified by UNHCR, in its 2010 study of the implementation of the Procedures Directive in 12 EU Member States (which was based on audits of more than 1,000 cases), was that negative decisions were often made on credibility grounds and failed to apply the criteria of the Qualification Directive to accepted facts (UNHCR 2013:29). Furthermore, some provisions of the Procedures Directive, aimed at ensuring quick and effective processing of asylum claims, may have a negative effect on the credibility assessment; for example, providing a list of reasons to accelerate the claim may cause it not to receive sufficient consideration (Thomas 2006:90).

Even though asylum is not explicitly protected by the European Convention on Human Rights (ECHR), several rights and principles codified there are closely related to the right to seek asylum on religious grounds. These include the right to life, the prohibition of torture and deriving from it, the principle of non-refoulement (Articles 2 and 3), and freedom of religion, guaranteed by Article 9. By applying and interpreting Articles 2 and 3 of the Convention, the European Court of Human Rights (ECtHR) has become the “highest European court in refugee questions, without being entitled to grant asylum strictly speaking” (Nussberger 2016, as cited in Ravarani 2017).

Article 9 of the ECHR corresponds to Article 10 of the EU Charter of the Fundamental Rights. The Court of Justice of the European Union (CJEU) is another European court with significant case law in the field of asylum. National courts may refer any issue of law raised by an asylum application to the CJEU for a preliminary ruling. The CJEU, which interprets the Qualification Directive as part of EU law, has thus made several decisions that are significant for the asylum process. For instance, in the case of the *Federal Republic of Germany v. Y and Z*, the court stated that the Qualification Directive must be interpreted, *inter alia*, in the light of the EU Charter (European Union 2012). It also addressed the question of whether an applicant could avoid persecution by abstaining from a certain religious practice upon return to the country of origin. The CJEU stated that this fact is, in principle, irrelevant, as it would renounce the protection which the Directive is intended to afford the applicant (*Federal Republic of Germany v. Y (C-71/11), Z (C-99/11)*):§§78-79).

The ECtHR and CJEU decisions have developed considerable case law that sheds light on how to assess the credibility of asylum claims. Therefore, when the Qualification Directive was amended in 2011, the amendments aimed at ensuring coherence with the case law of these two courts were included (Council of the European Union 2011).

Due to different national practices, a need to outline the best credibility assessment practices arose. Drawing on the EU's legislative instruments, the jurisprudence of relevant courts, and the experience of the International Association of Refugee Law Judges (IARLJ), several basic criteria have been developed for assessing credibility in refugee claims. To guarantee objectivity during the process, decision makers should ensure that the following criteria have been established: internal consistency, external consistency, impossibility, plausibility, being "in the round" (meaning that the totality of the evidence is considered), sufficiency of detail, timeliness of the claim, and personal involvement (*persönliche Betroffenheit*) (IARLJ 2013:33-34).

As these general basic principles and best practices are applicable to all types of asylum claims, it seems evident that they should be complemented by specific provisions relating only to asylum claims involving religion. To ensure clarity and objectivity, several states have developed guidance for national officials tasked with credibility assessment of asylum claims involving religious conversions.

4. Selected national guidelines and practices in conversion credibility assessment related to religion-based asylum claims

Guidelines on procedures for the determination of refugee status in religion-based claims have been developed for decision makers in several European states. Two such documents (from the United Kingdom and Germany) and their practical implementation will now be examined.

4.1 The United Kingdom

The United Kingdom's Asylum Policy Guidance on assessing credibility and refugee status (United Kingdom: Home Office 2022; hereafter "the Guidance") was issued in June 2022 and provides direction to caseworkers responsible for deciding asylum claims in accordance with the United Kingdom's international obligations. It contains specific provisions on assessing credibility in claims involving religious conversion and includes some changes from the previous version of the document issued in 2015 (United Kingdom: Home Office 2015; hereafter "the Instruction").

One policy objective of the Guidance is to ensure that asylum claims are decided on an individual, objective, and impartial basis (UK Home Office 2022:9). The Guidance establishes that the burden of substantiating the claim lies on the applicant, with the required standard being "a reasonable degree of likelihood" (UK Home Office 2022:18). That means that the caseworker does not need to be "certain," "convinced," or even "satisfied" of the truth but only has to "accept" the facts provided as being "reasonably likely" (UK Home Office 2022:43).

To substantiate the claim, applicants may submit "expert evidence". Such evidence should provide independent, unbiased opinions relevant to the material facts of an individual case and should set out the writer's qualifications or experience. The previous version of the document stated that "expert evidence" included statements, *inter alia*, from ministers of religion who have personal knowledge of the applicant (UK Home Office 2015:§4.7). The most recent version, however, has departed from this approach, omitting this reference. It cites recent case law, indicating that "church evidence" is "not aptly characterised as expert evidence, nor is it necessarily deserving of particular weight, and the weight to be attached to such evidence is for the judicial fact-finder." It goes on to clarify that "evidence even from a senior church member is not determinative" (UK Home Office 2022:30). Despite this significant deterioration in the position attributed to church evidence, in actual practice such evidence is not given out recklessly. For example, according to a Liverpool cathedral spokesperson, one requirement before the church supports a refugee application is that the individual must have been active in the church for at least two years (Turner 2021).

Under the Guidance, assessment should be carried out by the caseworker using general credibility indicators, such as sufficiency of detail and specificity, internal and external consistency, and plausibility, while considering whether the benefit of the doubt should be applied.

Facts must be assessed in the context of the evidence as a whole and not in isolation (complying with the "in the round" principle). Rejection of one fact does not necessarily lead to rejection of others, even if they are linked (UK Home Office 2022:44). This constitutes a welcome step forward compared to the previous

version of the document, which required a rejection of linked facts (UK Home Office 2015:§5.2). The impact of lies on credibility varies depending on their relevance in the context of the claim. It is understood that applicants sometimes tend to downplay or exaggerate their experiences, even when they have a genuine fear of persecution (UK Home Office 2022:46-47). In such cases, the caseworker should clarify the importance of giving a truthful account and discourage exaggerations.

Once the material facts of a case have been identified, which may include a person's personal circumstances such as religious beliefs and past experiences, it is then necessary to assess their credibility (UK Home Office 2022:42). A caseworker should focus on the credibility of the claim rather than on the personal credibility of the claimant (UK Home Office 2022:44). Certain types of behavior may be assessed as damaging to the applicant's credibility, such as behavior intended to conceal information, to mislead, or to obstruct resolution of the claim (UK Home Office 2022:53).

The applicant should be able to describe personal experiences in the faith of origin and encounters with the new faith, such as people or readings who have served as inspiration (UK Home Office 2022:28). An entire section of the document is dedicated to Christian converts from Islam, as this type of conversion is likely to be most often encountered (UK Home Office 2022:29). The primary question to be assessed is whether the applicant has genuinely left the faith of their upbringing and become a Christian. The decision should not be perfunctory, vague, or poorly thought out; it should normally include being baptized or preparation for baptism. It should also include attending worship, being known to the church's leadership, and association with fellow believers (UK Home Office 2022:29).

The Guidance states that although the applicant's understanding of a particular faith or tradition is relevant, caseworkers are not expected to be qualified to assess the accuracy or relevance of answers to more than the most basic knowledge questions (UK Home Office 2022:29). The document further seeks to manage unrealistic expectations as to the knowledge level – for example, by recognizing that a convert's first experiences of Christianity may have been in an underground church where access to information may be limited. However, the credibility of a conversion should be questioned when the answers to specific questions are so clearly wrong that no reasonably well-informed person could be expected to take them seriously.

A positive amendment of the Guidance as compared to the previous Instruction is the inclusion of different types of motivation for conversion, such as the "supernatural dimension," which resembles in substance to Strähler's (2021:79) classification of conversion processes.

Overall, the UK's provisions on conversion credibility assessment could be improved in several areas, such as consideration of evidence from churches. Unfor-

tunately, in practice there has been a disparity between the former official Instruction and what actually takes place during the credibility assessment. Although the knowledge-based approach to assessing credibility has been widely criticized, it is often still used by officials, instead of focusing on the applicant's personal experiences of religious faith (All-Party Parliamentary Group for International Freedom of Religion or Belief and the Asylum Advocacy Group [APPG] 2016:27). Moreover, the interviewer's knowledge of churches "is also sometimes based on a quick survey of church websites" (APPG 2016:28), which inevitably leads to mistakes in assessment. The lack of understanding of religion is formalized by decision makers' use of unpublished "crib sheets" (APPG 2016:4). Officials conducting credibility assessments need targeted training on freedom of religion or belief and on various forms of religious persecution. The APPG report further recommended that decision makers should cooperate with faith communities to better understand the nature and diversity of conversion stories (APPG 2016:7). This recommendation seems to have been taken into account in the recent Guidance by differentiating between different types of conversion processes. This is a welcome step forward as it illustrates a departure from the perception of conversion being a result of a rational choice, which is not always the case.

4.2 Germany

The German Federal Office for Migration and Refugees (Federal Office) has issued an asylum instruction (Bundesamt für Migration und Flüchtlinge 2019; hereafter "AI") containing a section dedicated to persecution in connection with religion. The AI defines check points for decision makers, which include identification of the act of persecution and the grounds of persecution; the link between the act of persecution and religion; and a well-founded fear of persecution and the actors responsible for it (AI 2019:§2). On the basis of a broad concept of religion, the Federal Office states that it is necessary to examine which forms or elements of religious practice are indispensable, central elements of the applicant's religious identity (AI 2019:§2.2).

The AI continues by stating that criteria for the establishment of imminent danger of persecution also apply in cases involving a conversion. The stated criteria apply irrespective of whether the conversion occurred in the country of origin, in Germany, or in a third country, and regardless of the religion to which the applicant converted (AI 2019:§3.4). A formal affiliation with the new religion is not enough in case of a conversion. The purpose of the fact finding is to provide a thorough and comprehensive review of the circumstances and, in particular, the seriousness of the commitment to the new religion. Both subjective and objective criteria must be applied.

Regarding third-party statements, the AI urges decision makers to appropriately assess statements from a religious community about the applicant's involvement with it. If there is a need to clarify a statement relevant to the decision, the issuing person must be consulted. A simple boilerplate document will not suffice. Rather, it must be tailored to the specific case and must set forth the nature and extent of religious practice. Such statements must also be consistent with other findings concerning the applicant.

The Federal Office accepts baptism certificates and does not check their validity. They document that a conversion has taken place, and it is the church's responsibility to examine the seriousness of one's faith before baptism. Rather, the Federal Office checks whether applicants intend to live out their newly accepted faith in a manner that could trigger persecution. The decision maker, however, is not bound by the church's assessment that the baptism of the asylum seeker is based on a serious and enduring choice of faith.

The AI urges the caseworker to determine, with the help of objective and subjective criteria, whether a well-founded fear of persecution arises from how the applicant will exercise his or her faith upon return to the country of origin.

The AI describes the applicant's knowledge of the new religion as of secondary importance. Considering the context of many applicants, this requirement should not be set too high. Basic knowledge of the new religion may be quite low in individual cases. However, it must be clear that the applicant has engaged with the new religion to some degree.

Every convert should be able to give a detailed explanation of his or her motivations and of the significance the new belief carries for him or her personally. The AI notes that it is important not to cause emotional distress to the applicant through "intimate" questions, and also that religious settings can vary according to the intercultural context and therefore can be presented and perceived differently. As a result, according to the AI, shared experiences or a feeling of peace are more important than, for instance, knowledge of the Ten Commandments. Normally, conclusive and comprehensive information on the inner motives for one's conversion and familiarity with the fundamentals of the new religion according to one's personal and intercultural disposition can be expected from an adult (AI 2019:§3.4).

The AI also discusses the possibility of claiming asylum on the basis of conversion in subsequent proceedings following the denial of an initial claim citing other reasons (AI 2019:§3.5). However, if the conversion took place after the denial of the first asylum claim, the applicants must clear themselves of the "legal presumption of abuse". If the applicant converted spontaneously after the denial of the initial claim, the reasons and motives for this conversion must be thoroughly assessed in light of the individual's personal story and previous submissions. In cases of doubt,

a statement from clergy regarding the nature, extent, and duration of the engagement with the church community is required. To eliminate abuse, objective and subjective criteria must prove sufficiently to the decision maker that the change of faith was based on a personality development and a serious and conscious decision.

Despite this extensive and reasonable guidance, the Federal Office for Migration and Refugees has been widely criticized and the quality of its decisions highly debated. For example, it became known that many decision makers were not fully qualified as they had not completed the training modules that the Federal Office provides as part of its in-house training program (Asylum Information Database 2020). The high rejection rate of applications has raised questions as to whether the principle of due process is observed. Moreover, the extensive use of pre-formulated text blocks in the rejection notices points to a somewhat automatic type of decision making with respect to converts (Open Doors 2019). The decision makers expect that applicants can prove that they will practice their new religion upon their return, which is not an easy task. Refugees continue to be randomly tested regarding their Bible knowledge and asked odd questions such as, for example, the meaning of religious holidays (Lehnert 2022). In one of its decisions, the Federal Administrative Court stated that it was not apparent why the Court of Appeal should not be viewed as having sufficient expertise to assess the religious conviction and identity of the plaintiff, as the tenets of an “unfamiliar religion” would not have to be assessed (BVerwG, 1 B 40.15:§16). This statement implies that Christianity is seen as a “familiar religion” and that decision makers can routinely be considered experts with regard to conversions to Christianity (M. Hess, personal communication, 16 April 2021).

In spite of the AI's guidance, expert evidence from churches is not properly assessed in practice. Contrary to the provisions of the AI, the submission of a baptism or church certificate actually has a negative effect on recognition for converts from all church associations, despite the converts' integration into churches (Open Doors 2019:31). The AI is not being applied consistently and the recognition rates thus vary considerably across Germany (Schneider 2017). According to the practitioners, generally recognized principles of credibility assessment have been applied very selectively in the past (for instance, external consistency with COI was not assessed), and in many cases the required overall assessment was lacking (M. Hess, personal communication, 16 April 2021). The protection rate for converts, as compared to other refugees, declined in spite of the worsening situation in the countries of origin.

Furthermore, in practice, the criterion of *Identitätsprägung* (identity formation) has been used at least since 1986 (BverfG 2 BvR 1058/85, 66). It is drawn into the credibility assessment by the Federal Office, as well as by the Federal Administrative

Court, the highest court in asylum matters in Germany. The Federal Constitutional Court views this criterion as not violating religious freedom (BverfG 2 BvR 1838/15, 31). But this represents too high a hurdle, as the refugee definition in the Geneva Convention does not require the applicant's religion to be fundamental or immutable to them. According to the UNHCR, evaluating whether a characteristic is fundamental, immutable, or "deeply rooted" is not relevant in assessing the applicability of the Convention (UNHCR 2021:§5.3.). The application of this criterion by the Federal Office and the courts was also criticized in the 2021 Open Doors survey, as the extent of the identity-forming change at the time of the interview would vary between individuals.

Strikingly, a significant decline in the protection for converts granted by the Federal Office since mid-2017 was noted. The Federal Office approved 37.6 percent of the applications submitted by converts in 2018-2019, doubting the change of faith for many of them. In contrast, the pastors interviewed found 88 percent of the applicants credible with regard to their conversion (Open Doors 2021:7). The materials used, such as questionnaires, are not up to date. For example, due to the pandemic, places of worship have been closed for a long period of time, yet Federal Office questionnaires still ask how often an applicant attends worship services (Open Doors 2021:39).

5. Recommendations and conclusion

Given the special vulnerability of refugees and the need for special protective steps to prevent the denial of their most basic human rights, it is necessary to develop and implement a set of best practices specific to the assessment of asylum claims involving religious conversion. This section presents recommendations for those making decisions or developing policy and assessment procedures at the national level, as well as international organizations concerned with regulations governing the status of refugees.

- States should maintain national guidelines for decision makers on credibility assessment of religion-based asylum claims. Such guidelines must comply with the UNHCR standards, be drawn up with participation of experts (including churches) and be publicly available to ensure transparency and accountability.
- Those involved in the process, including interpreters, must have a high degree of religious literacy. Governments, in cooperation with faith communities, should provide targeted training on freedom of religion or belief and on religious persecution for officials involved. Cooperation with faith communities and their input have proven useful in various areas concerning religion (Reiersrud 2020).
- The following elements must be explored in any credibility assessment: motives for and the process of conversion, basic (dependent on an individual)

knowledge of the new belief, and how the new belief is expressed in the convert's life, especially regarding changes in thought or behavior. Stronger elements should be permitted to compensate for weaker ones. Clear explanations of negative credibility findings should be given.

- Emphasis should be placed on the shared duty to ascertain and evaluate all the relevant facts between the applicant and the examiner (UNHCR 2011:§196).
- The standard of “reasonable degree of likelihood”, as adopted in the UK, seems worth adhering to, considering that the life and health of the applicant are at stake, sometimes even in case of a feigned conversion.
- Official guidance should recognize that since religion is a highly personal subject, conversions can have many causes, some of which might not necessarily be perceived as rational. Departure from knowledge-based assessment should be ensured in favor of a narrative-based approach. The fact-related approach actually supports fraudulent claims, as it is possible to learn the Bible by heart – an approach familiar to many, since Muslims frequently learn passages from the Quran by heart in their childhood (Madziva and Lowndes 2018:85).
- An atmosphere of security and trust should be established, as opposed to the atmosphere of disbelief and mistrust documented by many applicants. Guidelines and UNHCR standards must be carefully followed to ensure that the assessment is not based on one's own personal or “Western” perception of a religious belief.
- It must be clearly recognized that a conversion arising initially from “wrong” motivations can still lead to a genuine belief, and that therefore the current state of the applicant's convictions must be assessed rather than earlier ones. According to a decision by the Supreme Administrative Court of Finland, even after a quick conversion and baptism following a negative asylum claim decision, “it must be considered possible that it has become a personal conviction” and “renunciation of Islam, the conversion to Christianity and adoption of Christian beliefs can be an evolving process” (Supreme Administrative Court decision of 31 December 2021, KHO:2021:195).
- To ensure effectiveness of the credibility indicators, the materials used by the officials must be up to date. First, the COI must be current, given the weight attributed to it while assessing external consistency. It must conform to the highest standards; specifically, it must come from reliable sources and be periodically updated. In France, some decisions based on outdated COI have been overturned on appeal (Introvigne, Richardson, and Šorytè 2021:7-8, 19). Questionnaires and other documents should be periodically updated to reflect possible changes (such as exceptional circumstances related to a pandemic).
- An interdisciplinary approach will help to ensure an accurate outcome. Already the UNHCR Handbook highlights the extreme psychological difficulties

involved in submitting a refugee case to the authorities of a foreign country (UNHCR 2011:§190). A recent study indicates that the decision-making process for assessing the credibility of an asylum claim is only partially in line with psychological science; as a result, they suggest that psychological findings should be included in the training of officials (Skrifvars et al. 2021). Earlier studies have also stressed the importance of an interdisciplinary approach to improve decision making, as decisions may be based on incorrect assumptions and a lack of understanding of psychological processes (Herlihy and Turner 2009, as cited in International Association of Refugee and Migration Judges 2013).

- Finally, a supervisory review procedure for conversion-based asylum cases must be implemented to ensure consistency and due process, that applicants are not discriminated against, and that the asylum decision was not grounded in religious or other preconceptions.

The vulnerable personal situation of a refugee, the different cultural and language backgrounds of the applicant and the decision maker, and the sensitivity of religion as a highly personal subject make credibility assessment in conversion-based asylum claims an extremely difficult task. Of course, the asylum procedure calls for careful scrutiny of applicants' claims by the authorities, especially in the light of the frequent and sometimes successful attempts to abuse the system. On the other hand, it is necessary to ensure that the processes conform to the states' human rights obligations and that those who legitimately need international protection can attain it. The recommendations stated above, if implemented consistently, would serve to more objectively assess the credibility of conversion-based asylum claims in the given intercultural context. This would be a considerable step toward a better approach, which is urgently needed due to the inconsistencies and other problems associated with current practices.

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