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Practical Guide on Evidence and Risk Assessment

October 2026

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On 19 January 2022, the European Asylum Support Office (EASO) became the European Union Agency for Asylum (EUAA). All references to EASO, EASO products and bodies should be understood as references to the EUAA.

Manuscript completed in September 2026

Third edition (thoroughly revised and updated)

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Luxembourg: Publications Office of the European Union, 2026

Print	ISBN 978-92-9418-763-5	doi:10.2847/1021157	BZ-01-26-068-EN-C
PDF	ISBN 978-92-9418-762-8	doi:10.2847/2697322	BZ-01-26-068-EN-N

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About the guide

Why was this guide created? The EUAA *Practical Guide on Evidence and Risk Assessment* is intended as a guidance document to accompany the case officers across the EU and beyond in their daily work. The guide has been drafted according to the relevant legal requirements while proposing a practical approach. It incorporates a practical checklist and a flowchart to support the case officers in their reasoning. It also includes explanations on the concepts used and interactive links to allow navigation between the different sections in the digital version of the guide. It meets the demand for the translation of the common standards into a common approach regarding their implementation. It also meets the overall aim of the Common European Asylum System of treating similar cases alike.

How was this guide developed? This guide was created by experts from across the EU, with valuable input from the European Commission, the United Nations High Commissioner for Refugees and the European Council on Refugees and Exiles ([1]). The development was facilitated and coordinated by the EUAA. Before its finalisation, a consultation on the guide was carried out with all EU Member States and the associated countries through the EUAA Asylum Processes Network. We would like to extend our thanks to the members of the working group who prepared the drafting of this guide and who supported its review: Ms Alessia Guarino, Mr Sander Kalwij, Ms Pavlina Kolokonte, Mr Jochen Thiel, Ms Dorien Wijnendaele and Ms Line Zahl Kvakland.

What has changed in this update? The first edition of this guide was published in 2015 and then updated in January 2024 ([2]). This third edition updates the guide taking into account the relevant CEAS provisions introduced by the Pact on Migration and Asylum ([3]) and the most recent case-law of the Court of Justice of the EU.

Who should use this guide? This guide is primarily intended for asylum case officers, interviewers and decision-makers, as well as policymakers in the national determining authorities. Additionally, this tool is useful for quality officers and legal advisers, as well as any other person working or involved in the field of international protection in the EU context.

How to use this guide? This guide has been designed to allow the user to access its contents according to their needs. The guide includes an interactive detailed flowchart of the three-steps method of the evidence and risk assessment, and an interactive checklist of the steps to be followed. The central, descriptive part of the guide, contains the explanations on the method and the concepts used, illustrated by examples.

([1]) Note that the finalised guide does not necessarily reflect the positions of the United Nations High Commissioner for Refugees.
([2]) This guide is an update of and replaces the EUAA, *Practical Guide on Evidence and Risk Assessment*, January 2024, https://www.euaa.europa.eu/publications/practical-guide-evidence-and-risk-assessment.
([3]) European Commission: Directorate-General for Migration and Home Affairs, 'Pact on migration and asylum', European Commission website, 21 May 2024, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_en. See also the legal instruments of the Pact in the European Official Journal on https://eur-lex.europa.eu/oj/daily-view/L-series/default.html?&ojDate=22052024.

How does this guide relate to other EUAA tools? This guide should be used in conjunction with the EUAA practical guides on personal interview ([4]), the use of country of origin information ([5]), and qualification for international protection ([6]). It complements the EUAA training module on evidence and risk assessment. The reader may also refer to the EUAA Operational Standards and Indicators on the Asylum Procedure ([7]). All EUAA practical tools are publicly available online on the EUAA website: https://euaa.europa.eu/practical-tools-and-guides

The EUAA's judicial analysis on evidence and credibility assessment provides the reader with additional jurisprudential background ([8]).

How does this guide relate to national legislation and practice? This is a soft convergence tool. It is not legally binding and reflects commonly agreed standards as adopted by the EUAA Management Board in September 2026.

Disclaimer

This guide was prepared without prejudice to the principle that only the Court of Justice of the European Union can give an authoritative interpretation of EU law.

Following an initial period of implementation of the Pact on Migration and Asylum, this document may require updating, as needed.

References to judgments of the Court of Justice of the European Union that interpret provisions of the 2011 Qualification Directive and 2013 Asylum Procedures Directive have been kept in this guide where there is an understanding that the principles referred to remain valid for the application of the provisions of the Qualification Regulation and Asylum Procedure Regulation, in particular where the text of the relevant articles and the context remained (largely) unchanged. This is, however, without prejudice to different interpretations that might be provided by the Court in future case-law on the Qualification Regulation and Asylum Procedure Regulation.

([4]) EASO, *Practical Guide: Personal Interview*, December 2014, https://euaa.europa.eu/publications/practical-guide-personal-interview.
([5]) EASO, *Practical guide on the use of country of origin Information by case officers for the examination of asylum applications*, December 2020, https://euaa.europa.eu/publications/practical-guide-use-country-origin-information.
([6]) EUAA, *Practical Guide on Qualification for International Protection*, June 2026, https://www.euaa.europa.eu/publications/qualification-international-protection-practical-guide.
([7]) EUAA, *Operational Standards and Indicators on the Asylum Procedure*, November 2025, https://www.euaa.europa.eu/publications/operational-standards-indicators-asylum-procedure.
([8]) EUAA, *Evidence and credibility in the context of the Common European Asylum System — Judicial analysis,* second edition, 2023, https://euaa.europa.eu/publications/judicial-analysis-evidence-and-credibility-context-common-european-asylum-system. This is a judicial publication. The EUAA judicial publications comprise judicial analyses and judicial trainers' guidance notes for each topic covered.

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List of abbreviations

Abbreviation	Definition
AMMR	**Asylum and Migration Management Regulation** — Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013
APR	**Asylum Procedure Regulation** – Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU
CJEU	Court of Justice of the European Union
COI	country of origin information
ECtHR	European Court of Human Rights
EUAA	European Union Agency for Asylum
EU	European Union
IPA	internal protection alternative
LGBTIQ	lesbian, gay, bisexual, transgender, intersex, queer
Member States	EU Member States
NGO(s)	non-governmental organisation(s)
PTSD	post-traumatic stress disorder
QR	**Qualification Regulation** – Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council
Refugee Convention	The 1951 Convention relating to the status of refugees and its 1967 Protocol (referred to in EU asylum legislation and by the CJEU as 'the Geneva Convention')
SOGIESC	sexual orientations, gender identities, gender expressions and sex characteristics
UNHCR	United Nations High Commissioner for Refugees

Evidence and risk assessment: 3 steps of the dynamic process

Past & Present

Step 1 Gather Information

Collect evidence

Apply the duty to cooperate

- Applicant's duty to substantiate:
  - Made a genuine effort to provide evidence at their disposal
  - Provided an explanation for any lack of supporting evidence
- Case officer's duty to investigate:
  - Support persons with special procedural needs adequately
  - Inform the applicant about their duties
  - Allow the applicant to present all relevant facts and evidence
  - Ask the applicant to clarify what is unclear
  - Address apparent negative credibility findings
  - Obtain relevant COI and other evidence
- Consider the specific substantiation rules: protection, internal protection alternative, exclusion, past (direct threats of) persecution or serious harm, safe country of origin.

Collect pieces of evidence

- Oral and written statements
- Documentary evidence
- Country of origin information
- Other types of evidence

Identify the material facts

- Link facts and circumstances to the eligibility criteria
- Consider the personal circumstances of the applicant
- Formulate clear, comprehensive, factual material facts

Link the relevant evidence to the material fact(s)

Step 2 Assess credibility

Assess documentary and other evidence **by applying the** assessment criteria: relevance, reliability (existence, content, nature, author, form).

Assess the statements by applying credibility indicators:

- Sufficiency of details and specificity
- Coherence and consistency
- Consistency with COI
- Consistency with documentary and other evidence
- Plausibility

...and by taking into account factors that may lead to distortions:

- Factors related to the applicant (memory, trauma, age, education, culture, etc.)
- Factors related to the case officer (workload, stress, bias, etc.)
- Factors related to the interview situation

Weigh the credibility findings of all evidence linked to a material fact

Look at all the positive and negative credibility findings of all evidence linked to one material fact at the same time, in light of the relevant credibility indicators, and weigh each of the findings in relation to one another.

Conclude if a material fact is accepted or rejected by relying on the evidence assessment methodology and considering the principle of the benefit of the doubt

Do not reject a material fact when the cumulative conditions of Article 4(5) QR are met.

Future

Step 3 Assess risks

On the basis of all accepted material facts and relevant COI:

Define the risks
Assess the risks in case of return:

- Apply the right standard of proof (reasonable degree of likelihood)
- Take into account all risk indicators

Concluding on the risk(s)

Legal Analysis

Based on the findings made in the **evidence and risk assessment,** proceed to **the** legal analysis to examine the conditions for **qualification for international protection.**

Illustrative cases used in this guide

In order to better illustrate how the evidence and risk assessments are conducted, different examples based on three concrete cases are used in the following chapters of this practical guide. Note that no general conclusions should be drawn based on these examples, which are provided only for explanatory purposes.

(a) Case of a young man from country A

The applicant from country A stated the following.

The applicant is a young man from country A. He has no identity documents. He is 18 years old and has lived all his life in village X with his parents, one older sister and two younger brothers. They all belong to the Y clan. All members of his family are farmers. He attended primary school for two years and then worked with his family as a farmer until his departure. His family used to own a small piece of land, but after a violent dispute due to a disagreement over inheritance, his uncle took their land. His family then started to work as farm hands in other people's lands.

Two years ago, his father started receiving requests from members of a terrorist group active in the country for the applicant and his younger brother to join the organisation. Although they never received serious threats, the requests were becoming more and more pressing and they were afraid that sooner or later the members of the terrorist group would react violently if they should continue to refuse. The applicant knows that members sequestered other boys and young men in his and neighbouring villages to forcibly recruit them. It is for this reason that the family decided that they should leave the country and organised their departure. The applicant said that his family could not ask for protection, as they know the police or army would not be able to do anything against that terrorist organisation.

The applicant and his younger brother travelled by land from the capital of country A to country L from which they intended to travel to Europe. In country L, they were kept locked away with other migrants in a warehouse run by traffickers for about two months, when one day armed men opened fire on them. More than 30 people were killed. After this incident, he and his brother managed to escape and from a coastal city, crammed themselves into a rubber boat with over 100 people and set off. Their journey was short; the Coast Guard from country L intercepted the rubber boat after roughly four hours at sea. All passengers were transferred to a detention centre in country L, where they were detained in abysmal, overcrowded, and unsanitary conditions for four months. He said that the guards were often beating them, refusing them food, and sometimes visiting them and other boys at night. He also said that the guards beat him on the bottom of his feet with a hose after he tried to escape. Since then, walking and running are often painful. Their second attempt was successful, and this time they managed to arrive in Europe.

He does not wish to return home because either he will be obliged to join the terrorist organisation, or he will have to suffer the consequences of refusing to join the group. He also mentions that his life is at stake because of the civil war that is raging in country A. He adds it has worsened in his region and village since his departure, as there are now many civilian casualties.

During the personal interview, he submitted a psycho-social assessment provided by a team of psychologists and social workers and a certificate from the orthopaedic doctor he was referred to by the reception officers.

(b) Case of an activist from country B

The applicant from country B stated the following.

The applicant is a woman from country B. She is a lawyer and social leader who advocates for human rights and documents, investigates and denounces abuses of power and human rights violations. She is member of several human rights organisations, including a non-governmental organisation (NGO) called Y, which promotes and defends human rights, in particular economic, social and cultural rights, in country B.

In January 2025, while she was out of the city, the special forces raided her house without warrant and killed one of her cousins who was present that day. During another illegal raid in March 2026, several relatives were mistreated and female relatives were stripped. Some months later, in June 2026, two of her nephews were detained during another raid without warrant. On each of these occasions, the special forces made it clear that these events were intended to make the applicant understand that she needed to end her activities. After these incidents, her family announced that they did not want to have any relations with her since her activities were putting them in danger.

Some months ago, she participated in a protest at a local petrol station to support healthcare workers and persons undergoing dialysis treatment in their request for priority in fuel supplies. Given the lack of response from the authorities, she decided to film the demonstration with her smartphone. When they saw her, security forces demanded her phone, but she refused, and was arrested and detained for two weeks. She was beaten during detention and was repeatedly accused by a high-ranking officer of ‘working for an NGO that goes against the interests of country B’. The applicant was charged with ‘resisting arrest’ and ‘public instigation to violence’ and was allowed to leave. Her trial before a military tribunal is set to take place in the next few months.

More recently, when she got into her car to start driving, she realised that someone had deactivated the breaks. Fortunately, she managed to drive the car into a field where the car stopped, and she got out with some bruises. A few days later, she received an anonymous letter mentioning that she would not be so lucky next time. After these incidents, she decided to flee the country. She arrived in Europe and applied for international protection.

During her registration she submitted her ID, her passport, her professional card as a lawyer, her membership card of NGO Y, the indictment as well as the anonymous threatening letter.

(c) Case of a young woman from country C

The applicant stated the following.

The applicant is a 19-year-old woman from country C. She lived in a small city with her two younger sisters, who are 15 and 12 years old respectively, her 8-year-old brother and her parents. She attended school for 10 years. Two years ago, she left her country of origin with the support of her parents to find a better life in Europe.

During her journey to Europe, she met a boy from country D with whom she had a child, born after their arrival in the country of asylum. The child is now 6 months old. One week after their child was born, her partner left and she has not seen him again since then. His phone is switched off and she does not know where to look for him, so she has remained alone with the child.

After she had left country C, her parents, who had always been close to her and supportive, died in a car crash. She is scared and worried of having to take care of a baby alone but cannot return to her country with a baby and without a husband. In the country she comes from, single mothers are not accepted. Instead, they are insulted and stigmatised, and it is nearly impossible to find anybody willing to offer her a job or a house. Returning home is also not an option. Her family did not have much contact with her uncle in the past, but since her parents passed away, he and his wife have been taking care of the applicant's siblings. Her uncle is an important person in her city of origin. He would say that she brought shame to the family and would oblige her to marry somebody she does not even know. If she is lucky and manages to escape, she will end up living on the streets, alone with her child.

The applicant submitted her passport and the child's birth certificate, as well as a photograph of a car in a scrapyard.

Key elements of evidence assessment

Evidence assessment is the method of establishing the relevant facts (material facts) of an individual application for international protection ([9]) through the process of examining the applicant's statements and the other available pieces of evidence.

'Evidence' is a broad term that comprises the applicant's statements, documentation or other material, which supports, verifies, or refutes a relevant fact ([10]).

'Risk assessment' on the other hand is a factual and future-oriented assessment of the likelihood that, upon return, the applicant would face an event potentially amounting to persecution or serious harm, based on all accepted material facts and the available information.

Challenges of assessing evidence in asylum procedures

[Contents] [Checklist]

Evidence assessment in asylum procedures differs from most other administrative or legal procedures, due to the lack of regular means to obtain objectively verifiable evidence. As a result of their specific position as applicant for international protection, cut off from the protection of their home country, and due to the conditions under which they fled, the applicant may not have been able to collect evidence and take it with them when leaving their home country. Similarly, they may not be in a position to obtain evidence after arriving in the country of asylum. The collection of evidence may in itself expose applicants or their family members to (further) danger.

Moreover, the very element that the applicant would need to prove, i.e. the persecution or serious harm, is often the result of actions the perpetrators try not to leave any evidence of behind. In this situation it is understandable that applicants cannot be expected to submit evidence to the same extent as persons in other civil, criminal or administrative procedures. Therefore, limited documentary and other evidence can be expected in asylum procedures. In many cases the only evidence submitted by the applicant is their own statements, which will thus often play a key role when assessing the application for international protection ([11]).

Similarly, challenges to the collection of evidence apply to the authorities as well. Asylum authorities are bound by confidentiality obligations to safeguard the safety of the applicant for international protection and their family members. Generally, such obligation prevents them from contacting primary sources that could put the applicant or their family members at risk, e.g. the authorities of the country of origin. A distinctive challenge in the assessment of

([9]) In the context of this practical guide the words 'application for international protection' are sometimes abbreviated to 'application'.
([10]) EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis*, 2023 (see footnote 8).
([11]) UNHCR, *Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees*, April 2019, HCR/1P/4/ENG/REV. 4, https://www.refworld.org/docid/5cb474b27.html.

evidence in asylum claims is that the facts that you are called to verify are often deliberately hidden or misrepresented by the actors of persecution. Furthermore, it is likely that the facts took place in regions to which international bodies, media or international and/or civil society organisations are not granted access, resulting in limited to no information being available on those regions.

In light of the above, it is clear that applicants are not expected to prove their claim to the level of 'certainty' or 'beyond reasonable doubt' (see Section 2.4 Determine if a material fact is accepted or rejected). This may leave you in an uncertain situation. There is nonetheless a set of criteria that can guide you to conclude on the credibility of the different aspects of the application. These criteria and the way to apply them are the focus of this guide. While in this context you may not always be in a position to 'establish the truth' as such, you will apply a number of criteria in the examination process that will allow you to answer the question as to whether certain facts presented in the claim can be reasonably accepted as credible or not.

Three-step approach

[Contents] [Checklist]

Given the challenges and limitations, applying to both you and the applicant, it is important to follow a structured approach when assessing evidence and risks. This will help you avoid making mistakes during the reasoning, drawing hasty conclusions or being biased by subjective impressions.

The examination process consists of two parts: evidence and risk assessment (establishing the relevant facts) and legal analysis (applying the law on the established facts) ([12]). After establishing the factual circumstances, the assessment will focus on whether the substantive conditions laid down in Regulation (EU) 2024/1347 (QR) ([13]) for granting international protection are met.

Figure 1. The phases of the examination procedure

([12]) Judgment of the Court of Justice of the EU (CJEU) of 22 November 2012, *M.M.* v *Minister for Justice, Equality and Law Reform (Ireland)*, C-277/11, EU:C:2012:744, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62011CJ0277. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1754.

([13]) Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council (OJ L, 2024/1347, 22.5.2024), http://data.europa.eu/eli/reg/2024/1347/oj.

This practical guide focuses on the first part, that of the evidence and risk assessment, and proposes a structured, three-step approach for its conduction ([14]).

Importance of the structured approach

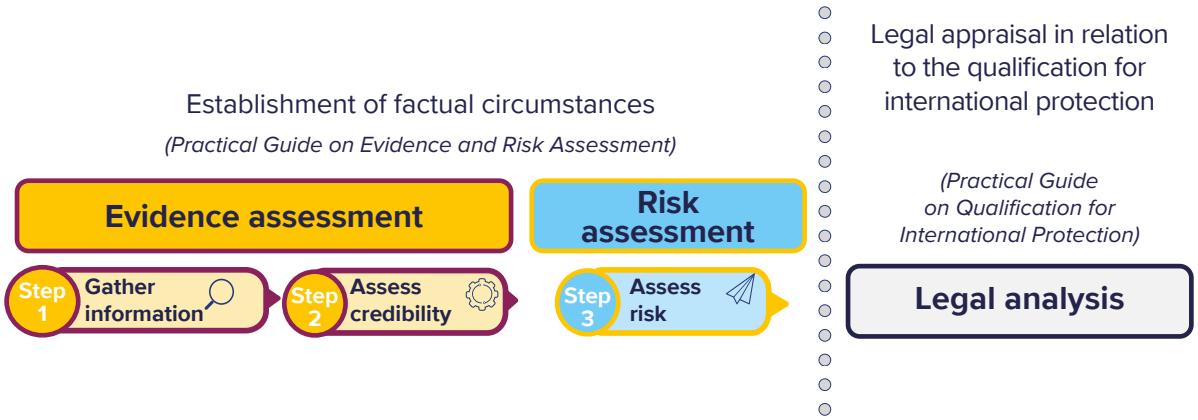
Evidence and risk assessment is a methodology to apply throughout the whole process of examining an asylum claim. Using a structured approach will help you do your job more effectively, reduce the risk of making a mistake and facilitate reaching a sound, reasoned and consistent decision. A structured approach aims at ensuring an objective and non-speculative examination of the evidence and risks, and will enhance fair and consistent decisions, ensuring that similar cases are treated alike.

In **step 1,** evidence is gathered and the material facts of the claim are identified. Collected evidence is then linked to each material fact. See Section Step 1. Gathering information'.

In **step 2,** the credibility of the applicant's statements and other evidence that have been linked to each material fact of the claim is assessed against specific criteria to determine which material facts are accepted and which are rejected. See Section Step 2. Credibility assessment'.

In **step 3,** the accepted material facts are analysed in a forward-looking way, to assess the risk the applicant would face in case of return. This risk assessment is a factual assessment. The question whether, based on the accepted material facts and identified risks, the applicant qualifies for being a beneficiary of international protection is subject of the legal analysis, which is part of a further stage of the examination of the claim. See Section Step 3. Risk assessment'.

Figure 2. The phases of the examination procedure



([14]) For more information on the legal assessment, see EUAA, *Practical Guide on Qualification for International Protection*, June 2026, https://www.euaa.europa.eu/publications/qualification-international-protection-practical-guide.

Legal standards

[Contents] [Checklist]

The area of evidence and risk assessment is regulated by international law to a limited extent only. The 1951 Refugee Convention ([15]) does not provide for any specific provisions dealing with evidence assessment or risk assessment. However, the United Nations High Commissioner for Refugees (UNHCR) has developed some guidance on the topic, namely a handbook and guidelines ([16]) and a note ([17]).

In this area, the QR is the binding EU legal instrument establishing what criteria the applicant needs to meet in order to qualify as a refugee or a person otherwise in need of international protection. The QR relies to a large extent on international and European refugee and human rights instruments and jurisprudence ([18]).

Article 4 QR and Article 34 Regulation (EU) 2024/1348 ([19]) (APR) regulate the submission of information and the assessment of the facts and circumstances of a claim for international protection:

- Article 4(1) QR addresses the duty of the applicant and of the authority to cooperate to gather and assess the relevant facts of the claim.
- Article 4(2) QR lists all the relevant elements of the application that should be substantiated and assessed.
- Article 4(4) QR sets past persecution or serious harm or direct threats of persecution or serious harm as serious indications of the applicant's well-founded fear of persecution or real risk of suffering serious harm, unless there are good reasons to consider otherwise.
- Article 4(5) QR defines the circumstances in which the material facts that are not supported by documentary or other evidence cannot be rejected.

These provisions are the cornerstone of the evidence and risk assessment and will be further analysed below.

([15]) UN General Assembly, *Convention relating to the status of refugees*, Geneva, 28 July 1951, United Nations, Treaty Series, Vol. 189, p. 137, https://www.refworld.org/docid/3be01b964.html, and *Protocol Relating to the Status of Refugees*, 31 January 1967, United Nations, Treaty Series, Vol. 606, p. 267, https://www.refworld.org/legal/agreements/unga/1967/en/41400 (referred to in EU asylum legislation and by the CJEU as 'the Geneva Convention').

([16]) UNHCR, *Handbook on procedures and criteria for determining refugee status and guidelines on international protection*, reissued April 2019, paragraphs 195-205 (see footnote 11).

([17]) UNHCR, *Note on Burden and Standard of Proof in Refugee Claims,* 16 December 1998, https://www.refworld.org/pdfid/3ae6b3338.pdf; UNHCR, *Beyond Proof, Credibility Assessment in EU Asylum Systems: Full Report*, May 2013, https://www.refworld.org/docid/519b1fb54.html.

([18]) All standards need to be read in light of the jurisprudence of the CJEU and European Court of Human Rights (ECtHR). For further information on the legal and jurisprudential framework of the evidence assessment, refer to the EASO, *Evidence and credibility assessment in the context of the common European asylum system — Compilation of Jurisprudence*, 2018, https://euaa.europa.eu/publications/compilation-jurisprudence-evidence-and-credibility-assessment-context-common-european-asylum-system and the EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis,* 2023 (see footnote 8).

([19]) Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, OJ L, 2024/1348, 22.5.2024, http://data.europa.eu/eli/reg/2024/1348/oj.

The procedural requirements for the examination of the claim are set forth in **Article 34 APR**:

- Article 34(2) stipulates that the assessment and the decision must be conducted in an individual, objective and impartial manner**,** and lists a number of elements that have to be taken into account.
- Article 34(2)(b) relates to the requirements country of origin information (COI) must fulfil and to the fact that it should be considered for the assessment of the application, together with EUAA's common analyses on the situation in specific countries of origin and guidance notes.
- Article 34(3) requires the **personnel's knowledge** of the relevant standards applicable to asylum and refugee law.
- Article 34(3) provides for the possibility to seek **experts' advice** during the assessment.

Guiding principles

[Contents] [Checklist]

On the basis of all available legal and jurisprudential sources, it is possible to identify several underlying principles that should guide you throughout the assessment of an application for international protection.

(a) Individual examination

Applications are examined individually, taking into account the individual position and personal circumstances of the applicant. The APR lays down that you need to be competent to take the personal circumstances of the applicant and the general circumstances surrounding the application into account ([20]).

What are personal circumstances?

'Personal circumstances' is a generic term whose scope is illustrated, in a non-exhaustive way, in the QR and the APR by making reference to the elements it may include, such as: 'the applicant's cultural origin, age, gender, gender identity, sexual orientation, vulnerability and special procedural needs' ([21]) or the applicant's background, including that of relevant family members and other relatives, their identity etc. ([22]).

Personal circumstances refer to a set of characteristics linked to an individual. Such characteristics may relate to the applicant's identity (e.g. nationality, age, gender, religion), features (e.g. educational background, disabilities, mental health), but also to their personal context (e.g. social, cultural, economic context) and background (including, for example, family relationships, place of residence in the country of origin) in its more general meaning.

Personal circumstances may be identified at any point of the asylum procedure.

([20]) Article 13(7)(a) and 34(2)(d) APR.
([21]) Article 13(7)(a) APR.
([22]) Article 4(2)(b) QR. See also Article 8(4) and Article 8(5)(b) QR and Article 34(2)(d) APR.

The APR also notes that the assessment of an application needs to be carried out on an individual basis. It is thus your duty to be aware of the applicant's personal circumstances and to take each of them into consideration in the examination of the application ([23]).

(b) Objective and impartial assessment

The assessment ([24]) must be based on evidence and avoid subjective elements, bias and preconceptions that you might have. It is of fundamental importance to be aware of and to be able to minimise the impact of all factors that may affect such objectivity and impartiality. Those factors will be analysed in the Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions'.

(c) Transparency

The reasons behind the conclusions of the evidence and risk assessment must be stated clearly in the decision. The information on which the decision is based should be accessible to the applicant and/or their legal counsellor so they can understand the outcome of their application and, if necessary, challenge the decision on appeal in full knowledge of the facts ([25]).

(d) The applicant's right to be heard

The right to be heard ([26]) is of paramount importance and the personal interview is at the core of the asylum procedure ([27]). The applicants may be in such a position that they can rely only or mainly on their own statements to substantiate their claim.

The applicant must be given the opportunity to be heard on the substance through a personal interview, conducted by a competent officer under national law. The aim of the interview is to enable the applicant to present elements needed to substantiate their application as completely as possible.

The right to be heard includes the right of the applicant to explain/clarify potential adverse credibility findings before the decision is made ([28]). The applicant should also have the opportunity to 'make comments or provide clarification orally or in writing with regard to any incorrect translations or misunderstandings or other factual mistakes appearing in the report, the transcript of the interview or the transcript of the recording, at the end of the personal interview or within a specified time limit before the determining authority takes a decision' ([29]).

([23]) Article 4(3) QR read in combination with Article 34 APR.
([24]) Article 34(2) APR.
([25]) Article 36 APR.
([26]) See Articles 11 and 12 APR and Article 41(2)(a) of European Union, Charter of Fundamental Rights of the European Union, 26 October 2012, 2012/C 326/02, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT (Charter). In paragraph 87 of its judgment in the case of *M.M.* (see footnote 12), the CJEU concretely applied this principle to the asylum procedure: 'The right to be heard guarantees every person the opportunity to make known his views effectively during an administrative procedure and before the adoption of any decision liable to affect his interests adversely …'
([27]) Limitations to the right to be heard are possible but are listed exhaustively in Article 13(11) APR and remain an exception.
([28]) Article 12(2) APR.
([29]) Article 14(3) APR. See also Articles 14(4) and 14(5) on the modalities of the confirmation and the situations in which such a confirmation needs not be requested of the applicant.

The APR provides numerous rules for the conduction of the personal interview to allow for the applicant to present their application as thoroughly as possible. For more information on how to conduct the personal interview and on the legal obligations under the APR in this regard, refer to the EUAA's practical guide on personal interview ([30]).

(e) Confidentiality

The principle of confidentiality ([31]) is particularly important because of the specific position in which many applicants find themselves (see Section Challenges of assessing evidence in asylum procedures). All information related to the applicant's file should be treated with confidentiality.

The authorities must ensure appropriate confidentiality in the way the personal interview is organised ([32]), but also in the way they collect information related to the applicant ([33]) and in relation to any information they acquire in the performance of their duties ([34]).

The authorities must not disclose information 'regarding the individual application for international protection or the fact that an application has been made, to the alleged actors of persecution or serious harm' ([35]). They should also refrain from obtaining information from the alleged actor(s) of persecution or serious harm 'in a manner that would result in such actors being informed of the fact that an application has been made by the applicant in question' ([36]). See also Section 1.1.2(e) 'The asylum files of family members' in relation to the question of confidentiality when assessing applications of family members.

([30]) EASO, *Practical Guide: Personal Interview*, December 2014 (see footnote 4).
([31]) Articles 7 and Article 13(3) APR and Article 8 of the Charter. On the collection and processing of personal data, see also the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation - GDPR), (OJ L 119 4.5.2016), consolidated version, http://data.europa.eu/eli/reg/2016/679/2016-05-04 .
([32]) Article 13(3) APR.
([33]) Article 7 APR. See also: Judgment of the Court of Justice of 29 January 2026, *W v Staatssecretaris van Justitie en Veiligheid*, ECLI:EU:C:2026:53, C-431/24 (Multan), paragraphs 35 and following, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62024CJ0431. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=5678.
([34]) Article 38 QR.
([35]) Article 7(2)(a) APR.
([36]) Article 7(2)(b) APR.

(f) Right to private life and respect for human dignity

Evidence assessment methods used by the authorities must respect the applicant's rights to human dignity, the integrity of the person and their private and family life ([37]). They must never include methods that are painful, humiliating or degrading for the applicant, or unreasonably intrusive to the intimate spheres of private life ([38]).

The APR refers to the respect for human dignity in particular with regard to the medical examination of unaccompanied children, which must be carried out in respect of the dignity of the child. The method used to conduct the medical examination must always be the least invasive ([39]).

([37]) Articles 1, 3 and 7 Charter of Fundamental Rights of the EU. See also recital 42 QR.

([38]) See in this context Article 9(5) APR that provides that a 'search of the applicant's person under this Regulation shall be carried out by a person of the same sex with full respect for the principles of human dignity and of physical and psychological integrity' and Article 22(3) APR that provides that the personal interview of a child has to 'be conducted in a child-sensitive and context-appropriate manner, taking into consideration the age and maturity of the child.'. See also recitals 22 and 108 APR. Recital 42 QR mentions that 'When assessing an application for international protection, the competent authorities of the Member States should use methods for the assessment of an applicant's credibility in a manner that respects that applicant's rights as guaranteed by the Charter and the ECHR, in particular the right to human dignity and respect for private and family life. Specifically as regards sexual orientation and gender identity, applicants should not be submitted to detailed questioning or tests as to their sexual practices'. Further information is available in Section 1.1.2(h) 'Evidence that is in breach of the applicant's fundamental rights' and the following references: Judgment of the Court of Justice of 25 January 2018, *F v Bevándorlási és Állampolgársági Hivatal*, No C-473/16, EU:C:2018:36, paragraph 48, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62016CJ0473. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=3667; and Judgment of the Court of Justice of 2 December 2014, *A., B., C.* v *Staatssecretaris van Veiligheid en Justitie*, C-148/13 to C-150/13, EU:C:2014:2406, paragraphs 70-71, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62013CJ0148. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1483.

([39]) Recital 108 APR and Article 25(3) APR.

1. Step 1. Gathering information

[Contents] [Checklist]

Evidence assessment starts with gathering information. The process of gathering information is completed through different stages: collecting evidence, identifying material facts, and linking all evidence to one or more material facts.

Gathering evidence and identifying material facts is an ongoing process that spans from the moment the applicant lodges the application until the moment you conduct the risk assessment. Even at this last stage, you may need to collect additional evidence, should clarifications or further information be required. The basic principle is that you should be open-minded and take into consideration that new facts may emerge throughout the entire process. Even though this process is structured, it is not necessarily linear.

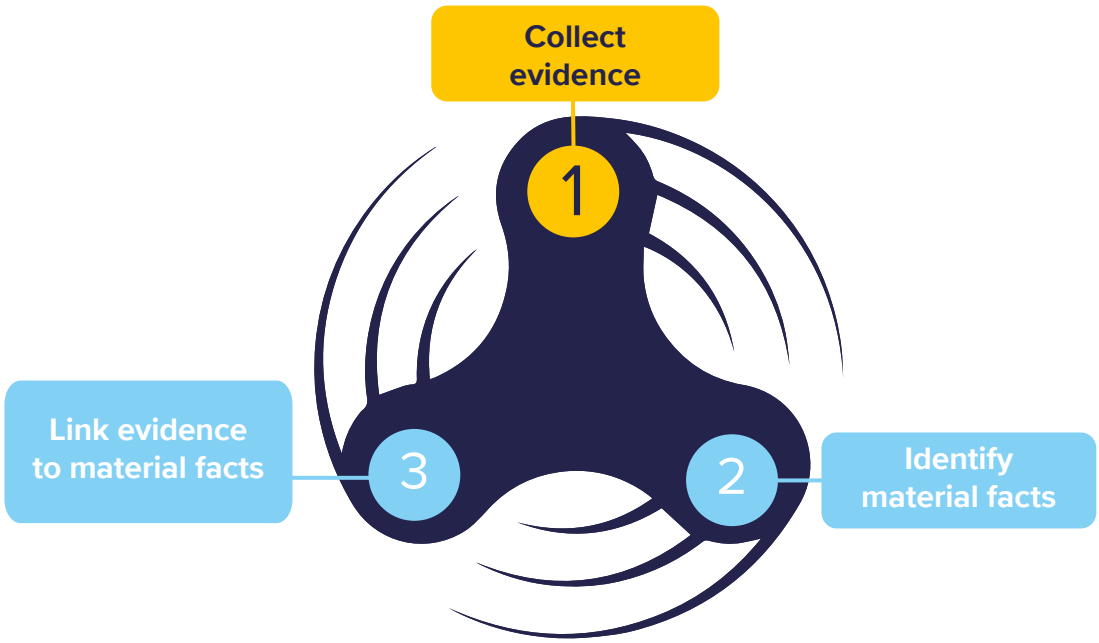
Importance of taking into account factors that may lead to distortions

When gathering evidence, it is of paramount importance that you take into consideration all relevant individual and contextual circumstances that may affect the extent to which an applicant is able to fulfil their obligations or interfere with your ability to make an objective and adequate examination (see Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions').

1.1. Collect evidence

[Contents] [Checklist]

Figure 3. Collect evidence



The first stage of the evidence assessment process requires the gathering of all evidence of the case that is necessary to substantiate the claim for international protection.

1.1.1. Apply the duty to cooperate

[Contents] [Checklist]

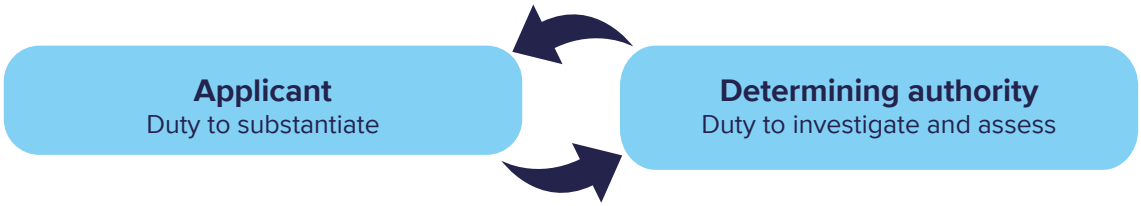
Although the 'burden of proof' is an established legal concept that determines who is responsible for proving a certain circumstance in a legal procedure, this concept has to be understood in the specific shape it takes in the asylum procedure. Article 4 QR and Article 34 APR do not put the 'burden of proof' as such neither on the applicant, nor on the determining authority. However, both have certain duties to fulfil to allow a thorough assessment of the application for international protection ([40]) (see also, below, the need to Consider the specific substantiation rules if applicable).

It is, in principle, the applicant's duty to fully cooperate with the competent authorities ([41]), including the determining authority ([42]), and therefore to submit the elements needed to substantiate their application as soon as possible ([43]). Meanwhile, it is the duty of the determining authority to investigate and assess the relevant elements of the application ([44]).

([40]) UNHCR, *Beyond Proof, Full Report*, May 2013, pp. 85 and following (see footnote 17).
([41]) Article 9 APR.
([42]) Article 4(1) QR.
([43]) Article 4(1) and (2) QR and Article 9(2), 28(6) APR.
([44]) Article 4(3) QR and Article 34 APR.

Both the applicant and the authority have an obligation to cooperate to ensure that all relevant elements of the application are assessed ([45]).

Figure 14. Duty to cooperate



(a) Check if the applicant fulfils their duty to substantiate the application

[Contents] [Checklist]

You should inform the applicant of their duty to substantiate the application (see Section 1.1.1.(b).ii. 'Inform the applicant about their duties'), which implies an obligation for the applicant to deliver a truthful statement, to present all evidence at their disposal and to cooperate with the authorities in the examination of their application.

This duty covers the obligation to 'submit all the elements available to them which substantiate the application for international protection' ([46]). These elements comprise the applicant's statements and all the documentation at the applicant's disposal, including the reasons for applying for international protection, their age, background, including relevant family members and relatives, identity, nationality(ies), country(ies) and place(es) of previous residence, previous applications for international protection, results of any resettlement of humanitarian admission procedure, travel routes and travel documents ([47]). This means that the applicant must take steps to support the application with statements and all evidence at their disposal. The applicant is normally better placed than the authority to give information about the individual aspects of their claim (their fears and their experiences) ([48]).

The way shortcomings in the applicant's fulfilment of their duty to substantiate impacts the evidence assessment is addressed in Sections 2.4.1. 'Weighing the credibility findings of all evidence linked to a material fact' and 2.4.2. 'Concluding on material facts'.

([45]) *M.M.* paragraphs 65 and 66 (see footnote 12). Summary available in the EUAA Case Law Database. See also Judgment of the ECtHR of 23 August 2016, *J.K. and others* v *Sweden*, No 59166/12, ECLI:CE:ECHR:2016:0823JUD005916612, paragraph 96, http://hudoc.echr.coe.int/eng?i=001-165442. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1845.
([46]) Article 4(1) QR.
([47]) Article 4(2) QR.
([48]) *J.K. and others*, paragraph 96 (see footnote 45). Summary available in the EUAA Case Law Database.

i. Has the applicant made a genuine effort to provide statements and documentation at their disposal?

[Contents] [Checklist]

The applicant should provide you with all the relevant pieces of evidence at their disposal.

Article 4 QR extends the duty to submit evidence only to the elements **available to the applicant** and to all the documentation at their disposal. Documents and other evidence are considered to be at the applicant's disposal only when they can reasonably be expected to be able to obtain them ([49]). This means as well that the applicant's duty to substantiate the application cannot be understood either as a duty to provide evidence in support of **every** fact.

The applicant needs to make a **genuine effort** ([50]) to substantiate their application through their statements and all documentation and other evidence at their disposal. The extent of this obligation depends on the individual case. It should be considered what means are available to obtain evidence as well as the circumstances in which the applicant has left their country of origin and the general situation therein. Other factors that might also hinder the applicant from providing all necessary evidence can come from their personal situation and be linked, for example, to their physical/mental health, level of education or family connections. The individual circumstances of the case are always important when assessing the extent to which the applicant was able to fulfil their obligations.

ii. Has all the evidence been provided as soon as possible?

[Contents] [Checklist]

The applicant is also expected to present all information and the evidence at their disposal as soon as possible to the asylum authority. In this way, you will be able to identify and assess properly and in a timely manner all the material facts of the case. Compliance with this obligation is closely connected to the obligation of the authority to inform the applicant about their duties in the asylum procedure and the means at the applicant's disposal to provide the evidence. 'The term "as soon as possible" should be interpreted with reference to the point in time at which the applicant is informed, in a language he or she understands, of his or her duty to substantiate the application.' ([51]) (see Section 1.1.1(b)ii 'Inform the applicant about their duties').

A practical approach is to discuss with the applicant which evidence they intend to present and agree on a reasonable timeframe. The obligation on the applicant to present information and evidence as soon as possible applies to the evidence at their disposal. It is fulfilled when information or evidence becomes available at a later stage (e.g. after the personal interview) and is presented at the earliest possible time.

General and personal circumstances and relevant vulnerabilities of the applicant need to be taken into account when assessing if the statements or other evidence have been provided in a timely manner. Adverse credibility findings cannot be drawn solely from the fact that the applicant did not put forward certain elements at the first occasion ([52]).

([49]) UNHCR, *Beyond Proof, Full Report*, May 2013, p. 96 (see footnote 17).
([50]) Article 4(5)(a) QR.
([51]) UNHCR, *Beyond Proof, Full Report*, May 2013, p. 102 (see footnote 17).
([52]) *A., B., C.*, paragraphs 59-66 (see footnote 38). Summary available in the EUAA Case Law Database.

iii. Has the applicant given a satisfactory explanation for the lack of supporting evidence?

[Contents] [Checklist]

For some facts of the case, the applicant may not be able to provide supporting evidence. If the applicant cannot fulfil their obligation to provide all evidence at their disposal or all the evidence that could reasonably be expected to be at their disposal while taking into account the individual circumstances, they have to provide a satisfactory explanation as to why they cannot present supporting evidence for some facts ([53]).

It is for you to assess if the explanation given by the applicant as to why they cannot present additional evidence can be accepted. The explanation offered by the applicant should be weighed taking into account the individual and contextual circumstances (see also Section 2.4.1. 'Weighing the credibility findings of all evidence linked to a material fact').

(b) Fulfil the case officer's duty to investigate

[Contents] [Checklist]

The applicant must be given the opportunity to present all relevant information and all the relevant pieces of evidence. In cooperation with the applicant, it is the duty of the determining authority to establish the relevant elements of the application. In order to fulfil this obligation, you must follow the below steps.

i. Adequately support persons with special procedural needs

[Contents] [Checklist]

In order to be able to effectively substantiate the application and to present its grounds in a comprehensive manner, certain applicants may be in need of special procedural guarantees. This might be due to, amongst other factors, their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorders. The need for special procedural guarantees may also be in consequence of torture, rape or other serious forms of psychological, physical or sexual violence. In particular, unaccompanied children have specific needs that call for adequate support ([54]).

Member States have to initiate the assessment of whether the applicant is in need of special procedural guarantees as early as possible after an application is made, and finalise it within 30 days ([55]). The assessment has to 'be reviewed in the event of any relevant changes in the applicant's circumstances or where the need for special procedural guarantees becomes apparent after the assessment has been completed' ([56]). Where the existence of such a need

([53]) See Article 4(5) QR, Article 12(2) APR and Article 9(2)(b) APR.
([54]) Articles 21 to 23 APR.
([55]) Article 20 APR. To note that a preliminary vulnerability check may have been conducted before the applicant is referred to the asylum administrative procedure when the applicant has been subjected to a screening as organised by Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817 (OJ L, 2024/1356, 22.5.2024), http://data.europa.eu/eli/reg/2024/1356/oj. In such a case, the existence of special procedural needs may already have been identified and a mention of this included in the screening form.
([56]) Article 20(3) APR.

is identified, the Member State has to provide the applicant with adequate support ([57]). There should be a particular emphasis on your investigative role in cases of persons with special procedural needs ([58]). You should gather the relevant information with consideration to the special needs of the applicant. In order to properly assess and mitigate the influence of these circumstances on the case at hand, you may require expert opinions, for example for cases of mental illness or disabilities, or when handling the consequences of psychological, physical or sexual violence (see also Section 1.1.2(e) 'Medical, psychiatric and psychological reports'). You should also allow sufficient time for the applicant with special procedural needs to present the elements needed to substantiate their application for international protection and you should consider such needs when conducting the personal interview.

ii. Inform the applicant about their duties

[Contents] [Checklist]

The abovementioned obligations of the applicant go together with the obligation of the determining authority to inform the applicant of all their duties as well as their rights in a language which they understand or are reasonably supposed to understand, and in particular to inform them of how they can fulfil their duty to substantiate the application ([59]). This information must include the fact that the applicant has the obligation to substantiate their application as well as the consequences of not fulfilling this obligation. This information must be given in time for the applicant to comply with their obligations. The information given must include the applicable timeframes to meet the obligations, thus giving the applicant an adequate opportunity to present all elements. The applicant should also receive practical information about the means to comply with their obligations according to national legislation and practice.

Examples of information provision

National legislation or practice may require that the invitation letter to the personal interview should inform the applicant about the types of evidence they are expected to present during the personal interview and the general duties of the applicant during the examination procedure.
If some pieces of evidence could not be presented during the personal interview, despite being at the disposal of the applicant, you may allow a certain amount of time for the applicant to present additional pieces of evidence before assessing the claim and/or drafting a decision. This would depend on national practice and the specificities of the application. In such a case, you would give indications to the applicant during the personal interview as to the way in which the additional piece(s) of evidence may be presented, the timeframe by which the piece(s) of evidence is (are) expected to reach the asylum authority before it makes a decision on the application, as well as the consequences for not supplying the evidence within the set timeframe ([60]).

([57]) Article 21 APR.
([58]) The adequate measures that you need to take depending on the procedural needs may be identified by using the EUAA's Tool for Identification of Persons with Special Needs.
([59]) Article 8(2)(c) and (e) APR.
([60]) See Standard 23, Indicator 2, in: EUAA, *Operational Standards and Indicators on the Asylum Procedure*, November 2025 (see footnote 7).

Explanations and information should be made available in a way that takes into account the specific situation of the applicant, for example in a child-friendly manner if the applicant is a child (see Section 1.1.1.(b).i. 'Adequately support persons with special procedural needs') ([61]).

iii. Allow the applicant to present all relevant facts and evidence through a personal interview

[Contents] [Checklist]

To fulfil their duty of providing all information and evidence at their disposal, applicants must be given the opportunity to present all material facts and all pieces of evidence through a personal interview ([62]). The personal interview is the most important stage to gather information, as it provides the main opportunity for the applicant to substantiate the application. Article 12 APR obliges Member States to conduct substantive interviews in a manner that ensures that the applicant is 'given the opportunity to present the elements needed to substantiate' their application in accordance with Article 4(2) QR 'as completely as possible.'

As it cannot always be expected that the applicant knows what statements, documents or other evidence may be relevant, the determining authority's duty to cooperate at the stage of the personal interview is not limited to making time and space available for the applicant. The determining authority must also provide the necessary guidance to the applicant, use appropriate questioning and create the right conditions to collect the relevant elements to substantiate the facts asserted by the applicant ([63]).

iv. Ask the applicant to clarify what is unclear

[Contents] [Checklist]

You must clarify all the relevant facts of the application in collaboration with the applicant taking into consideration the evidence available, the COI and the possible factors that can cause distortions (see Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions'). The assessment of the case must not be based on aspects that are unclear to you and must not leave room for assumptions, speculation, conjecture, intuition or gut feelings.

v. Address apparent inconsistencies, lack of sufficient information, plausibility issues

[Contents] [Checklist]

Any inconsistencies, plausibility issues and lack of sufficient information should be brought to the attention of the applicant, who should be given the possibility to clarify such points ([64]). You

([61]) Section 1.2.3. 'Adapt your communication techniques to the applicant's personal circumstances, in: EUAA, *Practical Guide on Information Provision in the Asylum Procedure*, 2026, https://www.euaa.europa.eu/publications/information-provision-asylum-procedure-practical-guide'.
([62]) See Section 'Guiding principlesGuiding', '(d)The applicant's right to be heard'. Article 13(11) APR lays down only strict exceptions to the right to be heard and lists the situations in which the substantive or the admissibility interview may be omitted.
([63]) EASO, *Practical Guide: Personal Interview*, December 2014 (see footnote 4). See *M.M.*, paragraph 66, (see footnote 12). Summary available in the EUAA Case Law Database. See also UNHCR, *Beyond Proof, Full Report*, May 2013, p. 112, (see footnote 17).
([64]) Article 12(2) APR.

should also focus on identifying their causes to be able to properly assess their impact on the credibility assessment. You should consider the potential presence of distorting factors (see Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions') that could influence the consistency and plausibility of the applicant's statements, and their ability to provide detailed information.

vi. Obtain relevant COI and other evidence

[Contents] [Checklist]

In order to assess the case, you should obtain relevant, precise and up-to-date COI, 'including laws and regulations of the country of origin and the manner in which they are applied' ([65]). See Section 1.2.2. 'Formulate clear, comprehensive, factual material facts' for more details. The European Court of Human Rights (ECtHR) has considered in this context that asylum authorities are in general better placed than the applicant to have access to information on the general situation, including information on the possibility of protection in the country of origin ([66]).

The determining authority collects COI in an impartial manner. When you assess evidence in individual cases, you need to apply the same impartial approach and take into consideration all evidence that supports the facts asserted by the applicant as well as the evidence that speaks against those facts. Without this impartiality, the determining authority's duty to investigate would not be fully put into effect, as it would not compensate the unavailability to the applicant of certain kinds of evidence.

In order to assess the case, you may also have to obtain other pieces of evidence that you can access on your own initiative, for example:

- The asylum files of family members;
- Information available in social media;
- Evidence from other national authorities of the responsible Member State; or
- Information from other Member States.

The need for you to gather such evidence will depend on the specificities of the application. For instance, you may be prompted to access such additional evidence by information you already have and that could be subject to further investigation.

The determining authority will also have to consider any risks that have not been mentioned by the applicant, but of which the authority is aware, and which may expose the applicant to a risk of persecution or serious harm upon return to the country of origin ([67]). This applies

([65]) Article 34(b) APR.
([66]) *J.K. and others*, paragraph 132 (see footnote 45). Summary available in the EUAA Case Law Database.
([67]) Judgment of the ECtHR of 23 March 2016, *F.G.* v *Sweden*, No 43611/11, ECLI:CE:ECHR:2016:0323JUD004361111, paragraph 127, https://hudoc.echr.coe.int/fre?i=001-161829. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1629. Judgment of the ECtHR of 27 October 2020, *M.A.* v *Belgium*, No 19656/18, ECLI:CE:ECHR:2020:1027JUD001965618, paragraph 81, https://hudoc.echr.coe.int/fre?i=001-205377. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1279; Judgment of the ECtHR of 21 July 2021, *E.H.* v *France*, No 39126/18, ECLI:CE:ECHR:2021:0722JUD003912618, paragraph 132, https://hudoc.echr.coe.int/fre?i=001-211497. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1877.

especially if the determining authority knows that the applicant is likely a member of a group which is systematically exposed to persecution or serious harm ([68]). Depending on national practices, you may need to inform the applicant and give them an opportunity to comment.

Where it deems it is relevant for the examination, the determining authority's duty to cooperate also includes to arrange for a medical examination subject to the applicant's consent. If a medical examination is not considered relevant for the examination, the determining authority should inform the applicant that they may arrange for a medical examination on their own initiative and at their own cost ([69]).

(c) Consider the specific substantiation rules if applicable

[Contents] [Checklist]

When used during the examination, it is for the determining authority to substantiate that the conditions to implement the following concepts are met:

- the availability of protection in the country of origin;
- the possibility to find an internal protection alternative (IPA); and
- the existence of grounds for exclusion ([70]).

The duty to substantiate falls on the asylum authority also when it has been accepted that:

- the applicant has already been subject to (a direct threat of) persecution or serious harm.

In this case, the authority has to provide 'good reasons to consider that such persecution or serious harm will not be repeated' ([71]).

Though the determining authority has the duty to substantiate the conditions are met to apply the concepts mentioned above, it remains for both the determining authority and the applicant to cooperate in gathering and providing all the relevant evidence that will allow for the assessment of these conditions.

If the applicant comes from a country that is designated as a safe country of origin, the individual examination can start with a focus on the applicant's duty to substantiate their application by bringing forward all the elements indicating that the country is not safe in their particular circumstances ([72]).

These situations are further explained in the following sections.

([68]) *F.G.* v *Sweden*, paragraph 127; summary available in the EUAA Case Law Database. *M.A.* v *Belgium*, paragraph 81; summary available in the EUAA Case Law Database. *E.H.* v *France*, paragraph 132; summary available in the EUAA Case Law Database. All judgments are fully referenced at footnote 67.
([69]) See Article 24(1) and (3) APR.
([70]) EUAA, *Practical Guide on Qualification for International Protection*, June 2026 (see footnote 6). EUAA, *Practical Guide on the Application of the Internal Protection Alternative*, 2026, https://www.euaa.europa.eu/publications/application-internal-protection-alternative-practical-guide. EUAA, *Practical Guide on Exclusion from International Protection*, September 2026, https://www.euaa.europa.eu/publications/practical-guide-exclusion-international-protection.
([71]) Article 4(4) QR.
([72]) Articles 61(5)(3) APR. For further information on this substantiation rule, refer to EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis*, 2023 (see footnote 8).

i. Is protection in the country of origin available?

[Contents] [Checklist]

While the applicant has to substantiate their application (risk of persecution / serious harm if returned to the country of origin) the burden to prove that protection is available in the country of origin (the opposite) lies with you.

In order to affirm the availability of protection in the country of origin, in the process of identifying the material facts of the application you should establish if the applicant has tried to seek protection from the relevant authorities/actors; why not, if they have not; from which authorities/actors protection was sought, the result of this action and if protection is accessible, effective and of a non-temporary nature ([73]).

ii. Is the internal protection alternative applicable?

[Contents] [Checklist]

If the actors of persecution or serious harm are non-state actors, as part of the assessment of the need for international protection you have to assess whether internal protection against persecution or serious harm is effectively available to the applicant in a part of the country of origin ([74]). This may also apply if the state or an agent of the state is an actor of persecution or serious harm, provided that 'it is clearly established that the risk of persecution or serious harm stems from an actor whose power is clearly limited to a specific geographical area or where the State itself only has control over certain parts of the country' ([75]). In this situation, you need to identify an area of the country and demonstrate that this area is safe for the applicant – meaning they would not fear persecution or have a real risk of suffering serious harm there, or would have effective, non-temporary access to protection. You must also show that the applicant could safely and legally travel to that area, be admitted and reasonably be expected to settle there ([76]).

In order to support such a finding, when identifying the material facts, you have to consider the general circumstances prevailing in that part of the country and in relation to the personal circumstances of the applicant. Ensure that relevant, precise and up-to-date COI covering both the general situation in the country and the situation in the identified region of protection in that country is obtained from relevant sources, such as the EUAA, UNHCR and relevant international human rights organisations.

If the state or agents of the state are the actors of persecution or serious harm, you should presume that effective internal protection is not available to the applicant. If the applicant is an unaccompanied child, the availability of appropriate care and custodial arrangements that are in the best interests of the unaccompanied child, should form part of your investigation as to whether protection is effectively available. For further information on the internal protection alternative, refer to the EUAA's practical guide on this topic ([77]).

([73]) Article 7 QR.
([74]) Article 8(1) QR.
([75]) Article 8(2) QR.
([76]) Article 8 QR.
([77]) EUAA, *Practical Guide on the Application of the Internal Protection Alternative*, 2026 (see footnote 70).

iii. Is exclusion from international protection applicable?

[Contents] [Checklist]

In the process of establishing the material facts (before the legal examination), you may identify elements that could lead to the exclusion of the applicant from international protection. If you consider that the applicant should not be granted protection based on grounds for exclusion, you need to substantiate your conclusion ([78]). The exclusion must be based on clear and credible evidence. The applicant must be given the possibility to challenge the evidence that is used to support the exclusion. For further information refer to the EUAA's practical guide on this topic ([79]).

iv. Has the applicant already been subject to past (direct threats of) persecution or serious harm?

[Contents] [Checklist]

During the examination, you may establish that the applicant has substantiated the fact that they have been subject to persecution or serious harm, or to direct threats of such persecution or such harm in the country of origin. This would be a serious indication of the applicant's well-founded fear of persecution or real risk of suffering serious harm, unless there are good reasons to consider that such persecution or serious harm will not be repeated ([80]). It is your duty to demonstrate whether there are such good reasons.

v. Does the applicant come from a safe country of origin?

[Contents] [Checklist]

Third countries may be designated as safe countries of origin in accordance with national legislation and at EU level ([81]). During the designation process of a safe country of origin, relevant authorities have already assessed and concluded that there is no persecution and no real risk of serious harm in the country at hand and that state protection is available and accessible ([82]). The designation 'may be made with exceptions for specific parts of its territory or clearly identifiable categories of persons' ([83]). That designation should be based on relevant, precise and up-to-date COI, and therefore your duty to investigate on the general situation in the country of origin can be considered fulfilled. Consequently, the individual examination of the application can start with a focus on the applicant's duty to substantiate their application by providing the elements indicating that:

- their country of origin cannot be considered safe in their particular circumstances; and/or that
- based on individual elements, the effective protection that is generally available in their country of origin is not available or not effective in their particular circumstances.

([78]) Articles 12 and 17 QR.
([79]) EUAA, *Practical Guide on Exclusion from International Protection*, September 2026 (see footnote 70).
([80]) Article 4(4) QR.
([81]) Articles 62 and 64 APR.
([82]) Article 61 APR.
([83]) Article 61(2) APR.

This examination needs to take place in the context of an individual assessment. You also need to make sure that your examination is based on COI that is still current. If this is not the case, you should conduct any further COI research that would be needed.

Related EUAA publication

Further guidance on how to apply the concept of safe country of origin, such as the information that should be provided to the applicant, the impact that applying this concept has on the individual assessment, including when the designation has been made with exceptions, as well as on the procedural consequences attached to this concept, is available in Section 2.5. 'The applicant is from a safe country of origin' of: EUAA, *Practical Guide on the Accelerated Examination Procedure*, June 2026, https://www.euaa.europa.eu/publications/practical-guide-accelerated-examination-procedure

1.1.2. Collect pieces of evidence relevant to the application

[Contents] [Checklist]

The scope of this section

In addition to their own statements during a personal interview and/or through a written submission, applicants may provide supporting evidence in a variety of forms.

Below you will find guidance on the most common types of evidence that can be submitted or collected and on how to deal with each of them, along with information on the elements to consider while collecting the evidence. This will enable you to assess the credibility, relevance and reliability of the collected evidence under the following Step 2. Credibility assessment.

It is your responsibility to investigate and examine the available evidence, to search for additional evidence where relevant (see Section 1.1.1. (b) vi. 'Obtain relevant COI and other evidence') and, if appropriate, invite the applicant to submit further evidence that is reasonably expected to be provided.

For high-quality decision-making, it is essential that you assist the applicant by thoroughly examining all of the evidence submitted and by providing them with the opportunity to submit any relevant evidence.

You should ensure that you understand the relevance for the application of all evidence presented by the applicant. It is a good practice to ask the applicant what they want to demonstrate with the evidence they present.

Moreover, in some situations, you may consider it necessary to obtain additional information to clarify all relevant facts of the case.

The submission of evidence is free. This means that the applicant can submit any type of evidence to support their application (e.g. material evidence such as documents or objects of any kind or immaterial evidence, for example based on information available on the internet) and that you should accept it. However, the submission of evidence which may affect the applicant's dignity should not be solicited or accepted (see Section 1.2.1.(h) 'Evidence that is in breach of the applicant's fundamental rights').

Applicants should provide as soon as possible all elements and documents at their disposal in support of their claim when lodging their application. They must also be allowed to submit all relevant elements and documents at their disposal at any other later stage of the procedure, including within a reasonable time after the personal interview, until a decision is taken on their application ([84]).

For this purpose, it is important to record in the applicant's file all evidence submitted with the date and time of submission, as the moment when a piece of evidence has been submitted may have an impact on the credibility assessment.

Remember confidentiality

Remember that when you collect evidence, you must ensure not to put the applicant or related persons at risk. The principle of confidentiality must be respected ([85]).

(a) Oral statements

[Contents] [Checklist]

The applicant's oral statements are sometimes the only available evidence in a claim. The applicant's oral statement given during the personal interview is crucial. Therefore, it is essential that you conduct the interview in such a manner as to ensure that high-quality, relevant and reliable evidence is obtained from the applicant. Applying the appropriate interview techniques, in particular in the case of children and vulnerable persons (including persons that have experienced negative life events) is necessary to ensure that all information is elicited to the best of the applicant's knowledge and capabilities.

During the interview it is important that you stay focused on the core elements of the claim and not the peripheral ones. If you emphasise or give much time to peripheral facts, especially in the beginning of the interview, it can be misleading for the applicant as to what are the important core facts that need to be presented.

([84]) Article 28(6) and Article 28(7), second paragraph, APR.
([85]) For more information, see Section 'Guiding principles, (e) Confidentiality' and EASO, *Practical guide on the use of country of origin Information by case officers for the examination of asylum applications*, December 2020 (see footnote 5).

Related EUAA publication

Guidance on how to collect high-quality evidence through a personal interview and how to conduct applicant-centred interviews can be found in the EASO, *Practical Guide: Personal Interview*, December 2014, https://euaa.europa.eu/publications/practical-guide-personal-interview.

(b) Written statements

[Contents] [Checklist]

When written statements are submitted for the lodging of the application, they may help you to prepare the interview as they may provide information on the reasons for fleeing, on the fear and future risk and on the applicant's identity and personal circumstances. Written statements may also be admitted as further evidence in support of an application, complementing the oral statements collected during the interview. In exceptional cases, written statements may also constitute the only statements available, where an interview is not conducted for specific reasons (see Section 'Guiding principles, 1.1.1(d) 'The applicant's right to be heard').

Written statements could be particularly useful with severely traumatised applicants or applicants with mental disorders or disabilities. The written format may provide such applicants with a feeling of safety and a framework they can follow during the personal interview, particularly in cases where their memory might be affected.

Written statements may be written spontaneously by the applicant to complement oral statements or be the result of a request of the authority to answer a general or specific questionnaire or form.

While written statements are a useful piece of evidence, keep in mind that their content and the specificity of details may be influenced by the context in which they have been written. Scenarios where the circumstances could influence the content of a written statement include, for example: statements written immediately after being apprehended for irregularly crossing a border; statements written in the presence of uniformed border guards or police officers; statements written by a person who is under the influence of smugglers, human traffickers or other members of the community. Pay special attention to such circumstances when comparing those statements with other available evidence (such as the statements provided during the personal interview) and, if possible, provide the applicant with an opportunity to clarify, before reaching a negative conclusion on the credibility finding.

(c) Identity documents and other documentary evidence

[Contents] [Checklist]

The documentary evidence could include different kinds of identity documents, travel documents, certificates (civil status, birth, marital status, nationality, etc.), arrest warrants, court decisions or judgments, printed emails, letters or testimonies from political or other groups,

membership cards, media reports, pictures, medical documents, newspapers, etc. Other material evidence could include clothes, paintings, USB sticks or SIM cards, phones, amulets or other objects. Immaterial evidence could consist of internet pages such as links to social media.

When collecting evidence, you may come across many different types of evidence, e.g. submitted by the applicant, gathered by you or otherwise available to you (because the applicant submitted it in another procedure or because it has come to the light through a specific investigative measure).

Any documents presented by an applicant as evidence to support their claim must be examined thoroughly. You should first ensure that you understand which documents are submitted and their relevance to the application. It is a good practice to ask the applicant what they want to demonstrate with each document they bring forward.

Documents or other evidence could be provided in original or in copy and include private material as well as official documents.

You should make sure that you have enough information related to the evidence to understand the content of the evidence, its nature (original or copy), the circumstances in which the document was issued (when, by whom, for which purpose, etc.) and how the applicant has obtained the evidence. Review all documents to the furthest extent possible during the personal interview to see if you have enough information to be able to make a further assessment of them or if any additional clarifications are needed from the applicant.

Passports, for example, should be checked for entry/exit stamps, visas, evidence of return to the country of origin, etc., in order to confirm both the applicant's immigration history and their account of events for credibility assessment purposes at a later stage (step 2). In another example, if the applicant has presented documents that they are not expected to possess, they should be given the opportunity to explain how they acquired them.

Where possible, you should also obtain information as to the generally expected content and form of any of the documents presented (e.g. arrest warrants, court summons). Such information may be obtained through relevant COI, or through a specific verification procedure. The verification of documents should, if possible, be done prior to the personal interview. This will give the applicant the opportunity to explain any negative findings in relation to the authenticity of the submitted evidence. The verification of documents may be done from the registration of the application if the documents are available at that time.

Depending on national practice and possibilities, the verification of (certain categories of) documents may be carried out by a specialised unit or authority. For more information, see Step 2, 2.1. Assess documentary and other evidence, and the EUAA's practical guide on registration ([86]). The verification needs to be carried out in a way that ensures that the principle of confidentiality is respected (see above Section 'Guiding principles, (e) Confidentiality') ([87]).

([86]) EUAA, *Practical guide on the registration and lodging of applications for international protection*, December 2025, https://www.euaa.europa.eu/publications/practical-guide-registration-lodging.
([87]) Article 7 APR.

(d) Country of origin information

[Contents] [Checklist]

The availability of high-quality COI is essential to the decision-making process ([88]). You must be confident that available COI is relevant, precise and up-to-date and that it comes from a variety of reliable and independent sources. COI should be as specific as possible, and not be limited to the general situation in the country of origin. As each source has its own perspective and focus, different sources and different types of sources should be consulted to achieve the most comprehensive and balanced picture possible. This comprises taking into account information obtained from national, Union and international sources, including children's rights organisations ([89]), information obtained from the EUAA 'and other sources, such as the United Nations High Commissioner for Refugees' ([90]). COI should be objective and the approach to collecting it should be impartial, meaning the person collecting it should refrain from looking into COI supporting either only a negative or a positive assessment ([91]).

All sources you have used in your assessment must be mentioned in your decision, wherever possible.

Related EUAA publication

The EASO, *Practical guide on the use of country of origin Information by case officers for the examination of asylum applications*, December 2020, provides information on how to use COI at different stages of the examination of applications for international protection, including credibility assessment. In addition to finding more detailed information on how to use COI in credibility assessment, the guide contains information on what is meant by relevant and precise COI or COI that is up-to-date and gathered from various sources.

(e) The asylum files of family members

[Contents] [Checklist]

To be able to make a proper assessment, in full knowledge of the facts, the determining authority may need to examine related asylum files in its possession. This can include applications that concern identical facts or circumstances, such as the asylum files of family members, as the fears expressed by the applicant may be closely linked to the situation of other family members ([92]). Sometimes the applicant will refer to the file of a relative and submit elements of their file. Family members' files should nevertheless be treated confidentially (see the Sections 'Guiding principles', '1.1.1(e) Confidentiality' and '1.1.1(f) Right to private life and respect for human dignity'). Depending on national provisions and on the content of the

([88]) Article 4(3) QR and Article 34(2)(b) APR.
([89]) Article 34(2)(b) APR.
([90]) Recital 38 APR.
([91]) EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis*, 2023 (see footnote 8).
([92]) Judgment of the Court of Justice of 4 October 2018, *Nigyar Rauf Kaza Ahmedbekova, Rauf Emin Ogla Ahmedbekov* v *Zamestnik-predsedatel na Darzhavna agentsia za bezhantsite*, No C-652/16, ECLI:EU:C:2018:801, paragraphs 56-59, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62016CJ0652. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=519.

information, the use of such evidence may require the consent of the family member concerned.

In some cases, disclosing sensitive information from other files may seriously expose or jeopardise the safety of the family members. This would be the case in situations of sexual and gender-based violence, child abuse, neglect, violence and exploitation, sexual orientation, gender identity, gender expression or sex characteristics, etc ([93]). In these situations, information that could expose the family member's security, including their human dignity, cannot be disclosed to the applicant or to anyone who has not been authorised access to the information ([94]). If withholding the information means the applicant's right of defence cannot be respected, the information should not be used. You will need to explore the issues and clarify possible adverse credibility findings based on other information.

(f) Information from other persons / witness testimony

[Contents] [Checklist]

In addition to information provided by qualified experts in their field (see below (d) 'Language analysis, assessment or indication', (e) 'Medical, psychiatric and psychological reports', (g) 'Reports from other professionals'), testimony may be submitted or requested from other individuals or groups which may assist in assessing the credibility of an applicant's account or personal circumstances. Such testimony can come from a wide variety of sources, including family members, partners, schools, political and religious groups. In some circumstances, testimonies are of particular importance, such as the statements made by the accompanying adults on behalf of minor applicants. Important information may also come from the testimony of the appointed legal representative to the child as well as of teachers, social workers or staff at the accommodation centre who are in close contact with the child.

When you collect such evidence, particular consideration should be given to the possible confidentiality of the testimony.

(a) Information available in social media

[Contents] [Checklist]

The information that is gathered in social media may be of different kinds. Applicants often rely on information available in social media to substantiate their application, whether it is general information (for instance, blog articles or testimonies related to the general situation in the country of origin in relation to a fact of their claim) or more specific (for example, posts on social media platforms, their own posts on the internet, or publicly available images of them taken during an event or circumstance, etc.).

The determining authority may also collect such information that is publicly available in social media and may use it as evidence. This information may be of particular interest when no

([93]) See also recital 21 APR that provides for the need to have examination procedures that are gender-sensitive and that should allow, for example, for the personal interview to be conducted separately from that of the spouse, partner or other family members.
([94]) See Article 18(2) APR on the situations in which access to information may be denied and the actions that need to be taken by the determining authority when such access is denied.

other sources are available in relation to a topic or event, to compensate for the lack of formal COI, or because the event is very recent, for example.

Information gathered on social media can substantiate an application but also uncover inaccurate or unreliable information. However, due to its particular nature, information available in social media poses multiple challenges and should be used and evaluated with care (see Step 2, Section 2.1.4(c) 'Content gathered through social media') ([95]).

(b) Evidence from other national authorities of the responsible Member State

[Contents] [Checklist]

It is possible that there may be information held by other state departments which may assist in establishing the material facts of an application. For example, it may be appropriate to request information, such as:

- Eurodac fingerprint matches.

  Eurodac information can for example be used to reconstruct the applicant's travel route, illegal entries and stay, and previous asylum applications.

- Registration of marriages.
- Police/criminal/court records.
- Information provided in visa requests, for instance through the Visa Information System.

  Visa Information System records can shed light on the identity and travel documents that the applicant possesses.

- Information available through the Schengen Information System.

The Schengen Information System may provide information on public security issues related to the applicant, connection to criminal proceedings, use of falsified documents or vulnerability, for instance.

(c) Information from other Member States

[Contents] [Checklist]

In some circumstances, it may be appropriate to request information about the applicant from another Member State where the person has previously resided or asked for protection.

It is possible to request copies of elements of the asylum file of an applicant for whom the application for international protection has been subject to a final decision in another Member

([95]) Section 1.10.3.4. *Sur place* activities and use of social media in: EUAA, *Qualification for international protection (Directive 2011/95/EU) — Judicial analysis*, second edition, 2023, https://euaa.europa.eu/publications/judicial-analysis-qualification-international-protection-second-edition; and Decision of the Upper Tribunal (Immigration and Asylum Chamber (IAC), United Kingdom of 20 January 2022, *XX (PJAK – sur place activities – Facebook) Iran CG*, [2022] UKUT 23 (IAC), (last update 30 Sep 2022), https://tribunalsdecisions.service.gov.uk/utiac/2022-ukut-00023.

State or associated country, when Regulation (EU) 2024/1351 ([96]) is no longer applicable or not applied to the applicant. This information may be used for the examination of the application in the country of asylum, as it may provide relevant information in relation to the grounds which were the basis for the applicant's previous application and to the evidence that was provided by them during the procedure carried out in the other Member State. Member States should only request information that is 'adequate, relevant and limited to what is necessary' ([97]) for the examination.

The applicant must be informed in advance by the requesting Member State about the specific information requested and the reason for that request. However, the applicant's consent to the request is not required ([98]).

Related EUAA publication

For detailed guidance on the scope and modalities of information sharing with other Member States in the context of subsequent applications, including the request via DubliNet through a standard form set out in Annex VII of the Commission Implementing Regulation on the application of the AMMR ([99]), refer to Section 1.1.4 'Information sharing with other Member States' in: EUAA, *Practical Guide on Subsequent Applications*, 2026, https://www.euaa.europa.eu/publications/practical-guide-subsequent-applications-0.

(d) Language analysis, assessment or indication

[Contents] [Checklist]

Depending on national practice, you may have access to individual language assessment, indications or analysis, which would give you some (more or less formal) suggestions in relation to the likely place of origin or ethnic profile of the applicant. Language analysis does not reveal the country of nationality of the applicant as such, but the place (or one of the places) where the applicant has socialised by residing there for a longer time and interacting with the community. Keep in mind that a language may consist of different dialects, depending on the region of origin or the social class of the speaker, and that within one city several languages may be spoken, including by pockets of diaspora communities. In certain countries of origin, the dialect of a language might be linked more to the ethnic background or clan affiliation than to the place of origin or residence. Spoken language is also fluid, as vocabulary and pronunciation might change according to the context in which the applicant resides. An applicant who holds the claimed nationality may not be able to speak or may speak with difficulty their national language if they have lived abroad for a long period, for example.

([96]) Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 (AMMR), http://data.europa.eu/eli/reg/2024/1351/oj.
([97]) Article 51(1) AMMR.
([98]) Article 51(3) AMMR.
([99]) See Annex VII of Commission Implementing Regulation (EU) 2025/2055 of 2 October 2025 laying down rules for the application of Regulation (EU) 2024/1351 of the European Parliament and of the Council, as regards asylum and migration management and repealing Commission Regulation (EC) No 1560/2003 (OJ L, 2025/2055, 12.11.2025), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202502055#anx_VII.

There is a whole range of possible language assessments that rank from formal scientific processes to more informal procedures. They may thus vary in reliability depending on how the analysis or assessment reports are produced (by language experts or artificial intelligence, based on audio recordings of applicants, based on vocabulary checklists, etc.).

Language indication methods need to be clearly distinguished from language analysis methods. Language indication methods are less reliable than language analysis and may not be used as proof in courts, but they can be conducted faster for a first indication of applicants for whom the declared place of origin does not correspond to the language spoken. Once this indication is noted, further examination is necessary, either through a thorough language analysis or a country of nationality verification interview or a combination of both.

It is important to note that language assessments or indications, including the use of checklists, should be used with great care in the credibility assessment.

(e) Medical, psychiatric and psychological reports

[Contents] [Checklist]

Depending on the specific case and the applicant's personal circumstances, medical, including psychiatric and psychological, evidence may be very valuable for the assessment, as it may shed a light on different aspects of the claim.

- It may give you indications as to the capacity of the applicant to gather and/or present evidence, including oral and written statements. As such, medical evidence can affect not only your expectations in relation to the ability of the applicant to substantiate their claim but also the way you assess the credibility of their statements (on factors of distortion see Section 2.3.1. 'Factors related to the applicant' under Step 2).

Example on the impact of medical evidence on the gathering of information

An applicant who suffers from post-traumatic stress disorder (PTSD) may be incapable of taking the steps that would normally be required to gather evidence at their disposal.

- It may give you indications as to any special procedural guarantees that need to be put in place.
- It may be considered as evidence supporting material facts related to past events that the applicant claims to have gone through.

Example on evidence substantiating past events

The applicant presents a medical certificate related to the scars that can be observed on their body, which they say are the result of acts of torture in their country of origin.

- It may give indications of personal circumstances that may affect the risk assessment or further support indications thereof.

Example on evidence substantiating personal circumstances

Depending on national practice, if an applicant submits a medical certificate establishing that they live with a disability, if that circumstance may be considered as established, and depending on the specific case at hand and the gravity of the disability, this could be considered as an aggravating circumstance. This applies where there is a situation of indiscriminate violence in the context of an internal or international conflict and may affect the risk assessment.

Seeking an expert opinion can be particularly useful in cases of applicants with mental health concerns, a diagnosed psychiatric or physical disorder, chronic disease, a disability or applicants who have experienced serious forms of violence, are a victim of torture or a victim of human trafficking, among others.

It is your role to identify applicants with potential vulnerabilities and special needs. Consequently, it may also be your role, depending on national practice and subject to the applicant's consent, to refer them to specialists for clarification of their physical and mental condition.

Applicants may also spontaneously submit any kind of medical evidence. The question will thus concern the probative value of the evidence (see Step 2, Section 2.1.4(a) 'Medical and psychological evidence'). Clinical records or medical prescriptions can be useful evidence. Experts' evidence may be produced in the applicant's country of origin, transit countries or in the receiving country.

Istanbul Protocol ([100])

The Istanbul Protocol is a set of international standards that guide the investigation of victims of torture and other cruel, inhuman or degrading treatment or punishment. The protocol assists professionals documenting signs of torture or other inhuman treatment.

Medico-legal assessments that are conducted according to the Istanbul Protocol support the documentation of both mental and physical signs of torture or other inhuman treatment. They also support the documentation of the impact of such treatment on the person. Thus, it provides standardised assessment that goes beyond physical signs of potential ill-treatment.

Referral to such medico-legal assessments can be particularly relevant for example when there are indications the applicant is not capable of providing coherent statements about their past experiences due to traumatisation.

([100]) Office of the United Nations High Commissioner for Human Rights (OHCHR), *Istanbul Protocol: Manual on the effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment*, Professional Training Series No. 8/Rev. 1, 2004, https://www.ohchr.org/documents/publications/training8rev1en.pdf.

(f) Age assessments

[Contents] [Checklist]

Age assessment is the process by which authorities seek to estimate the chronological age or range of age of a person in order to establish whether they are a child or an adult ([101]). However, no methods of age assessment can establish a person's age with certainty and age assessment should not be used unnecessarily. Only when doubts arise regarding the applicant's minor or adult age, may the determining authority undertake a multi-disciplinary age assessment. If doubts persist, medical examinations may be used as a measure of last resort to determine the applicant's age ([102]). If there is still doubt concerning the applicant's age following the assessment, you have to assume that the applicant is a minor ([103]). For more information, consult the EUAA's practical guide on the topic ([104]).

(g) Reports from other professionals

[Contents] [Checklist]

Reports from other professionals may also be available for example reports drafted by other experts with specialised competences or by professionals that are in usual contact with the applicant.

The applicant may submit evidence or you may have access to reports from child protection experts or sexual and gender-based violence experts, for example. Evidence from other experts may include reports and other types of information produced by experts on particular matters, such as cultural and religious issues ([105]).

Statements or reports from professionals that are in contact with applicants may also be useful to alert you on some aspects, such as potential medical issues you should be aware of but not (yet) verified by a medical report.

Social workers have first-hand information on the applicant and may raise concerns in relation to the behaviour or other aspects of the life of the applicant in the country of reception. Proper communication channels and cooperation between the determining authorities and other stakeholders, such as reception authorities, may allow case workers to benefit from information useful to carry out their assessment properly.

([101]) EUAA, *Practical Guide on Age Assessment*, November 2025, https://www.euaa.europa.eu/publications/practical-guide-age-assessment-0.
([102]) Article 25(1) and (2) APR.
([103]) See Article 25(2) APR.
([104]) For more information on the age as a material fact, the available evidence and broad interpretation of accepted documents and an analysis of evidence, refer to EUAA, *Practical Guide on Age Assessment*, November 2025, pp. 40 and following (footnote 101).
([105]) Article 34(3) APR.

(h) Evidence that is in breach of the applicant's fundamental rights

[Contents] [Checklist]

As evidence may be freely submitted by the applicant to support their application, the determining authority needs to accept and assess all evidence that is submitted without restriction, unless the submission itself would lead to a breach of the applicant's fundamental rights. The collection and acceptance of evidence should be consistent with the fundamental rights guaranteed provided by the European Convention of Human Rights (ECHR) and the EU Charter of Fundamental Rights, such as the right to respect for human dignity (Article 1 ECHR and Article 1 EU Charter), the right to respect for private and family life (Article 8 ECHR and Article 7 EU Charter), and the general and absolute prohibition of torture and inhuman or degrading treatment (Article 3 ECHR and Articles 3 and 4 EU Charter).

While an authority may request an expert report, 'the procedures for recourse to such a report must be consistent with, in particular, the fundamental rights guaranteed by the Charter' ([106]).

In looking and accepting evidence, the determining authority should take into account the seriousness of the interference this evidence creates in the right to privacy, and assess whether this interference can be regarded as proportionate to the benefit that it may possibly represent for the assessment of the facts of the individual application ([107]).

It is the duty of the administration to assess the relevance of the submitted evidence in substantiating the facts under consideration.

In particular, degrading methods of asking questions about an applicant´s sexual practices, evidence on sexual activities and tests aimed at establishing someone's sexual orientation or gender identity are not to be used by the authorities, as clarified by the Court of Justice of the European Union (CJEU) ([108]).

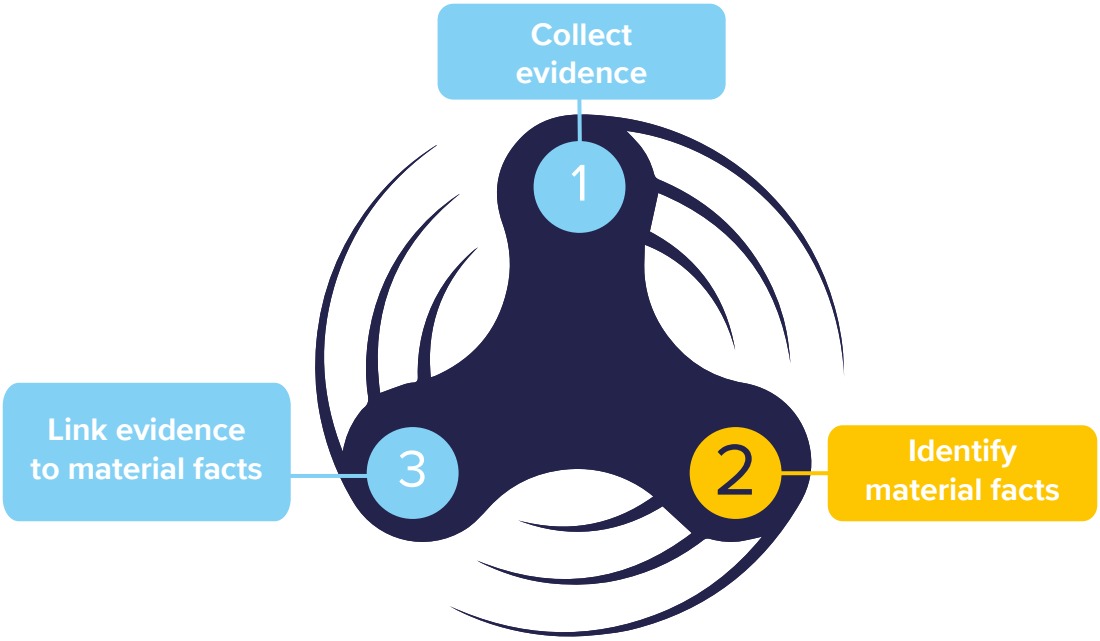
The respect for these fundamental rights prohibits the determining authority to accept, for example, the submission of videos of intimate acts by the applicant to substantiate an application based on sexual orientation. The CJEU stated that 'the effect of authorising or accepting such types of evidence would be to incite other applicants to offer the same and would lead, de facto, to requiring applicants to provide such evidence' ([109]). In many cases, such evidence is also not considered relevant for the substantiation of the sexual orientation.

([106]) *F v Bevándorlási és Állampolgársági Hivatal*, paragraph 48 (see footnote 38). Summary available in the EUAA Case Law Database.
([107]) *F v Bevándorlási és Állampolgársági Hivatal*, paragraphs 55 and onwards (see footnote 38). Summary available in the EUAA Case Law Database.
([108]) *A., B., C.*, paragraphs 59-66 (see footnote 38). Summary available in the EUAA Case Law Database.
([109]) *A., B., C.*, paragraphs 59-66 (see footnote 38). Summary available in the EUAA Case Law Database.

1.2. Identify and formulate material facts

[Contents] [Checklist]

Figure 5. Identify material facts



What are material facts?

Material facts are (alleged) past and/or present facts and circumstances that are linked to one or more of the constitutive elements of the definition of a refugee ([110]) or a person eligible for subsidiary protection ([111]) and go to the core of the application.

Since material facts are directly linked to the eligibility criteria for international protection, their proper identification is essential for conducting the credibility assessment and the risk assessment. Material facts define the scope of the assessment and help to structure your reasoning. Only evidence linked to the identified material facts is subject to the examination of the application.

The identification of the material facts is a continued process. It starts when you familiarise yourself with the case by checking information available from the registration ([112]) and lodging and any additional evidence submitted by the applicant prior to the personal interview. It continues during the personal interview, through the collection of statements and all other evidence. New material facts may still be identified during the credibility and risk assessment.

([110]) Article 1A(2) of the 1951 UN General Assembly's Convention relating to the status of refugees, and 1967 Protocol Relating to the Status of Refugees (see footnote 15); Article 3(5) QR.
([111]) Article 3(6) and Article 15 QR.
([112]) This may include, where applicable, the information gathered during the screening performed based on the Regulation (EU) 2024/1356.

1.2.1. Identify the material facts

(a) Identify material facts based on the eligibility criteria

[Contents] [Checklist]

In order to correctly identify the material facts, begin with the **eligibility criteria** coming from the legal definitions of a refugee and a person eligible for subsidiary protection.

Breaking down the different components of the definitions of 'refugee' and 'person eligible for subsidiary protection', i.e. the eligibility criteria, will allow you to correctly identify the material facts of a specific claim.

Table 1. Eligibility criteria

Definition of a refugee	Definition of a person eligible for subsidiary protection
1. being a third-country national or stateless person outside their country of origin or former habitual residence	
2a. having a well-founded fear of being persecuted	**2b.** having substantial grounds for facing a real risk of suffering serious harm ([113])
3. for reasons of race, religion, nationality, political opinion, membership of a particular social group	
4. being unable or, owing to the well-founded fear or risk, unwilling to avail themself of the protection of the country of origin or being unable or, owing to such fear, unwilling to return to the former country of habitual residence	
5. exclusion provisions do not apply ([114])	

The starting point is the identification of the facts related to the applicant's **nationality** (**1**) and identity, and all the relevant past and present facts and the contributing personal circumstances that substantiate the applicant's **fears and risks upon return** (**2**). For each of the facts substantiating the fears and risks upon return, you then look into the **reasons** (**3**) that caused or causes them, and why the applicant cannot avail themself of **protection** (**4**) in their country of origin. These material facts are to be complemented with any possible fact that may point towards **exclusion** (**5**). Note that the applicant's nationality will also be decisive in examining the fears or risks and particularly the availability of national protection. The nationality, or the lack thereof, is therefore a material fact by default.

([113]) Article 15 QR: '*Serious harm as referred to in Article 3(6) consists of:*
(a) the death penalty or execution; or
(b) torture or inhuman or degrading treatment or punishment of an applicant in the country of origin; or
(c) a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.'

([114]) Exclusion provisions refer to Articles 12 and 17 QR. For more information, see EUAA, *Practical Guide on Exclusion from International Protection*, September 2026 (footnote 70).

Based on the eligibility criteria, the following groups of material facts will therefore be identified:

1. the nationality(ies) of the applicant or the lack thereof;
2. past or present facts substantiating future fear or risks upon return;
3. reasons for the identified fears or risks;
4. availability of protection against what is feared or being risked or lack thereof;
5. facts related to a possible exclusion

You should note that the applicant may not necessarily know what is relevant to the examination of their application. They may therefore present to you several fears and problems that are important to them yet not necessarily relevant for international protection. It is for you as a case officer to be aware of the eligibility criteria and, on this basis, to determine which aspects of the claim are relevant and, thus, are to be identified as material facts.

The table below captures the link between eligibility criteria and facts and circumstances and provides some key questions that could guide you in the identification of the material facts in a given application. These indicative guiding questions are suggested as a support for you in the identification of the facts. They will need to be complemented with detailed explorative questions to establish all relevant facts, depending on the circumstances of the case. Being indicative, these questions may not be relevant in all cases and, when used to guide the conduction of the personal interview, they should be formulated as appropriate to each case ([115]).

Table 2. Guiding questions for the identification of material facts

Eligibility criteria	Identify material facts related to the eligibility criteria	Guiding questions to assist with identifying the material facts (non-exhaustive).
1. Third-country national outside their country of origin / former habitual residence	Identify the facts related to the nationality of the applicant or the lack thereof	• What is the applicant's nationality or country of former habitual residence? • Any other nationalities the applicant may have or is entitled to? • Is the applicant (possibly) stateless?

([115]) For more guidance on topics or questions that may be relevant to specific profiles, consult: EUAA, *Practical Guide on Political Opinion*, 2026, EUAA, *Practical Guide on Exclusion from International Protection*, September 2026, EUAA, *Practical Guide on the Application of the Internal Protection Alternative*, 2026 (see footnote 70); EUAA, *Practical Guide on Interviewing Applicants with Religion-based Asylum Claims*, 2026, https://www.euaa.europa.eu/publications/interviewing-applicants-religion-based-asylum-claims-practical-guide; EUAA, *Practical Guide on Membership of a Particular Social Group*, May 2025, https://www.euaa.europa.eu/publications/practical-guide-membership-particular-social-group.

Eligibility criteria	Identify material facts related to the eligibility criteria	Guiding questions to assist with identifying the material facts (non-exhaustive).
2. Well-founded fear of persecution or real risk of serious harm	Identify the facts related to future fears or risks upon return and the circumstances that contribute to them	• What has happened to the applicant in the past that can possibly amount to (including in a cumulative way) persecution or serious harm? • What has happened to the applicant's family / friends / persons in similar circumstances? • Which past and current facts, situations or circumstances give rise to the fear or risks? • Which current or past personal circumstances may impact the risk of persecution/harm to the applicant? • Who is (are) the actor(s) behind the past problems and/or threats, including their status, level of authority and capacity?
3. For reason of race, nationality, religion, political opinion or membership of a particular social group	Identify the facts related to the reasons the applicant fears threats	• For which reasons did or does the applicant fear being threatened? • What are the motivations of the actor(s) threatening them, according to the applicant? • What are the reasons behind the claimed lack of protection?
4. Unable or unwilling to avail themself of the protection of the country of origin / habitual residence	Identify facts related to the claimed lack of protection	• Who are the actor(s) of protection and what is their capacity to provide protection against the problems? • What type of protection (and to what extent) did the applicant obtain and if not, why was it not offered, and by which factors is the availability of protection influenced? • Is there a region in the country of origin that may offer an IPA? ([116])
5. Exclusion provisions do not apply	Identify any elements related to exclusion	• Are there any indications in the profile or actions of the applicant that point at potential exclusion?

Remember that the identification of material facts does not entail the legal assessment as such. The identification only indicates which facts or circumstances are relevant for your examination of the claim and may substantiate the various eligibility criteria of the definition of international protection.

([116]) For more information on material facts that can be identified in relation to IPA, see EUAA, *Practical Guide on the Application of the Internal Protection Alternative*, 2026 (footnote 70).

(b) Material facts related to past and present facts, situations and circumstances

[Contents] [Checklist]

Material facts most likely include past **experiences, events and incidents**, generally in the country of origin, which happened directly to the applicant, or to persons close to them with the purpose to harm the applicant or other persons with a similar profile. Past events may substantiate the fear or risk, including the grounds, and the non-availability of protection, and may be the basis for exclusion from international protection.

Good practice

When exploring during the personal interview ([117]) the material facts related to past facts or events, you can make use of the 5 'W' questions: what, who, why, when, where, to ensure that you gather all necessary information for each material fact. For instance, what event occurred and in which circumstances? Where did the event take place? When did it take place? Why did it occur?

In this way you can ensure that you are gathering all the necessary information regarding each material fact during the phase of gathering evidence. You can thus check before conducting the credibility and risk assessment if you have enough information to proceed to a thorough examination.

Example on identifying material facts: Case of an activist from country B

Several incidents mentioned in her account are material facts because they have been inflicted on her with the purpose of stopping her activities, which are perceived as being against the interests of the country. For instance:

- ✓ In January 2025, special forces raided the applicant's house and killed her cousin during her absence to pressure the applicant to stop with her activities.
- ✓ The applicant was in a car crash after an unknown person tampered with the car's breaks.

All these facts may substantiate the fear for her life and freedom upon her return and are thus material to the claim.

([117]) For more guidance on the conduction of the personal interview, consult the EASO, *Practical Guide: Personal Interview*, December 2014 (footnote 4).

Keep in mind that the applicant may also express a fear upon return based **on present facts, activities, situations or (personal) circumstances** that have not caused any incidents in the past but may lead to incidents in the future. This could be the case when convictions, beliefs, identity and characteristics have been concealed or not expressed in the country of origin ([118]), or where the applicant fled prior to anything could happened to them, based on their knowledge of the treatment faced by other persons in a similar situation. Other scenarios include changes in conditions in the country of origin or events that occurred after the applicant's departure, as well as new activities the applicant has engaged in since living in the country of asylum (*sur place* claims).

(c) Material facts related to known risks the applicant did not rely upon

[Contents] [Checklist]

Material facts may also include facts and circumstances that are not (explicitly) brought forward by the applicant yet may be identified based on the applicant's profile and the situation in the country of origin.

Applicants may not disclose information due to fear, shame, unawareness, normalisation or acceptance of the abuses or discriminations, among others ([119]). Applicants may also simply not be aware of the risk or may not realise that the risk may be relevant in the context of an application for international protection. When any such potential risks are known to the asylum administration, in line with your duty to investigate and assess (see Section 1.1.1.(b) vi. 'Obtain relevant COI and other evidence') and relevant jurisprudence ([120]), you need to identify the underlying material facts and investigate these with the applicant.

Example on identifying material facts: Case of a young woman from country C

In this case, you know that the applicant is 19 years old and that she comes from a country where, according to COI, the rate of female genital mutilation/cutting is one of the highest in the world, is widespread in the whole country and affects children and young adults alike. While the applicant has not expressed any fear of being subject to female genital mutilation/cutting, you will still need to sensitively explore this issue within the interview, to see if there are elements that may trigger any risk.

When exploring the topic further during the interview, the applicant explains that she has not been circumcised as her parents always refused when the rest of the family was asking for it to happen. Her sisters have not been circumcised either. However, her aunt, who is now responsible for her sisters in country C. after their parents died, informed them two weeks ago that their circumcision is planned to take place next week, together with a few girls from other families. The applicant is afraid for them, it may be very painful, but nothing can be done about it. Her aunt says that the family would be dishonoured if they did not go through with it and they will not be able to find a husband for each of her sisters.

([118]) See recital 29 QR.
([119]) *A., B., C.*, paragraphs 69-71 (see footnote 38). Summary available in the EUAA Case Law Database.
([120]) *F.G. v Sweden*, paragraph 127 (see footnote 67). Summary available in the EUAA Case Law Database.

Based on these new elements, you will formulate the relevant material facts behind the future risk of female genital mutilation/cutting.

Material fact: the applicant's aunt, who is now responsible for the applicant and her siblings following the death of their parents, has organised her sisters' circumcision.

(d) Consider the applicant's personal circumstances surrounding the material facts

[Contents] [Checklist]

When identifying the material facts, you need to duly consider the personal circumstances of the applicant. When personal circumstances are not material facts based on their own merits but have the potential to affect the risk upon return, they must be identified and made explicit in the formulation of the material fact, to indicate their relevance. You will also need to gather and assess evidence on the personal circumstances, to the extent possible, and determine whether those personal circumstances may be accepted before you are able to make a risk assessment of the accepted material fact as a whole.

Example on identifying material facts: Case of a young man from country A

This young man is 18 years old. He comes from village X and is a member of clan Y. He has had a limited education and is the son of farmhands.

These personal circumstances related to his family, education, social background and living environment do not have a direct connection with his fear, since they were in themselves not the reason he was requested to join the terrorist group. However, these circumstances may have made (and make) him an easier target for the terrorist group, as they may affect his capacity to resist the requests. In order to be duly considered during the risk assessment, the applicant's personal circumstances must therefore complement the relevant material facts and must be part of their formulation.

Material fact: the applicant, an 18-year-old son of farmhands, with a low level of education and a low social position, originating from a small village in area X and member of clan Y, was repeatedly asked to join the terrorist group.

It is also important to keep in mind that personal circumstances may also influence the applicant's capability to substantiate their application or may act as factors of distortion in the credibility assessment. Those circumstances are not to be formulated as (part of) material facts that are subjected to the credibility assessment. They are however to be identified and noted, since they must be taken into account not only while conducting the interview but also during the credibility assessment (see Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions').

Example on considering personal circumstances: Case of a young man from country A

The traumatic experiences the applicant lived through during his journey to Europe are not material to the claim. Nevertheless, the trauma may affect the applicant's memory, cognitive abilities and emotional reactions and, as a consequence, how he is able to communicate and substantiate his claim during the personal interview. These circumstances are therefore to be understood and duly considered when applying the credibility criteria. The psychosocial report presented by the applicant may be useful supporting material.

These personal circumstances may also be the subject of a 'vulnerability assessment' (which does not fall within the scope of this practical guide). This particularly applies when no medical or psychosocial reports or other useful evidence to help identifying these circumstances are available, or when more specialised knowledge is needed ([121]).

(e) Exclude facts that are not material

[Contents] [Checklist]

The sections above explain how facts that are not related to the eligibility criteria are not material facts. When facts and circumstances emerging as part of the claim are not material, they are not to be formulated and further considered in your credibility and risk assessment. This means, in other words, that whether such facts are credible or not, is irrelevant to the assessment of the claim.

Example on events not identified as material facts: Case of a young man from country A

The young man mentioned that his family owned a small piece of land but after a dispute over inheritance, his uncle took their land. This event may have been of enormous importance for the applicant, but after exploring it with him during the interview, the applicant has clarified that the event had no further consequences for him and his family. The event is not at the core of the claim and you have ascertained that no element that may link it to any of the eligibility criteria has come up. Consequently, you will not identify and formulate it as a material fact, as you will not have to take it into account in your further assessment of the claim. This also means that its credibility is irrelevant in your evaluation of the claim.

In some cases, not only specific aspects of the claim, but the overall applicant's statements do not have any link with the eligibility criteria and there are no further indications of a possible future risk in light of the applicant's profile and the available COI. In this case, if the profile and the claim are properly investigated in the personal interview and no other reasons for concern arise, then no material facts are to be formulated in relation to the fear or risk of serious harm.

([121]) For more information and guidance on assessing vulnerabilities, consult the EUAA, Tool for Identification of Special Needs, https://ipsn.euaa.europa.eu/ipsn-tool.

Nevertheless, you would still need to state in your decision which are the facts that constitute the claim and why such facts are not considered material facts.

Notwithstanding the above, you should be careful not to consider the identification of material facts too narrowly. In fact, as more elements are gathered, more elements may emerge that are 'material'. For instance, when an applicant states that they left their country because they could not make a living, you should explore and clarify in the personal interview the reasons behind this. When this is not covered in the interview, you may miss, for instance, the fact that the applicant has no job opportunities or access to healthcare and housing because of their ethnic origin. In this case, their ethnic origin would be a material fact, being the reason for the discrimination the applicant is subject to and linked to the eligibility criteria. Similarly, an apparent land dispute may be at the origin of a blood feud, which, depending on the case, could raise international protection needs. It is important therefore that when an applicant brings forward facts and circumstances that are apparently not material facts, you explore why the applicant thought those facts were relevant for their claim.

Remember that general facts are not identified as material facts

General facts related to the situation in the country of origin, which are known based on COI research (subject to the COI research methodology), may be essential for the risk and/or legal assessment, but are not subject to the credibility assessment as described in this guide. They should therefore not be identified as material facts.

1.2.2. Formulate clear, comprehensive, factual material facts

Once identified, it is important to formulate the material facts in a correct way, so that they can form the basis for a solid credibility assessment.

The following rules will help you to formulate the material facts that will be subject to the credibility assessment in a correct way.

Capture only the past and the present

[Contents] [Checklist]

Material facts include only facts, circumstances and situations that occurred in the past or exist at present. What may occur in the future is not to be formulated as a material fact, since something that has not happened yet cannot be subject to credibility assessment. Possible future events and risks will be formulated and assessed at a later stage, during the risk assessment.

Example on formulating past and present events as material facts: Case of a young man from country A

The erroneous formulation of the future risk as material fact:

✗ The applicant cannot return home because he will be obliged to join the terrorist group or he will have to suffer the consequences of refusing.

The correct formulation of the material facts related to this risk:

✓ The applicant was repeatedly asked to join the terrorist group.

✓ Other boys and young men of his village have been sequestered by the terrorist group to forcibly recruit them.

Adhere to the applicant's statements

[Contents] [Checklist]

The applicant's statements are your starting point in the formulation of the material facts. This will help you to make the applicant or the applicant's perspective the subject of the material fact. The way you formulate them should mirror the way the applicant presented them to you. You should describe the material facts in material terms, adhering to the situation described by the applicant. General statements that do not reflect the applicant's perspective, situation or immediate surrounding should be avoided.

Example on formulating material facts according to the applicant's statements: Case of an activist from country B

A generic formulation of the material facts should be replaced by a formulation adhering to the applicant's statements.

✗ Intimidation tactics by unknown persons are being used.

✓ The applicant was threatened with being raped and killed by hooded men if she would not give up her activities.

Include all relevant details

[Contents] [Checklist]

When you formulate the material fact, you should make sure that all relevant details connected to that material fact are included. It is important to pay attention to any individual elements that may heighten the risk of persecution or serious harm, in particular if without these elements the threshold for persecution or serious harm may not be reached. If there are such elements, they should be included explicitly in the formulation of the material fact.

Example on formulating complete material facts: Case of a young woman from country C

An example of an incomplete and complete formulation of the material fact:

✗ The applicant is a single mother.

✓ The applicant is a young, single mother, she is an orphan and is living under the authority of her traditionalist uncle in her country of origin.

Avoid personal interpretations or conclusions

[Contents] [Checklist]

Material facts are to be stated as facts, whatever their nature is. You should avoid interpretation of elements or drawing conclusions about the credibility in the formulation of the material facts. This will be subject to the credibility assessment, which is the next step once all material facts have been identified and formulated and all evidence is collected and linked to the material facts.

Example on avoiding subjective formulations of material facts: Case of an activist from country B

A subjective formulation of the material fact should be replaced with a formulation adhering to the facts presented by the applicant.

✗ An indictment of dubious reliability indicates that the applicant was charged with 'resisting arrest' and 'public instigation to violence' and would soon be subject to a trial before a military tribunal.

✓ The applicant was charged with 'resisting arrest' and 'public instigation to violence' and received an indictment indicating the date of a trial before the military tribunal.

Avoid questions of law

[Contents] [Checklist]

At this stage you should avoid including questions of law in the formulation of material facts. Questions of law will be answered during the legal analysis.

Example on avoiding legal formulations in material facts: Case of an activist from country B

A formulation anticipating a legal analysis should be replaced by a formulation adhering to the facts presented by the applicant, in this case by listing the related incidents.

✗ The applicant was subject to persecution by state authorities through a series of raids on her house.

✓ In January 2025, special forces raided the applicant's house and killed her cousin during her absence to pressure the applicant to stop with her activities.

1.2.3. Formulate each material fact around well-defined facts, events or situations

[Contents] [Checklist]

Material facts should be formulated around well-defined facts, events, situations or circumstances. It is therefore better to keep facts separate and formulate them as individual material facts, to assess their credibility one by one, as this will give you a proper basis for the risk assessment. Erroneously formulating different facts or situations that should be assessed independently as one material fact risks complicating your credibility and risk assessment. It may even lead you to reach incorrect conclusions. In other words, different threats or incidents, even if linked to one another, should be formulated as separate material facts when they happened over a longer timeframe, or involve different persons, or are based on different reasons or may have occurred independently.

Example on formulating specific material facts: Case of an activist from country B

The applicant mentioned that three separate illegal raids of her house took place in an attempt to force her to stop her activities. The three incidents occurred at different times within a two-year period (2025 and 2026) and involved different types of abuse committed against different people. While the perpetrator and the purpose of the raids remained the same, they constitute separate incidents that have happened independently. Formulating these different facts as one broad material fact may possibly lead to an erroneous acceptance or rejection of all three incidents as a whole.

✗ The special forces conducted several raids on the houses of the applicant and her family members between 2025 and 2026.

✓ In January 2025, special forces raided the applicant's house and killed her cousin during her absence to pressure the applicant to stop her activities.

✓ In March 2025, special forces raided the applicant's house to pressure the applicant to stop her activities; several relatives were mistreated and female relatives were forced to remove their clothes.

✓ In June 2025, special forces raided the applicant's sister's house to pressure the applicant to stop her activities and two of her nephews were detained.

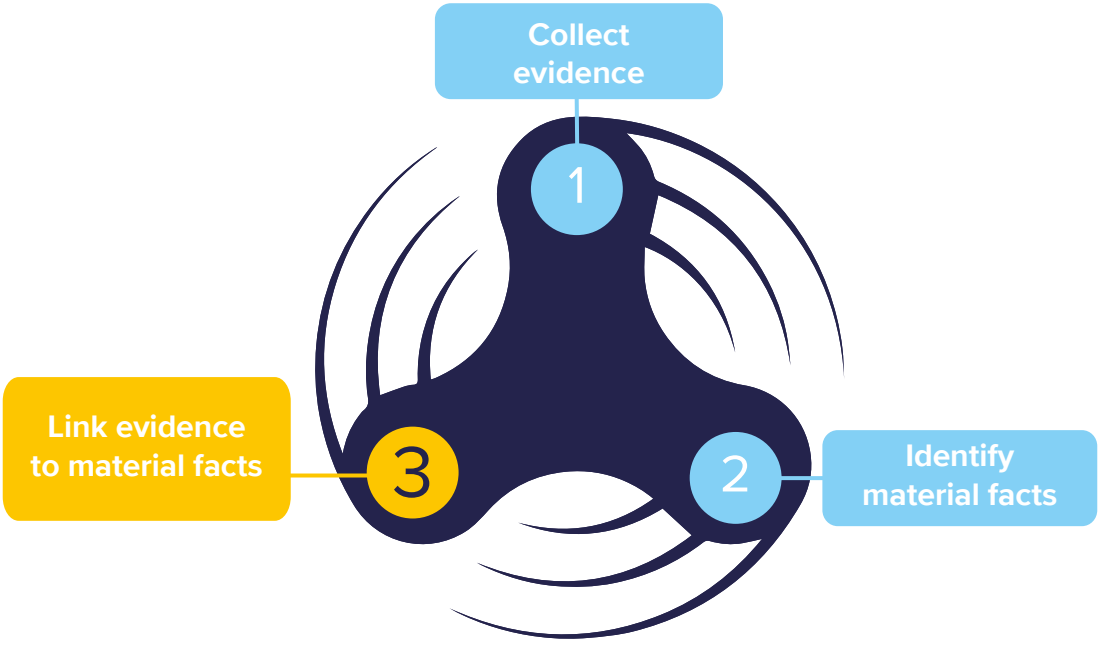
Notwithstanding the above general rule, sometimes material facts are so closely interlinked that you can assess their credibility together for a more efficient credibility assessment. This can be the case when many small similar incidents occurred in the same span of time, in particular when the actors, methods, reasons, objectives and/or consequences are the same.

Remember however that combining material facts should be done in a restrictive way and only when it is clear that a separate assessment of the facts will not lead to a different result.

1.3. Link the relevant evidence to the material fact(s)

[Contents] [Checklist]

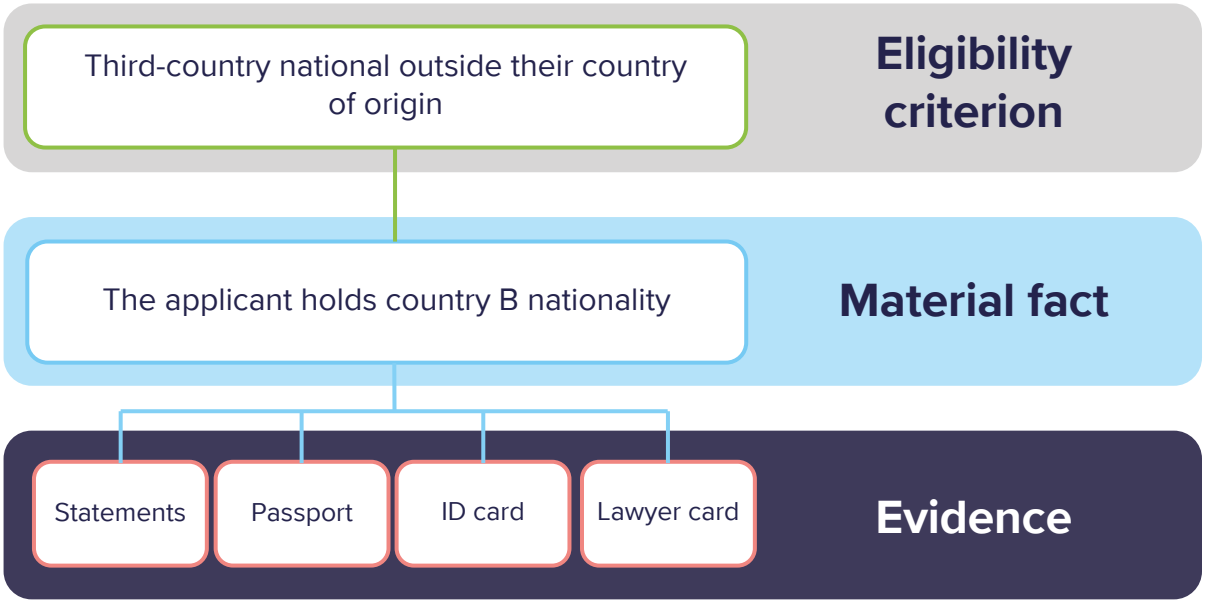
Figure 6. Link evidence to material facts



Once you have collected all available evidence and identified material facts, the process of evidence assessment continues with linking the available evidence to each material fact.

The identification of the material facts defines which facts and circumstances of the claim are to be assessed on credibility and, thus, need to be substantiated with evidence. Just as a material fact has to be linked to one or several eligibility criteria, all relevant pieces of evidence have to be linked to one or several material facts.

Figure 7. Link each piece of evidence to one material fact – example based on the Case of an activist from country B



When linking evidence to each material fact, you must look at all available evidence, duly considering the evidence the applicant considers important for their case. In many cases, certain types of evidence may be linked to multiple material facts. Evidence may support the core of the material fact directly or may substantiate the circumstances that may impact, for example, the risk or accessibility of protection. Evidence can support or refute the material fact.

Moreover, when you are in the process of linking the evidence to the material fact(s), you should also look at the evidence that is missing. More details may be needed from the applicant, or COI may not be available about a specific event, or there may not be documents about an incident or an event. In some cases, further investigation, for instance through an additional interview, may be necessary. If evidence is not available or cannot be provided, look into this lack of evidence in the credibility assessment, which is the next step of the evidence assessment. At this stage, do not draw conclusions about the credibility or the acceptance of the evidence. Section 2. 'Step 2. Credibility assessment' of this guide details how you can involve missing evidence in your assessment.

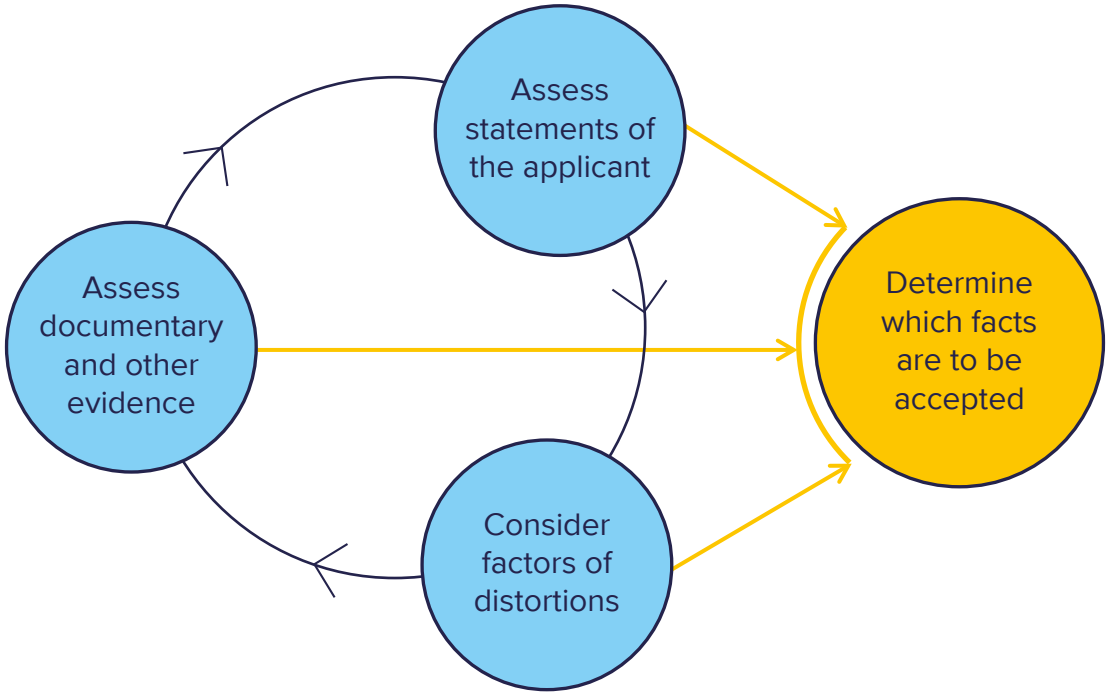
2. Step 2. Credibility assessment

[Contents] [Checklist]

The credibility assessment is the process of analysing evidence through the use of different criteria in order to establish if a material fact can be accepted as credible.

The credibility assessment includes three underlying assessments that need to be done in a dynamic way to conclude on the facts that can be accepted.

Figure 8. Three aspects of the credibility assessment leading to the conclusion on the facts to be accepted



The assessment of documentary and other evidence (Section 2.1. 'Assess documentary and other evidence'), the assessment of the applicant's statements (Section 2.2. 'Assess the statements of the applicant against credibility indicators') and the consideration of factors that may lead to distortions (Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions') are presented below as three separate successive sections for narrative purposes.

The order in which they are presented does not, however, reflect an order of importance, or the order in which the assessment is conducted. Indeed, all these phases take place at the same time in practice. Thus, while you assess the statements of the applicant, you should also consider the factors that may lead to distortions as well as the outcomes of assessing the documentary evidence and other evidence. Considering all these assessments and factors as well as the principle of the benefit of the doubt, you will be able to determine which material facts are to be accepted or rejected (Section 2.4 Determine if a material fact is accepted or rejected).

2.1. Assess documentary and other evidence

2.1.1. Assessment criteria

The examination of the probative value of documentary and other evidence involves an examination of their relevance and reliability (this section does not cover the statements of the applicant or the available COI).

(a) Relevance

[Contents] [Checklist]

Relevance refers to whether the evidence relates to a particular material fact. The stronger the connection between the evidence and the material fact, the greater the relevance of the evidence. Relevance should be clarified with the applicant.

One piece of evidence can be connected to different material facts and its relevance can be different for each material fact. Therefore, the assessment of the relevance of the evidence must be done anew for each material fact.

(b) Reliability

[Contents] [Checklist]

Reliability refers to whether and to what extent the substantiation of the material fact may build on that evidence that contains information relevant to it. In other words, you need to check how much that evidence is able to support the material fact(s) it relates to.

The reliability of the evidence under consideration will be based on the criteria explained hereunder.

Existence/occurrence

[Contents] [Checklist]

Occurrence refers to whether it is possible that a type of document or other evidence exists or has been issued by its author taking into account the time, place and circumstances mentioned by the applicant. The assessment of the occurrence is made based on COI or other available information.

Example on assessing the existence/occurrence of evidence

Your administration has reliable and up-to-date COI available mentioning that the underground organisation A has never issued membership cards for security reasons, and continues not to do so. If a membership card of (supposedly) organisation A is submitted by the applicant, and the applicant has not provided any satisfactory explanation in relation to how such a card had been issued to them, you have strong grounds to consider that the card lacks probative value, as this piece of evidence could not have been issued by organisation A.

Content

[Contents] [Checklist]

The following elements need to be assessed.

- Does the document / other evidence contain any contradictions with its own content?
- Is the document precise? Precision refers to the level of details of relevance to a particular material fact.
- Does the document cover the essential elements of the material fact or only peripheral ones?
- Does the information come from a direct source or is it a recounting of the applicant's statements? For example, the probative value of a testimony will be higher if the author has been the direct witness of what is being certified. The probative value will be lower if they are only recounting what the applicant has told them without any specific investigation to ascertain that the testimony certifies an event that is real.
- Does the document contradict available information, including COI? Is it consistent with other evidence available in the application?

Nature

[Contents] [Checklist]

The element of the nature of the document or other evidence refers to whether the piece of evidence is presented in original or in copy. Originals would normally have more value in the assessment. However, keep in mind that applicants may not be in a position to obtain the original document and that some documents cannot in general be obtained in their original form. For example, some original documents issued by the authorities are meant to remain within the authorities' services and not to be distributed further. The fact that an applicant submits such a document in original may raise concerns on how it came to be in the applicant's possession.

Author

[Contents] [Checklist]

You should ascertain who the author is, in which capacity they have drafted the document and their objectivity.

Form

[Contents] [Checklist]

The form of the document or other evidence refers to its formal components and how these components are structured and presented, as well as its condition and whether there is any damage or evidence of alterations. The form of a document is relevant to assessing its authenticity, reliability or genuine character. The form is particularly important in documents that have an official character, as one may expect such documents to present formal elements to identify its signatories and the institution in whose name the document is issued, e.g. an attestation from a party's president with heading, signature, stamp, etc.

Be cautious when making a conclusion on genuineness based solely on the form of the document, as in some countries there would be no standardised form for certain types of documents or administrations may be too weak to impose a standardised format over all their territory. The form may differ also depending on when and by whom the document was issued.

2.1.2. Authentication of documents

[Contents] [Checklist]

The scope of this section

This section aims at providing some general principles, information and guidance about authentication of documents that can assist you in the evidence assessment. The topic of authentication includes many additional aspects that are not covered in this practical guide.

Authentication is the most conclusive procedure with regard to the examination of the form and probative value of a document. In the common meaning 'if you authenticate something, you prove or confirm that it is true' ([122]), 'you state officially that it is genuine after examining it' ([123]). Authentication implies that you have the tools or are in a position to come to a positive or negative conclusion as to the genuine character of the evidence submitted. To note that '[f]or the purposes of the age assessment, documents that are available [must] be considered genuine, unless there is evidence to the contrary (....).' ([124]).

([122]) Collins, online Collins English Dictionary, 'authenticate', 2023, https://www.collinsdictionary.com/dictionary/english/authenticate.
([123]) Collins, online Collins English Dictionary, 'authenticate', 2023, https://www.collinsdictionary.com/dictionary/english/authenticate.
([124]) Article 25(1) APR.

As a case officer, you may have different possibilities available, depending on national practice.

- You can call on the expertise of **specialist services**, such as the police or an internal service where staff have been specially trained and have access to specific scientific material to authenticate or to detect fraud. Such services have the capacity to analyse, for example, the quality of inherent features of the document, such as the quality of the paper, the ink used, signs of falsification in stamps, watermarks, bindings, etc.

This is considered to be the most complete authentication.

- You may rely on sample specimen of the concerned document or evidence that may be available to you through specific (internal) **databases**, to compare the submitted document with the existing sample.

Below you can find examples of publicly available online databases on passports and other official documents issued by countries worldwide.

- Public Register of Authentic identity and travel Documents Online (PRADO) is a database of specimen of identity and travel documents made publicly available by the Council of the European Union.
- 'EdisonTD' is a database developed by the Dutch authorities in cooperation with the authorities in Australia, Canada, the United Arab Emirates, the United States of America and the International Criminal Police Organization (Interpol). Part of the database is publicly available.

Some other databases have restricted access but your administration may have or be in a position to acquire access.

- Intranet False and Authentic Documents Online (iFADO) is a portal of the General Secretariat of the Council of the EU and contains additional information in comparison with PRADO. It also comprises information contained in other databases, such as the Document Information System Civil Status.
- Document Information System Civil Status (DISCS) is a

> ***'web-based reference system developed by the authorities of the Netherlands, Canada, Australia, the United Arab Emirates-Dubai, Denmark and Norway (the Norwegian ID Centre [([125])]). DISCS aims to support the verification of foreign and national documents containing information on … identity, nationality as well as other matters concerning the holder of the document'.*** ([126])

([125]) See the website of the Norwegian ID centre, https://www.nidsenter.no/en/, and its specific section on Reference databases, https://www.nidsenter.no/en/services/reference-databases/.
([126]) See 'Reference databases' section the website of the Norwegian ID centre, https://www.nidsenter.no/en/services/reference-databases/.

- If you have doubts as to the authenticity of an official document that looks like an authentic document (such as a passport), you may also find information in the Schengen Information System as it also lists stolen blank documents.
- You may also rely on specific **COI research**. While the abovementioned databases may be of assistance in relation to official state documents, it is less likely to provide samples of other types of documents issued, for example, by non-state organisations. In such cases, specific COI research may provide you with valuable information (such as sample membership cards, attestations, badges).
- Look for obvious gross signs of falsification or alteration that you can identify on your own without specialised assistance.

  You may, for example, notice that a photograph has been grossly taped onto a document, that a card is not made of one single laminated cardboard but rather of two sides that have been stuck together and then laminated, that the signature of the holder of a card, supposedly the applicant, does not correspond to the signature of the applicant whose case you are handling (based on the different forms that were signed by the applicant during the asylum procedure), that there are gross mistakes in the motto of the organisation in the official document header, etc.

Keep in mind that when a piece of evidence shows signs of falsification or alteration (such as a missing page in a genuine passport), the falsification or alteration is done for a certain purpose, which may or may not be to better support an asylum claim. You should clarify this with the applicant.

Authentication may be difficult and may not always be possible. The impossibility or difficulty of conducting a formal authentication may be due to the below reasons, for example.

The cost of the experts' authentication.

The technical challenges that do not provide a clear-cut conclusion as to the genuine character of the evidence. This would apply particularly when the evidence is provided as a copy.

The unavailability of a sample specimen of the document or of the relevant tools to authenticate it.

The prohibition against obtaining the relevant information from the source because the source of the evidence is the actor of persecution or serious harm.

The simultaneous circulation of different versions of the same type of document due to the lack of centralised administration and/or uniform procedures for the issue of such documents.

The high level of corruption in the country of issue, where forged documents are commonplace alongside genuine documents obtained through corruption, whilst documents that are genuine both in the form and the content are also issued.

The impossibility or difficulty of authenticating a document cannot justify not proceeding with its evaluation. Irrespective of whether the evidence provided is authentic or not, you

must decide on its probative value in relation to the examined material fact ([127]). The other criteria (existence/occurrence of the type of document, content, form, nature, author) will help you in this assessment ([128]).

Authentication should be carried out in certain circumstances ([129]), i.e. when the author of the evidence is trustworthy and such authentication is feasible in practice, accessible, and can have an impact on the assessment of the material fact.

Keep in mind that when carrying out the assessment based on the criteria presented above and taking any steps for that purpose (for example to authenticate a document), it is of paramount importance that you ensure at all times that the principle of confidentiality is respected (see Section 'Guiding principles, (e) Confidentiality').

2.1.3. Giving 'weight' to the credibility findings related to the piece of evidence

[Contents] [Checklist]

The below principles will help you give weight to the credibility findings you have made by applying the above assessment criteria.

- Where not all the reliability criteria are fulfilled, a piece of evidence can carry a certain weight in the credibility assessment. Where, for example, all reliability criteria are fulfilled, but the applicant only submitted a copy of the document, this piece of evidence still carries a certain weight of probative value, which needs to be assessed together with the credibility findings related to the statements, for example (see Section 2.4.1. 'Weighing the credibility findings of all evidence linked to a material fact'). This is all the more the case if the applicant gives a reasonable explanation as to why they could not present the original document.
- When considering the relevance of the evidence, keep in mind that evidence that is related to the core of the material fact has more weight than evidence that relates to elements that are not linked to the core of the material fact and are thus peripheral. The acceptance of a material fact should in general only rely on the credibility of core elements. If peripheral elements are deemed not credible, their limited significance cannot shake the bedrock of the material fact as long as it can still rely on credible core elements.

([127]) Judgment of the Court of Justice of 10 June 2021, *LH* v *Staatssecretaris van Justitie en Veiligheid*, No C-921/19, EU:C:2021:478, paragraphs 42-44 and 61, .https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62019CJ0921 Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1841. See also the considerations in the Judgment of the ECtHR of 20 December 2022, *S.H. v Malta*, No 37241/21, ECLI:CE:ECHR:2022:1220JUD003724121, paragraph 86, https://hudoc.echr.coe.int/eng?i=001-221838. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=2600.

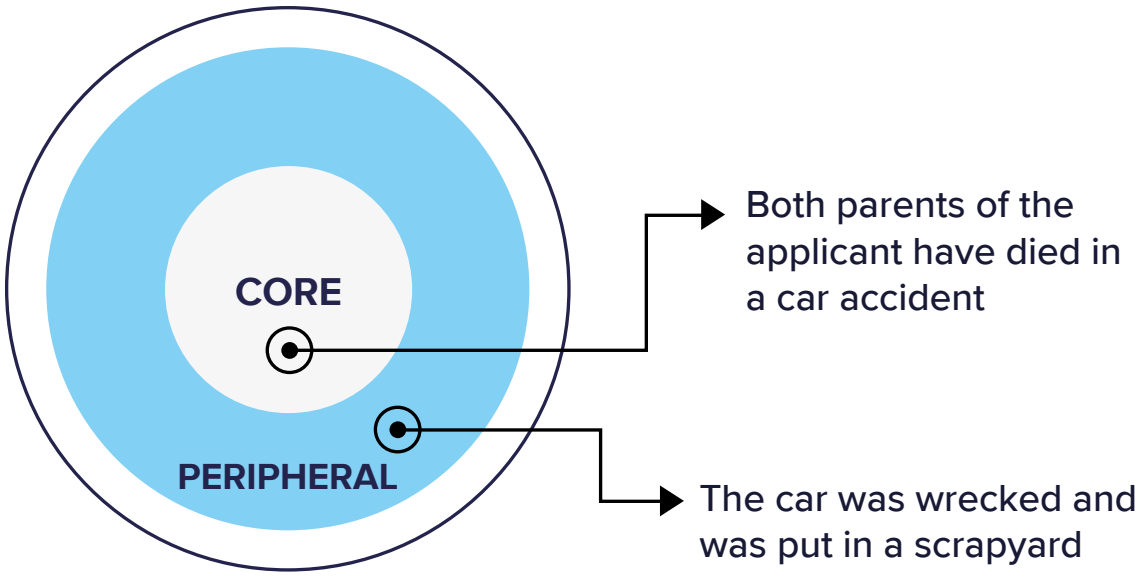
([128]) For a concrete example of an assessment of a birth certificate, see Judgment of the ECtHR of 7 January 2014, *AA* v *Switzerland*, No 58802/12, ECLI:CE:ECHR:2014:0107JUD005880212, paragraphs 61-63, https://hudoc.echr.coe.int/fre?i=001-139903.

([129]) Judgment of the ECtHR of 2 October 2012, *Singh et autres* c. *Belgique*, No 33210/11, ECLI:CE:ECHR:2012:1002JUD003321011, paragraphs 100-105, https://hudoc.echr.coe.int/fre?i=001-113660 (available in French only). Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=2795.

Example on evidence related to a peripheral element of the material fact: Case of a young woman from country C

- The evidence under consideration is the photograph of a car in a scrapyard. This evidence relates to a peripheral element of the account related to the car crash in which the parents of the applicant have died. This does not relate to the central circumstances of their death, nor does it support the event of the death of the parents, but an event that occurred after the alleged fatal crash. Such a piece of documentary evidence will have little weight in the assessment of the material fact.
- Similarly, any inconsistent declarations on the peripheral elements, such as the exact location of the scrapyard or its name, will not affect the credibility of the material fact, if the evidence, i.e. the statements of the applicant in this case, on the core elements of the material fact, meet the credibility criteria (see Section 2.2. 'Assess the statements of the applicant against credibility indicators').

Figure 9. Core aspects and peripheral aspects of a material fact – example based on the Case of a young woman from country C



- Minor negative findings in relation to one or more criteria do not preclude the evidence from being reliable overall. In general, the presence of several minor negative findings does not mean that the evidence does not support the material fact or undermines it, even though it may indicate some doubt about the reliability of the evidence. Several minor negative credibility findings generally do not amount to a major negative credibility finding.
- As detailed in step 1 (see Section 1.1.1. 'Apply the duty to cooperate'), when considering all evidence related to the material fact you may have identified that there is evidence missing. If, under specific circumstances, the applicant could reasonably be expected to provide certain evidence, and you have fulfilled your own duty to investigate, the

missing or incomplete information can be given a certain weight that will be taken into account in the weighing process when determining if the material fact is accepted or rejected (see Section 2.4.1. 'Weighing the credibility findings of all evidence linked to a material fact').

- When assessing how a negative finding may affect the reliability of the evidence, consider whether a possibility has been given to the applicant to provide an explanation on that finding and whether the explanation provided may affect your assessment of the reliability of the evidence.
- When assessing the probative value of evidence, keep in mind all relevant individual and circumstantial factors that may lead to distortions (see Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions').

Example of analysis of documentary evidence (indictment) in the Case of an activist from country B

- **Relevance**. The submitted indictment is relevant as the applicant relates it to the prosecution of which she claims to be the subject and that she links to her activities in favour of human rights. This is relevant to a material fact of her application.
- **Existence/occurrence**. It is confirmed that indictments are issued in similar situations by the Ministry of Justice.
- **Content**. The indictment refers to the offence of resistance to the authority but mentions an article of the criminal code that is not related to that offence.
- **Form**. The submitted indictment has a heading that has an official look. Based on available and updated COI, the administrations of the Ministry of Justice in country B are well equipped and organised, with well-defined formal procedures. However, the way the emblem of the Ministry of Justice appears on the top left corner of the document does not correspond to specimen documents of the kind. The document is signed, but the name of the signatory and the stamp are barely readable.
- **Nature**. The indictment has been submitted as a copy. The original has been left in country B, according to the applicant. She mentions she is having trouble having it sent to you for security reasons.
- **Author**. The alleged author is the Ministry of Justice but based on the above findings on the form of the document, you are not able to clearly identify the signatory or office that has issued the document. You may have a legitimate doubt as to the real author of the document.
- **Conclusion**. Based on all these criteria, this document contains several features that may lead you to consider it insufficiently probative on its own of the material fact under consideration. Indeed, even though the applicant has provided a satisfactory explanation as to the reason why only a copy was submitted, its probative value is undermined by the fact that you have identified several formal

and content flaws. You would need to assess if there are reasonable explanations for these weaknesses and allow the applicant to provide one (for example, a recent change in emblems, poor quality copy due to inadequate means). In any case, this document would need to be considered in conjunction with all other pieces of evidence related to the material fact, including the applicant's statements, before reaching any conclusion on the material fact as such.

The following sections cover the specific features of several types of evidence that are frequently presented and the specific points to consider while assessing them.

2.1.4. Specific types of documents

(a) Medical and psychological evidence

[Contents] [Checklist]

A very specific type of evidence is medical or psychological evidence (see Step 1, Section 1.1.2(e) 'Medical, psychiatric and psychological reports' on how medical evidence may affect the examination).

To establish the probative value of medical or psychological documents, all the above criteria are also applicable. There is, however, a specific way of applying these criteria to medical evidence.

Medical or psychological reports should include the specialisation of the medical expert and the examination that was carried out in order to allow an independent assessment of its reliability.

You should pay attention to the content of the medical report to see if it was established in a precise and professional way.

Keep in mind that independent doctors and psychiatrists carry out their examinations in function of medical objectives, not in function of an application for international protection (either supporting or denouncing). Independent medical practitioners may therefore not write their observations in such a way that they are useful for an application or may even refuse altogether to write certificates for non-medical purposes. To mitigate this situation, asylum authorities may contract or make agreements with medical experts, who are trained and/or certified by a court and understand the asylum procedure. These experts can draft medico-legal reports or other certifications which can be considered as valuable scientific evidence.

If you cannot have recourse to the expertise of a doctor or medical expert within your administration, you will need to examine the probative value of the medical report on the basis of the indicators applicable for documentary evidence. Moreover, the following points might provide additional indications of the probative value of a medical document.

- The medical report mentions the number and dates of examination, the type of examination carried out, and the related medical conclusions.
- It is based on a single examination or a series of them, providing a horizontal overview.
- It is founded in a proportionate manner on elements that are based on the patient's own statements and elements of medical/psychological observation.
- It refers to the standards of the Istanbul Protocol where there are allegations or signs of torture.
- The scope of medical/psychological expertise and the expert's opinion should refrain from drawing conclusions on the credibility of the applicant's statements regarding the alleged incidents of past harm(s) or current events and/or their eligibility for international protection in the medical report.

Keep the below points in mind.

- Medical or psychological observations cannot in themselves confirm the circumstances in which the injury, trauma or symptom occurred, but they can give a (strong) indication as to whether the injuries, traumas or symptoms are consistent with the declared mistreatment and with the timeline given by the applicant.
- The submission of medical and psychological evidence may, particularly, serve different purposes. These include supporting the reality of material facts themselves, to indicate personal circumstances that may place the applicant at a heightened risk of persecution or harm or to indicate vulnerabilities and special needs or possible distortion factors to be considered when gathering evidence and assessing credibility. You would need to identify the potential different roles that the submitted medical report may play in the examination of the applicant's claim.
- The aim of the examination of the probative value of the medical report is to assess if and how (much) the report supports the material fact, circumstance or risk it relates to, in the framework of the examination of the application for international protection. Remember that you should not make medical judgements or give your opinion on a treatment prescribed by a doctor. Similarly, a doctor is not supposed to make judgements on the need for international protection ([130]).
- Where the applicant provides a medical report on a potentially evolving condition, the date(s) of the (last) examination(s) is (are) important. A report that is up-to-date may better depict the current situation, while an outdated report may give indications of the situation as it was but may raise potential questions as to the current condition and/or capacities of the applicant. While this may not affect the probative value of the report in relation to past events, its currency may be significant in your assessment of personal circumstances impacting the credibility or risk assessment.

([130]) A medical report and the method of establishing it cannot infringe upon the application's fundamental rights. See Section 1.1.2(h) 'Evidence that is in breach of the applicant's fundamental rights'.

Example on assessing a medical certificate: Case of a young man from country A

The applicant has brought a certificate by an orthopaedic doctor. Applying the general criteria of the assessment of documentary and other evidence and on medical evidence to this certificate could produce the following analysis.

- **Relevance**. The evidence is relevant, as it contains possible indicators of relevant personal circumstances that may potentially have an impact on your risk assessment in relation to the security conditions in country A.
- **Existence/occurrence**. There are no indications that this type of document is not one typically issued by an orthopaedic doctor in similar circumstances.
- **Form**. The certificate has been written on an official letter of the doctor's office. It contains an official heading with all information related to the physician (name, address, phone and fax numbers), the date the document was issued, the name of the author as well as the quality in which the doctor is intervening, as well as a signature with an official stamp. The stamp contains the name of the author.
- **Nature**. This is presented as an original document and presents all features of an original, as the signature and stamp are affixed with blue ink and were not photocopied.
- **Author**. The author is an orthopaedic doctor and is clearly identified as such.
- **Content**. The certificate provides relevant information as to the methodology followed by the practitioner who was consulted twice for the patient's serious difficulties resulting from severe pain in his feet. The conclusions are primarily based on recent medical observations, including X-ray images, and several related tests. The certificate does not refer to the Istanbul Protocol but reaches the conclusion of a condition that could only have been caused by the infliction of severe external trauma. The doctor also prescribes a number of physical therapy sessions and medical treatment for severe pain. The certificate mentions that this treatment is provided before considering a risky operation. The certificate has been presented during the personal interview and is dated two weeks before the applicant was heard.
- **Conclusion**. Given the overall fulfilment of the assessment criteria, this document supports the fact that the applicant has gone through severe mistreatment and is suffering from severe pain in his feet and related difficulties walking.

(b) General information provided by the applicant

[Contents] [Checklist]

When the applicant provides general information aiming at supporting material facts of their claim (such as, for example, press or web articles related to the actions taken by the authorities against the opposition political party in which the applicant claims to be active), you should examine such evidence with care. Apply the general principles that you would apply to

COI. In particular, check the reliability of the source, its objectivity, accuracy, traceability and relevance. The submitted evidence needs also to be up-to-date or, if it aims at supporting past events, it should be contemporaneous with those events or related to the facts in a historical perspective. Depending on the situation, the information provided by the applicant might call for further COI research of your own, if you do not have available COI on the topic, so that you can rely on other sources of information and get the most balanced and comprehensive picture of the situation. For further information, refer to the EUAA's guide on this topic ([131]).

(c) Content gathered through social media

[Contents] [Checklist]

The above criteria to assess documents and other evidence are applicable to content gathered through social media. In addition to those, keep in mind that social media content is rarely subject to the same research rigour and editorial process as traditional media and other (COI) sources. As a consequence, it carries a much higher risk of being inaccurate, biased, intentionally misleading or dubious. Furthermore, since social media content is most often user-generated, particular attention should be paid to identifying sources and cross-checking the information ([132]).

Remember that the identity of the author of the post and private social media accounts can be easily usurped, even more than is the case for other pieces of evidence.

Information on social media is subject to easy changes. When a post on the internet was written by the applicant themself, they generally also have the rights to make amendments to its content and level of publicity, or even delete the post. This means, for example, that such a post may have been available at one point (even for a short time), but no longer exist online, or that it exists but not with the same content, before or at any stage of the examination procedure.

- If you are planning to use some pieces of evidence that you have found on social media, you may consider printing them out, or saving them electronically, e.g. as a screenshot, to avoid losing the information in case the posts are amended or deleted during the procedure. The file (be it printed and saved in electronic format) should mention the date the information was accessed, to be able to compare it with previous or later versions.
- If the applicant presents you with a print-out of an internet page to support a material fact related to (the publicity given to) that post, you may need to check if that content is still publicly available on the internet. If it is not, you might be interested in checking the reasons the post would still be relevant as evidence of a material fact or how it may still support a risk upon return. Keep in mind that internet posts leave a digital footprint, and that the fact that the applicant has deleted a post does not mean that it cannot be retrieved. See also Section 3.3.2(d) 'Risk indicators related to the motive of the actors to carry out the events that could amount to persecution or serious harm'.

([131]) EASO, *Practical guide on the use of country of origin Information by case officers for the examination of asylum applications*, December 2020, pp. 13-17 (see footnote 5).
([132]) EASO, *Practical guide on the use of country of origin Information by case officers for the examination of asylum applications*, December 2020 (see footnote 5).

(d) Testimonies

[Contents] [Checklist]

Testimonies can come from many sources: not only can the applicant offer witnesses or testimonies to substantiate their application, civil society organisations often provide written testimonies and the asylum authority can also request them.

The probative value of a testimony is examined according to the general assessment criteria. When assessing testimonies, you should pay special attention to their reliability which is, among other things, determined by the capacity of the person testifying and the way the information is known to them, i.e. first-hand versus second-hand information. When evaluating testimonies, also consider the personal circumstances of the person testifying (the witness has also been traumatised; the witness may have particular bonds with the applicant) as well as the context in which the testimony was obtained ([133]).

2.2. Assess the statements of the applicant against credibility indicators

[Contents] [Checklist]

Statements can be the only evidence applicants can provide. Credibility indicators are tools to assess the credibility of the statements in an individual, impartial and objective manner.

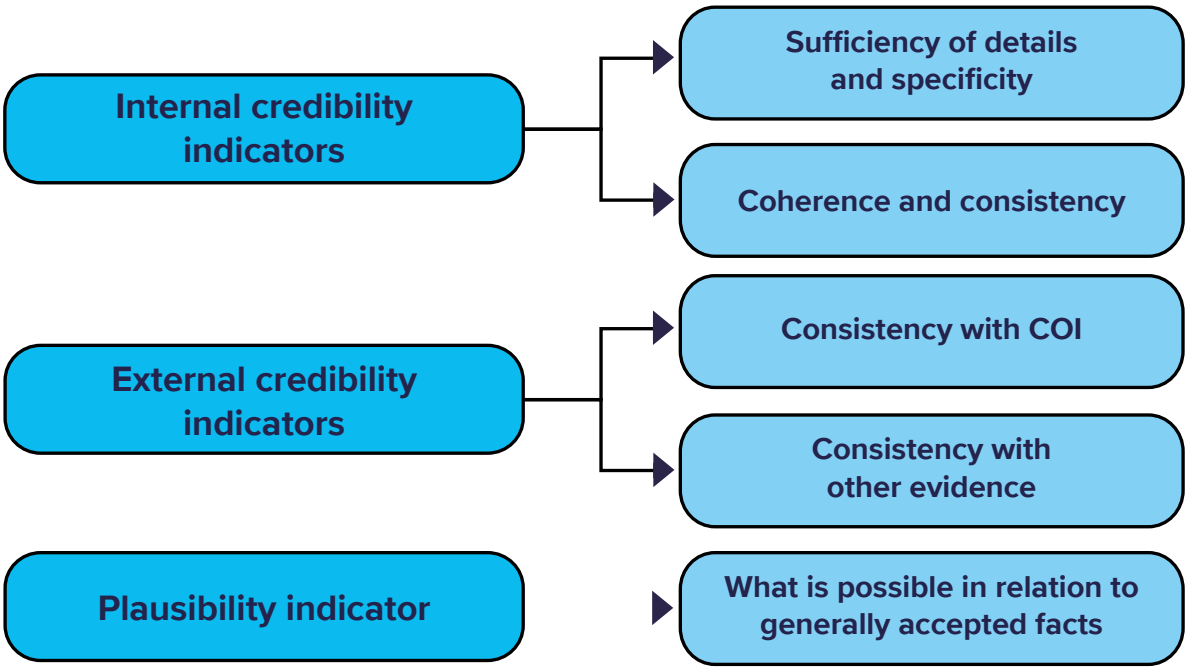
In practice, credibility indicators assess the level of details and specificity, coherence and consistency, and plausibility of statements as well as consistency of these statements with COI and documentary or other evidence that is linked to each material fact.

Article 4(5)(c) QR provides the basic framework for credibility indicators '... the applicant's statements are found to be coherent and plausible and do not run counter to available specific and general information relevant to the applicant's case' and they should always be applied in compliance with the EU Charter on Fundamental Rights ([134]).

The indicators can be grouped according to the internal credibility, external credibility and plausibility.

([133]) See also Chapter 5, Section 4, in UNHCR, *Beyond Proof, Credibility Assessment in EU Asylum Systems: Full Report*, May 2013 (footnote 17).
([134]) The credibility indicators have further developed in case-law, for more information, see EUAA, *Evidence and credibility in the context of the Common European Asylum System — Judicial analysis*, second edition, 2023. pp. 120-121 (footnote 8).

Figure 10. Credibility indicators)



You should strive to use all applicable credibility indicators to assess each material fact. However, not all indicators may be equally relevant for the assessment of the statements depending on what the material fact is about. If a credibility indicator is not suitable for assessing a specific material fact, it is possible not to use it.

Remember to take factors that may lead to distortion into account

The personal circumstances related to the applicant and the contextual circumstances related to the interview may affect the applicant's statements. When applying credibility indicators, it is necessary to simultaneously consider factors that may lead to distortions. See Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions'.

2.2.1. Apply internal credibility indicators

Internal credibility refers to the assessment of the applicant's statements and any other evidence that is submitted by the applicant, including written statements and documentary evidence. Internal credibility includes the credibility indicators on sufficiency of details and specificity as well as coherence and consistency.

Sufficiency of details and specificity

[Contents] [Checklist]

The sufficiency of details and specificity indicator refers to the way an event is experienced and expressed by the applicant, and the level and nature of details that come along with these.

In general, the account of personally lived experiences often includes more details, for example sensory details, feelings or observations, in comparison to an account of a person who has not had these experiences, particularly if the experience happened recently or it affected the person's life. Even though similar things may happen to different people, the same event is never lived and recalled by each individual in the same way. A sufficient level of detail and specificity requires the applicant to describe the event through their own eyes, as a subjective camera, instead of from a general perspective.

Good practice

In order to explain to the applicant the level of detail and specificity that is expected from them on a particular past event, you could provide an example by describing a short event that happened to you, paying attention to what you saw, heard, felt and thought throughout the event. You should note this explanation down in the interview transcript so that it is clear to the decision-maker how the applicant was asked to provide more details or more specific statements.

A lack of detail and specificity will not necessarily lead to a negative credibility finding. Firstly, the lack of detail and specificity must be central to the material fact, which relates to the overall description of the situation or event. Secondly, it must also be reasonable to expect the applicant to give a certain level of detail and specificity, depending, for example, on the extent to which they have personally lived through the event or situation or how important or unimportant the event, or a specific detail, may have been for the applicant at that moment.

Moreover, you should remember that the level of details and specificity that can reasonably be expected from the applicant will vary depending on their personal and contextual circumstances, specifically the factors of distortion. There may be a reasonable explanation arising from the factors of distortion as to why the applicant cannot recall details of a certain events (see Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions' for more details). Before you make any findings on the sufficiency of the level of detail or the specificity, ensure that the applicant was aware as to how much detail and the level of specificity that was expected from them during the personal interview. Ensure also that the interview was conducted in a manner that enabled the applicant to provide details. A lack of detail does not therefore affect the credibility of the applicant's statements in all situations.

Example on details and specificity that can be reasonably expected considering the functioning of memory: Case of an activist from country B

The applicant stated that she participated in a demonstration and filmed the event with her smartphone. Security forces demanded her phone and she was arbitrarily detained after she refused to hand her smartphone over to security forces. You, as a case officer, ask the applicant several questions about the context of the event, such as what kind of buildings were around the place the demonstration took place and asking what the officers who arrested her looked like, without receiving detailed responses.

You decide to ask the applicant for an explanation as to why she is not describing the context more in detail. The applicant responds that she does not remember what the buildings or officers looked like because she focused her attention on trying to share the video she had filmed online before the officers got hold of her phone and because she felt afraid in this situation. When the applicant is asked to describe from her own perspective what happened in relation to the smartphone, she explains in length what happened in the demonstration through the lens of the camera in her smartphone and how she managed to share the video online before her phone was taken. She also describes in detail her motivations for participating in the demonstration despite being afraid that something bad would happen – as it had happened in the past – and how she felt when she had shared the video and was arrested.

You can conclude that the initial lack of detail and specificity was due to the factors of distortion relating to how memory functions (see Section 2.3.1(a) 'Functioning of memory') and how the interview was conducted (see Section 2.3.2. 'Factors related to the case officer'). You can also conclude that the applicant provided a detailed and specific account on the substantial elements of the material fact related to the events that took place during the demonstration.

Coherence and consistency

[Contents] [Checklist]

The coherence and consistency indicator refers to the lack of discrepancy or contradiction within the applicant's statements and between statements and other evidence submitted by the applicant. It relates to:

- oral or written statements given by the applicant in general;
- statements given by the applicant at different times during the procedure;
- other evidence presented by the applicant (see Section 1.1.2. 'Collect pieces of evidence relevant to the application').

Truly lived experiences can generally be reported more coherently and consistently. Similar to the level of detail and specificity, it is not just any incoherence and inconsistency that will lead to a negative credibility finding. It is not uncommon that a narrative includes minor discrepancies. At the same time, there should be no significant gaps or contradictions that have not been explained by the applicant in a satisfactory manner.

The level of coherence and consistency that can reasonably be expected from the applicant will vary depending on their personal and contextual circumstances, specifically the factors that may lead to distortion. Before making any findings on the coherence and consistency, ensure that the applicant was aware as to what level of coherence and consistency was expected from them during the personal interview and that the interview was conducted in a manner that enabled the applicant to provide such statements. The applicant also needs to have been provided with an opportunity to clarify any inconsistencies or incoherence that are

central to the assessment of a material fact ([135]). Therefore, a lack of consistency does not affect credibility in all situations.

Demeanour can never be used as a credibility indicator

Demeanour generally refers to non-verbal communication and behaviour, such as tone of voice, manner, eye contact or facial expressions, etc. These signals are visible during the personal interview.

You should never use demeanour as a credibility indicator. Non-verbal signals are not universal, as their meaning is constructed culturally and affected by personal traits, such as age, gender, education or psychological condition. Findings based on the applicant's demeanour would often amount to simple assumptions and subjective judgements based on gut feelings.

2.2.2. Apply external credibility indicators

[Contents] [Checklist]

External credibility refers to the consistency between the statements provided by the applicant and evidence that is available to the determining authority, including COI, expert evidence or other external evidence.

Different types of evidence may be available to you. You should actively collect certain evidence because you may be better placed than the applicant to gain access to it, particularly COI ([136]). You may also consider seeking expert advice that is relevant for the appropriate examination of the application, such as medical evidence ([137]). For more information on what evidence can be available, see Section 1.1.2. 'Collect pieces of evidence relevant to the application'.

Consistency with COI

[Contents] [Checklist]

You should always assess the consistency of the applicant's statements with COI by considering all relevant facts relating to the country of origin.

([135]) Article 12(2) APR.
([136]) *M.M.*, paragraph 66 (see footnote 12). Summary available in the EUAA Case Law Database. See also *J.K. and others*, paragraph 93 (footnote 45). Summary available in the EUAA Case Law Database.
([137]) See Article 24 APR.

Article 34(2)(b) APR – Examination of applications

'For the purpose of examining an application, the determining authority shall take the following into account:

[...]

(b) relevant, precise and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, obtained from relevant and available national, Union and international sources, including children's rights organisations and, where available, the common analysis on the situation in specific countries of origin and the guidance notes referred to in Article 11 of Regulation (EU) 2021/2303;'

COI can corroborate or contradict the applicant's statements. The applicant's statements that are supported by COI are consistent with it, while the statements that are contradicted by COI are not consistent with it. COI often gives context to the applicant's claim but it can seldom establish that a certain past event happened to a certain person. Thus, it is rarely determinative evidence in assessing if a material fact is accepted or rejected.

Lack of COI, after appropriate COI research has been made, does not necessarily lead to a negative credibility finding. COI may not be available due to several reasons, for instance as a result of underreporting of risks to which certain marginalised groups might be exposed in their country of origin ([138]) or when the situation is changing rapidly in the country of origin. Before drawing conclusions, you should consider how likely it is that relevant COI would be available on the elements you are researching COI.

Related EUAA publication

For more information on the use of COI in the credibility assessment, including examples, see Section 3.3. 'Assessing the application for international protection' in EASO, *Practical guide on the use of country of origin information by case officers for the examination of asylum applications*, December 2020.

([138]) For more information, see UNHCR, *Guidelines on International Protection no. 1: Gender-related persecution in the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the status of refugees*, 7 May 2002, paragraph 37, https://www.unhcr.org/publications/legal/3d58ddef4/guidelines-international-protection-1-gender-related-persecution-context.html; UNHCR, *Guidelines on International Protection no. 9: Claims to refugee status on sexual orientation and/or gender identity within the context of Article 1A(2) of the 1951 Convention and/or its Protocol relating to the status of refugees*, 23 October 2012, paragraph 66 https://www.unhcr.org/509136ca9.pdf.

Consistency with documentary and other evidence

[Contents] [Checklist]

Documentary and other evidence may include statements by family members and witnesses, documents from other state authorities, expert reports and medical assessments. Such evidence may corroborate or contradict the applicant's statements. As a starting point, you will have already assessed the probative value of this evidence before applying the credibility indicator.

Similar to assessing internal credibility, not all inconsistencies will lead to a negative credibility finding. It needs to be considered whether the inconsistencies relate to the central elements of a material fact and what level of consistency can be expected from the applicant. This should be considered in light of factors that may lead to distortion and the context around statements. If there is evidence that contradicts the applicant's statements, you should address this and give the applicant an opportunity to explain the inconsistencies and consider this explanation in the credibility assessment.

Example on consistency between family members' statements: Case of a young man from country A

The applicant applied for international protection with his younger brother. They both describe in their personal interviews that they left the country of origin upon their parents' decision after their father had received requests from a terrorist group for the applicant and his younger brother to join the organisation.

The applicant describes in detail how he was next to his father when they received a request from the terrorist group to join them and how his relative had told him that young men were being forcibly recruited in the neighbouring village. The applicant's younger brother, on the other hand, provided only vague statements. He described how his mother had told him that he had to leave with his brother because there had been men with guns who were looking for him all the time and how he had felt scared after learning about this.

You notice that the statements contain inconsistencies that are not minor with regards to central aspects of the material fact. Before concluding about the consistency between these two statements, you should consider factors of distortion and circumstantial factors that may explain differing statements (see Section 2.3. 'Consider individual and circumstantial factors that may lead to distortions').

You should also consider the context around these past events and memory functioning (see Section 2.3.1(a) 'Functioning of memory'). The applicant describes the events from the perspective of having been directly involved in some of the situations, while his younger brother explains the events as told to him by his mother. You may also consider their age (see Section 2.3.1(d) 'Age'), as the applicant was a young adult when these events took place, while his brother was a child with less maturity to understand and describe what the events meant. You can assume that the statements of the applicant and his brother are reasonably consistent and, therefore, you would not need to ask the applicant an explanation for statements that appeared inconsistent.

2.2.3. Apply the plausibility indicator

[Contents] [Checklist]

Plausibility refers to what is possible or possible to believe in relation to generally accepted information, such as the laws of physics or the feasible course of events.

The concept of plausibility should be used cautiously to avoid speculation and subjective assumptions or preconceptions:

- An event is not implausible merely because it is unlikely. Unlikely events do happen. A series of consecutive unlikely events can however lead to implausibility, especially when other credibility indicators point in the same direction.
- Plausibility should only be applied if the applicant was given an opportunity to clarify statements that do not appear plausible.
- Findings on plausibility must be supported by objectively justifiable reasoning.
- The plausibility indicator can be used only together with other credibility indicators.

A fact may be wholly plausible when considered in the context of the applicant's circumstances including gender, age, sexual orientation, gender identity, education, social and cultural background, life experiences and circumstances in the country of origin or place of habitual residence. You should be aware that there may be differences between your own perspective and the applicant's perspective, which could potentially explain apparent implausibility.

2.3. Consider individual and circumstantial factors that may lead to distortions

[Contents] [Checklist]

The capability to present evidence and the way evidence is presented can be distorted by several factors, which may explain, for example, the lack of detail or inconsistencies in the applicant's statements. While assessing credibility, you should consider following factors:

- factors related to the applicant;
- factors related to interpretation and the interview situation;
- factors related to the case officer.

Factors that may lead to distortions will always exist and it is not possible to avoid them. It is necessary however to be aware of them when conducting the personal interview ([139]) and when assessing credibility to be able to minimise their impact ([140]).

Keep in mind the impact of interview techniques

The interview techniques that are used during the personal interview can affect the applicant's statements: whether questions are asked in a manner that considers the personal circumstances; whether the applicant is provided with an explanation as to what is expected from them; whether questions are asked in an order that is easy to understand. For this reason, it is important to consider the way the personal interview was conducted when considering how the factors that may lead to distortions may affect the statements. For more information, see Section 1.1.1(b) 'Fulfil the case officer's duty to investigate'.

Many factors of distortion can take place at the same time and be interlinked. The sections below provide a non-exhaustive list of common factors.

2.3.1. Factors related to the applicant

[Contents] [Checklist]

Factors of distortion may affect the applicant's ability to recall and retell relevant facts as well as their ability to cope with the interview situation. Factors of distortion can be identified in the documentary evidence that is available in the application, for example relating to age or health conditions, while other factors may be identified in the background details included in the case file, for example gender or level of education. Factors may also surface in the applicant's statements, for example relating to memory functioning or feelings of stigma and shame, or in relation to the applicant's physical appearance and behaviour, such as expressions of fear, trauma or mental health conditions.

([139]) For more information on conducting the personal interview, see EASO, *Practical Guide: Personal Interview*, December 2014 (footnote 4).

([140]) In accordance with Article 34(2) APR: 'The determining authority shall take decisions on applications for international protection after an appropriate examination as to the admissibility or merits of an application. The determining authority shall examine applications objectively, impartially and on an individual basis'. In accordance with Article 13(7)(a) APR:
'7. The person conducting the interview shall:
(a) be competent to take account of the personal and general circumstances surrounding the application, including the situation prevailing in the applicant's country of origin, and the applicant's cultural origin, age, gender, gender identity, sexual orientation, vulnerability and special procedural needs;'

Keep in mind the limits of your expertise

You are not qualified to diagnose the applicant or make assessments outside of your capacities within the scope of the asylum procedure. You should refer the applicant to professional support or assessment, such as medical and psychological support or age assessment, when needed, according to your national guidelines (see Section 1.1.2 'Collect pieces of evidence relevant to the application' for more information). You can, nevertheless, make observations regarding potential factors of distortion.

The non-exhaustive list below provides an overview of how factors related to the applicant may lead to distortions.

(a) Functioning of memory

[Contents] [Checklist]

Applicants often only have their memories to rely on in their statements. Recalling dates, details of an event that occurred in the past, distinguishing recurrent events or describing people they met may be a very difficult exercise. To have realistic expectations about the information that can be obtained through statements, it is important to understand how human memory works. Considering how memory functioning may affect the statements is relevant in the cases of all applicants.

Human memory has its layers and limits. Memories are not a literal record of events, but a reconstruction of personal experiences of events. This reconstruction is similar to putting together a jigsaw puzzle from pieces scattered throughout various areas of the brain. The way these pieces are reassembled is determined by many different factors, such as knowledge at the time of reconstruction, feelings at the time of reconstruction and the retrieval cue. As a result, memories will change over time and a certain degree of inconsistency is unavoidable. Gaps in our memory are, consciously or unconsciously, filled with generally related information ([141]).

([141]) EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis*, 2023, pp. 254-259 (see footnote 8); S. Black, L. J. Levine and T. M. Laulhere, 'Autobiographical remembering and hypermnesia: A comparison of older and younger adults', *Psychology and Ageing*, Vol. 14, 1999, pp. 671–82; M. Conway and E. Holmes, 'Memory and the law: Recommendations from the scientific study of human memory', *The British Psychological Society Press*, 2008, p. 2 cited in UNHCR, *Beyond proof: Credibility assessment in EU asylum systems*, 2013, p. 57 (footnote 17); M. A. Conway and C. Loveday, 'Remembering, imagining, false memories & personal meanings, Consciousness and Cognition', 2015, pp. 574–581; I.E. Hyman and E. F. Loftus, 'Errors in autobiographical memory', *Clinical Psychology Review*, 1998, pp. 933–947 cited in Abo Akademi University & Free University Amsterdam, *Psychological assumptions underlying credibility assessments in Finnish asylum determinations*, 2021, pp. 4-5, https://psyarxiv.com/aeut9/.

The information that is provided when recalling a past event may vary depending on several reasons ([142]).

- **Attention during the past event.** People have a tendency to accurately remember information they consider (emotionally) important as well as the aspects of an event that caught their attention, which make up the core details of the memory. Other information may not even be remembered since it is peripheral to the person concerned.
- **Importance of the past event**. Events that somehow stand out are more easily remembered. Ordinary, every-day memories are more generalised and focus on 'how things usually are' rather than on what exactly happened. Socialisation may affect what is seen as 'how things normally are' because they are recurring and socially accepted.
- **Small details**. Details of events are often encoded in our temporary memory, but not stored in our long-term memory, which makes them very difficult or even impossible to recall. This is especially true for temporal information, such as dates, times, frequency and duration, the appearance of everyday objects, such as coins or notes, precise names and literal reproduction of verbal interactions. Memory for such details is highly unreliable.
- **Repeated events**. Memories of repeated events are blended together into general or 'schematic memories'. If similar events are experienced multiple times, it will probably be possible to remember what typically happened during these events, but difficult to recall what happened during each instance, unless a specific instance stood out particularly.
- **Time that elapsed since the past event.** The more time that has passed since the event, the less specific details people remember. Core details of an event are remembered better and are less prone to change over time compared to peripheral details.
- **Repeatedly recalled memory.** Repeated recall often leads to more elaborate accounts of memories. People remember more and/or different details with each recall of a memory, while other details may be omitted, thus the memory is recalled differently each time.

([142]) H. Evans Cameron, 'Refugee status determinations and the limits of memory', International Journal of Refugee Law, Vol. 22, 2010, pp. 469–511; S. A. Christianson and M. A. Safer, 'Emotional events and emotions in autobiographical memories' in D. C. Rubin (ed.), *Remembering our past: Studies in autobiographical memory, Cambridge*, 2005, pp. 218–41 cited in EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis,* 2023, pp. 169-170 (see footnote 8); Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 1, 2013, pp. 67–80, 85, https://helsinki.hu/wp-content/uploads/Credibility-Assessment-in-Asylum-Procedures-CREDO-manual.pdf; J. Herlihy, L. Jobson and S. Turner, *Just tell us what happened to you: Autobiographical memory and seeking asylum*, 2012, pp. 661–676 cited in *Psychological assumptions underlying credibility assessments in Finnish asylum determinations*, 2021, p. 5 (see footnote 141); C. Peterson and N. Whalen, *Five years later: Children's memory for medical emergencies, Applied Cognitive Psychology*, Vol. 15, 2001, pp. 7–24 cited in UNHCR, *The heart of the matter: Assessing credibility when children apply for asylum in the European Union*, 2014, pp. 67-68, https://www.refworld.org/docid/55014f434.html; J. Herlihy and S. Turner, *The psychology of seeking protection, International Journal of Refugee Law*, Vol. 21, 2009, p. 181; J. Cohen, 'Questions of credibility: Omissions, discrepancies and errors of recall in the testimony of asylum seekers', *International Journal of Refugee Law*, Vol. 13, 2001, pp. 293–309; M. Eastmond, 'Stories as lived experience: Narratives in forced migration research', *Journal of Refugee Studies*, Vol. 20, 2007, pp. 248-264; B. Tversky and E. J. Marsh, 'Biased retellings of events yield biased memories, Cognitive Psychology, Vol. 40, 2000, pages 1–38, and H. Evans Cameron, Refugee status determinations and the limits of memory', *International Journal of Refugee Law*, Vol. 22, 2010, p. 506 cited in UNHCR, *Beyond proof: Credibility assessment in EU asylum systems*, 2013, pp. 57-60 (footnote 17).

- **Context where the memory is recalled.** Memories are prone to suggestion, even to the extent that people may report false memories or details. Much also depends on the audience and the aim of the account, the form of the retrieval process, the way a question is asked and the type of question used.

The way memory functions needs to be taken duly into account when assessing the applicant's statements regarding the consistency and the level of details.

Examples of practical considerations

- Ensure that the central aspects of the event were explored in depth from the applicant's own perspective. Expect applicants to provide more detailed and consistent accounts only on the aspects that are the most significant to them.
- Consider smaller details only when they are personally important to the applicant. For example, details related to the time an event took place can be more reliable when they are assessed through what is personally important to the applicant instead of when they happened according to the calendar.
- Ensure that the applicant was asked to recount aspects that were not detailed or coherent enough in the initial statement. Expect the applicant to re-tell in a similar manner only the core aspects of the event and aspects that are personally important to them, since the statements may include more details and these details may not be the same the second time.
- Ensure that leading questions were avoided during the interview as they may directly influence the memory and the reconstruction process itself. Keep in mind that interview techniques have an impact on the way that information is retrieved from memory.

(b) Trauma

[Contents] [Checklist]

Exposure to negative life events tends to be much higher among applicants for international protection than in the general population ([143]). Trauma, defined as exposure to 'an event or situation (either short- or long-lasting) of an extremely threatening or horrific nature' ([144]), has a major impact on memory and behaviour. Trauma and its consequences, such as PTSD, particularly affect the ability to remember and present past events ([145]).

([143]) UNHCR, *Beyond Proof. Credibility Assessment in EU Asylum Systems*, 2013, p. 61 (see footnote 17).
([144]) World Health Organization, ICD-11, Version: 2025, https://icd.who.int/browse/2025-01/mms/en#2070699808#.
([145]) J. Herlihy, L. Jobson and S. Turner, *Just tell us what happened to you: Autobiographical memory and seeking asylum, Applied Cognitive Psychology*, Vol. 26, 2012, pp. 661–76 cited in UNHCR, *Beyond proof: Credibility assessment in EU asylum systems*, 2013, p. 61 (see footnote 17); Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 1, 2013, p. 93 (see footnote 142).

Trauma may have different consequences to memory functioning. Memories of traumatic experiences often differ from normal (autobiographical) memories in several ways ([146]).

- **Poor memory storage.** Trauma can lead to poor memory storage due to the body's emergency response, which may lead to difficulty to recall traumatic events. PTSD can lead to over-general memory, where a person has difficulty recalling past traumatic events as well as other aspects of their lives.
- **Hypermnesia.** Sometimes a particularly high level of details related to the traumatic event is stored in memory even though poor memory storage is a typical symptom of trauma.
- **Sensory impressions.** Traumatic memories may be characterised by sensory details such as emotions, sensations, sounds, smells or visual pictures. A normal (autobiographical) memory is a verbal story, whereas a verbal account of a trauma may not have been stored in memory. Hence, an applicant who has lived a traumatic event may not be able to provide a detailed coherent verbal account of the event simply because none exists.
- **Fragmentation.** Traumatic memories may be fragmented, as they may not form a whole picture of chronological events. Some elements of traumatic memories may be vividly recalled as if they happened in the present. These are known as flashbulb memories that are often not well linked to the chronology of events. In the most extreme case, they consist of dissociative flashbacks where a person fully re-experiences the traumatic event and loses all sense of the present moment.
- **Avoidance**. Contrary to normal (autobiographical) memories, which are reconstructed voluntarily and are clearly set in the past, traumatic memories may not be evoked willingly, thus they are unconsciously avoided as self-protection. Instead, they may be triggered by sensory impulses or reminders of the traumatic event. For example, other persons may trigger such memories unknowingly through their type of clothes, tone of voice or perfume.
- **Numbness**. Traumatised persons may involuntarily appear numb as they may not express any emotions when describing past traumatic events. It is also possible that a traumatised person presents a high level of emotions.

As trauma often affects the ability to recall past events in a detailed manner and provide a coherent narrative, credibility assessment must be carried out with due regard to these consequences of trauma. This means that when there are inconsistencies with regards to a possibly traumatic event, a whole different set of explanations for these inconsistencies needs to be taken into account compared to a situation where there is no traumatic experience. It

([146]) C. Brewin, J. D. Gregory, M. Lipton and N. Burgess, 'Intrusive images in psychological disorders: Characteristics, neural mechanisms and treatment implications', *Psychological Review*, Vol. 117, 2010, pp. 210–232; J. Herlihy and S. Turner, 'Should discrepant accounts given by asylum seekers be taken as proof of deceit?', *Torture*, Vol. 16, 2006, pp. 86 and 176 and J. Cohen, 'Questions of credibility: Omissions, discrepancies and errors of recall in the testimony of asylum seekers', *International Journal of Refugee Law*, Vol. 13, 2001, pp. 293–309 cited in UNHCR, *Beyond proof: Credibility assessment in EU asylum systems*, 2013, p. 63 (see footnote 17); Annelies Vredeveldt, Zoe Given-Wilson and Amina Memon, *Culture, trauma, and memory in investigative interviews*, 22 April 2023, pp. 3–7, https://www.tandfonline.com/doi/epdf/10.1080/1068316X.2023.2209262?needAccess=true&role=button; EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis*, 2023, pp. 173-174 (see footnote 8); Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 1, 2013, pp. 100–103 (see footnote 142).

may also be necessary to give more weight to documentary and other evidence in relation to statements.

Examples of practical considerations

- Ensure that the applicant was allowed to tell their narrative freely at their own pace without interruptions as much as possible, which can help them recreate the context of events and structure their narrative.
- Gather evidence and statements about the circumstances around the traumatic event rather than about the event itself. This evidence and these statements may not be distorted to the same extent as memories related to the traumatic event. This can also help avoiding re-traumatisation.
- Ensure that information was elicited in relation to the applicant's own experience rather than the chronology of events, for example by exploring what were their thought processes, reactions, what can they remember seeing, hearing or smelling, or what were the most difficult aspects for them.
- Focus the credibility assessment on the impact of the trauma on the applicant's life and psyche after the traumatic event rather than on specific details of the traumatic event.
- Ascertain that traumatic memories are assessed with recognition that the memories may not be a chronological or verbal account of events.

(c) Other psychological and health problems

[Contents] [Checklist]

Difficulties in providing detailed and coherent statements may also have a source in medical problems, physical abuse and addictions of the applicant, such as taking strong medicine, intellectual disabilities, depression, brain injuries or addiction to drugs or alcohol. Depending on the particular condition, several types of factors may affect the applicant's statements, for example due to memory functioning, thought processes or ability to focus.

It is necessary to give due consideration to the applicant's psychological and health condition, in particular how it affects their functioning.

Examples of practical considerations

- Ensure that information about the (mental) health condition of the applicant is available for your assessment.
- Where necessary, refer the applicant to adequate support/assessment according to your national practice to have a better understanding of how the potential health condition may affect their statements.

(d) Age

[Contents] [Checklist]

Age is particularly relevant for child applicants because their age and maturity affect their statements. This is a relevant consideration for both the time the statements were provided and the time the event was experienced, as the knowledge and understanding of events that occurred when the applicant was a child are affected by their age at the time.

The ability to give a detailed and consistent account of events enhances with age. Maturity and age have an impact on autobiographical memory, which affects statements ([147]).

- **Perspective of the child.** Children generally provide information differently to adults. What is central to the experience of an adult may not make up the core of the narrative for a child and vice versa. The child may focus their attention during the event on different matters and/or the event may not be of the same importance to the child as to the adult.
- **Knowledge about matters surrounding them.** Children's accounts may be inconsistent and contain gaps because the child may lack theoretical and abstract understanding of events or use unclear expressions or statements they have heard from adults, which can be guided by cultural norms ([148]). They may not be capable of giving a detailed and consistent account regarding their reasons for leaving their country of origin, especially when the decision to leave was taken by the child's parents or other relatives.
- **Availability of documentary evidence.** Children, particularly when unaccompanied, often do not have access to documentary evidence supporting their claim.

([147]) Pasupathi and C. Wainryb, 'On telling the whole story: Facts and interpretations in autobiographical memory narratives from childhood through mid-adolescence', *Developmental Psychology*, Vol. 46, 2010, pp. 735–746 cited in UNHCR, *The heart of the matter: Assessing credibility when children apply for asylum in the European Union*, 2014, pp. 66 and 87; Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 2, 2015, pp. 100 and 113, (see footnote 142).

([148]) UNHCR, *The heart of the matter: Assessing credibility when children apply for asylum in the European Union*, 2014, p. 71 (see footnote 142).

It is important that the interview is conducted in a child-friendly manner ([149]). Children are usually more susceptible to leading questions, providing information they think you want to hear and altering their answers when they are questioned ([150]).

As the child's age and maturity affect their ability to retell past events in a detailed and coherent manner, the credibility assessment must be carried out with due regard to these variations. When there are inconsistencies with regards to past events, a whole set of explanations for these inconsistencies needs to be considered.

Depending on the age, maturity and potentially other vulnerabilities of the child, you may have to rely more on other available information than on the child's own statements. This could include the statements of the legal guardian, family members or lawyer or other available sources of information.

Examples of practical considerations

- Focus on what is important/central for the child and what the child can be expected to know.
- Ensure that the personal interview was conducted in a child-friendly manner, including vocabulary and questions adjusted to the age and maturity of the child. This includes using simple and concrete words instead of abstract concepts, explaining difficult words with an example, and asking questions that are formulated in simplified language. Leading questions and putting pressure on the child, for example in the form of repeated questions, should be avoided because children are more likely to alter their account according to what they think is expected from them.

Age may also be relevant to consider in elderly persons, since they may suffer from a decrease in cognition, such as memory functioning or capacity to follow a conversation as well as physical impairments, such as hearing impairment which may affect their statements.

(e) Education

[Contents] [Checklist]

The level of education may have an impact on the applicant's access to information, knowledge of aspects outside their personal sphere of life or ability to articulate abstract concepts. Limited or lack of (formal) education may affect the applicant's statements in several ways.

([149]) Article 22(3), second subparagraph, APR.
([150]) UNHCR, *Guidelines on international protection no. 8: Child asylum claims under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol relating to the status of refugees*, 22 December 2009, paragraphs 70–74, https://www.unhcr.org/media/guidelines-international-protection-no-8-child-asylum-claims-under-articles-1-2-and-1-f-1951; Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 2, 2015, pp. 99-100 (see footnote 142).

- **Level of literacy**. Since most people learn to read and write at school, a lack of formal education may result in illiteracy, which limits the possibilities to access information. An illiterate or low-literate applicant may not have a versatile enough vocabulary to provide specific and elaborate accounts or targeted and structured answers to questions.
- **Abstract concepts**. Formal education develops our capacity for abstract thinking in logical sequences and our understanding of concepts such as size, distance, proportion, time and causality. Limited abstract thinking capacity may affect the coherence and plausibility of the applicant's statements.
- **General knowledge**. Formal education supplies us with general knowledge about the world around us, such as historical, geographical and scientific knowledge. Limited or lack of (formal) education may affect the applicant's ability to describe matters outside the scope of their everyday life or personal sphere.

Examples of practical considerations

- Restrict the assessment to matters that the applicant can be expected to know given their educational background. The lower the applicant's level of education, the more the assessment should focus on the applicant's ability to provide information regarding their personal sphere of life and experience instead of general knowledge.

  Example. An illiterate farmer can be expected to give information on the crops he was growing and situate events in time by reference to the rain or harvest season.
- Similarly, an applicant who did not have the possibility to attend school might not be able to point to their country on the map or geographically locate their place of residence according to the quarters of the compass because they may lack understanding of these concepts.
- Be aware that limited or lack of (formal) education may also result in limited or lack of exposure to and familiarity with different kinds of technology.

(f) Culture, religion and beliefs

[Contents] [Checklist]

The culture, religion and beliefs of a person determine how they see themselves in relation to other people – their identity, social roles, societal norms and hierarchy – and their communication style – the way they understand, interpret and retell information. For example, dates, seasons, distances, involvement in public life, the notion of close family and body language can vary depending on these factors. It should not, however, be assumed that all persons originating from a certain culture or religion behave or interact in a certain manner or share the same beliefs and norms, as factors such as age, gender or societal status also have an influence.

Culture, religion and beliefs can affect the applicant's statements in several ways ([151]).

- **Individual vs collective memories.** Culture has an impact on autobiographical memory because cultural norms define which events and details are considered important, thus worth remembering. Collectivist cultures that are common in African, Central Asian, Middle Eastern and South-East Asian countries emphasise collective activities, social relations and interactions. The individualistic cultures in most European countries and North America focus more on individuality and self-expression. Consequently, memories in individualistic cultures mostly involve individual experiences, roles and emotions, when the applicant tends to give more detailed, specific, unique, self-focused and elaborate accounts of memories. Conversely, people from collectivist cultures often provide more general descriptions of common routines, social events, interactions and the roles in relation to others.
- **Communication style**. The level of details provided by the applicant can depend on the communication style that is prevalent in a particular culture. In some cultures, people answer directly and to the point in a short answer and not expand in detail unless asked. The statements of an applicant originating from such a culture may be perceived insufficiently detailed if the applicant was not asked to elaborate more in detail. In other cultures, people answer with some general statements and take some time to work around to the specific point, which may sometimes appear as generalised statements that lack details.
- **Meanings given to certain concepts**. There can be culturally different understandings of social relations, roles and concepts, such as time, distance or age. There can also be euphemisms or vague language that is used in relation to certain concepts that are culturally more acceptable than direct references, for example wording that is used in relation to cultural taboos. Such factors may particularly affect the perceived coherence and consistency, both internal and external, of the applicant's statements.

Intercultural knowledge is often necessary to understand the information you receive from the perspective of another culture, which may explain statements that may otherwise seem inconsistent and lacking detail or plausibility. Only after asking about the inconsistencies or lack of detail and not receiving an explanation should you check if any cultural, social, religious or other barriers might be a reason for the particular credibility issue.

([151]) UNHCR, *Beyond Proof, Credibility Assessment in EU Asylum Systems: Full Report*, May 2013, pp. 66–68 (see footnote 17); Annelies Vredeveldt, Zoe Given-Wilson and Amina Memon, *Culture, trauma, and memory in investigative interviews*, 22 April 2023, pp. 8–9 (see footnote 146); J. Herlihy, L. Jobson and S. Turner, 'Just tell us what happened to you: Autobiographical memory and seeking asylum', *Applied Cognitive Psychology*, 2012, pp. 661–676; K. Nelson, 'Self and social functions: Individual autobiographical memory and collective narrative', *Memory*, 2003, pp. 125–136 cited in *Psychological assumptions underlying credibility assessments in Finnish asylum determinations*, 2021, p. 6 (see footnote 141); Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 1, 2013, p. 76 (see footnote 142); L. Jobson, 'Cultural differences in specificity of autobiographical memories: Implications for asylum decisions', *Psychiatry, Psychology and Law,* Vol. 16, 2009, pp. 453–457; R. Antalikova, T. Hansen, K. Gulbrandsen, M. De La Mata and A. Santamaria, 'Adolescents' meaningful memories reflect a trajectory of self-development from family over school to friends', *Nordic Psychology*, Vol. 63, 2011, pp. 4–24; Y. Chen, H. M. McAnally and E. Reese, 'Development in the organization of episodic memories in middle childhood and adolescence', *Frontiers in Behavioural Neuroscience*, Vol. 7, 2013, pages 84–86; J. M. Fitzgerald, 'Autobiographical memory: Reports in adolescence', *Canadian Journal of Psychology/Revue Canadienne de Psychologie*, Vol. 35, 1981, pp. 69–73 cited in *UNHCR, The heart of the matter: Assessing credibility when children apply for asylum in the European Union*, 2014, p. 69 (see footnote 142); UNHCR, *Beyond Proof, Credibility Assessment in EU Asylum Systems: Full Report*, May 2013, pp. 66-68 (see footnote 17).

Examples of practical considerations

- Consider the cultural context (individualistic vs collectivist culture) when assessing credibility, especially with regards to the type of details that can be expected from the applicant.
- Before reaching a negative conclusion, ascertain that potential credibility issues were clarified and they were not merely the result of cultural differences.

(g) Fear and lack of trust

[Contents] [Checklist]

Applicants may be prevented from fully substantiating their claim for a number of reasons. This can include fear of stigmatisation, discrimination or reprisals, a lack of trust in state authorities, interpreters or other persons originating from their country of origin, the belief that certain actions could have a negative impact on their application for international protection, or the fear of putting their family in danger.

Fear and lack of trust in authorities may lead the applicant to refrain from disclosing certain relevant facts or evidence, resulting in a lack of detail or lack of coherence due to gaps in their statements. If you observe indications of fear or a lack of trust, it is important to address them during the personal interview in order to fulfil the duties of the authority (for more information, see Section 1.1.1. 'Apply the duty to cooperate').

Examples of practical considerations

- Ensure that the interview environment was a safe place for the applicant to disclose their claim, the applicant was reassured about the confidentiality of the asylum procedure and informed about its purpose. The professional responsibilities and impartiality of the interpreter should also have been emphasised.
- Ensure the applicant was clearly informed about their obligation to cooperate and the consequences of not cooperating.
- Ensure the applicant was asked about the reasons for any gaps in their statements.
- Provide the applicant with information on how to seek free legal counselling or legal assistance or representation, depending on national practice, that will advise them in line with their best interests.

(h) Stigma and shame

[Contents] [Checklist]

Stigma originates from non-conformity with social, cultural or religious norms and is often associated with matters that are considered taboo, such as matters related to gender or sexuality. Failing to comply with a norm yields social disapproval and the result is stigma. Stigma often leads to shame, a sense of being wrong or being a bad person. Such shame typically also includes a fear of suffering harm that may give rise to all kinds of avoidance strategies, including omissions, silence or even denial, which can affect memory and disclosure ([152]).

Stigma and shame can affect the applicant's statements and available documentary evidence in several ways ([153]).

- **Disclosure.** Stigma and shame often negatively affect the level of disclosure, as it may be difficult to disclose information that is connected to these feelings and experiences. Applicants may have never openly discussed certain experiences with anyone since they have been a source of stigma and potential harm. Therefore, the applicant's account may contain gaps and inconsistencies instead of constituting a full and coherent chronological narrative ([154]).
- **Lack of appropriate words**. Applicants often come from countries or linguistic contexts that may lack neutral or proper terms to describe matters that are considered taboo, which may also lead to less specific statements. Applicants may use these terms with different meanings, which could affect the perceived coherence of their statements.
- **Lack of documentary evidence**. Stigma and feelings of shame may explain lack of documentary or other evidence since they contribute to the underreporting of incidents. People suffering from (the threat of) harm may be reluctant to officially report incidents to the authorities. At the same time, the authorities may be unwilling to issue documentary evidence about what they believe to be private matters and/or social taboo.

It is necessary to ensure a safe environment in the personal interview to support the applicant in disclosing their narrative when there are indications of stigma and fear. It is necessary to

([152]) EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis,* 2023, pp. 174-175 and 180 (see footnote 8); Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 2, 2015, p. 82 (see footnote 142.

([153]) Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 2, 2015, pp. 44 and 85 (see footnote 142); J. Herlihy and S. Turner, Asylum claims and memory of trauma: Sharing our knowledge, *The British Journal of Psychiatry*, vol. 191, 2007, p. 4; D. Bögner, J. Herlihy and C. Brewin, Impact of sexual violence on disclosure during Home Office interviews, *British Journal of Psychiatry*, Vol. 191, 2007, p. 75; D. Bögner, C. Brewin and J. Herlihy, Refugees' experiences of Home Office interviews: A qualitative study on the disclosure of sensitive personal information, *Journal of Ethnic and Migration Studies*, Vol. 36, 2009, pp. 519–535; J. Millbank, "The ring of truth": A case study of credibility assessment in particular social group refugee determinations, *International Journal of Refugee Law*, Vol. 21, 2009, p. 14; Asylum Aid, '"I feel like as a woman, I am not welcome": A gender analysis of UK asylum law, policy and practice', *Women's Asylum News*, Issue No. 107, 2012, pp. 1–4; Irish Council for Civil Liberties, 'Women and the refugee experience: Towards a statement of best practice', *Irish Times*, 2000, p. 18; Swedish Migration Board (Migrationsverket), *Gender-based persecution: Guidelines for investigation and evaluation of the needs of women for protection*, 2001, p. 15 cited in UNHCR, *Beyond proof: Credibility assessment in EU asylum systems*, 2013, pp. 73 and 145 (see f footnote 17).

([154]) Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 2, 2015, p. 44 (see footnote 142).

also keep in mind that applicants may not always be aware that certain behaviour towards them may be considered an infringement of their human rights, because they have been treated this way throughout their lives. Thus, you need to be able to recognise potential forms of persecution in the applicant's statements and explore them further.

Examples of practical considerations

- Ensure the applicant was reassured about confidentiality in the asylum procedure.
- Ensure the applicant was given sufficient time to discuss their experiences and explain to the applicant why details are required about these experiences.
- Check if the applicant was encouraged to use their own words to describe their experiences and that the meaning of words used by the applicant was clarified.

(i) Gender roles

[Contents] [Checklist]

Gender roles refer to the relationship between women and men based on socially or culturally constructed and defined identities, statuses, roles and responsibilities. Sex refers to one's biological sex, which is innate. Gender roles not only affect one's perception of self but also influence behaviour and attitudes towards social and political life.

Gender roles can affect the applicant's statements, for example in the following manners.

- **Communication style**. Gender influences the way the applicant expresses themself and may affect the level of detail that is provided. In some societies, men and boys are expected to present their opinion in detail, while women and girls are expected to talk briefly, only when they are asked and not to express their own thoughts or opinions. In other societies, the reverse is true ([155]).
- **Memory**. By shaping our interests and what we focus on during certain events, gender roles and social expectations can affect how we remember the past. They can influence which details are perceived, encoded and recalled. For example, in some societies, men are generally expected to remember the brand and type of a car, whereas women are rather assumed to remember its colour. Gender roles may also define which type of information can be accessed, thus for example testimonies of family members may appear inconsistent.

Gender can also affect whether documentary or other evidence is available regarding an application, for example in the following points.

- **Availability of COI**. COI may not be available or only scarcely available on the status of women, for example due to underreporting of incidents to the police or other actors,

([155]) Hungarian Helsinki Committee, *Credibility Assessment in Asylum Procedures: A multidisciplinary training manual*, Vol. 2, 2015, pp. 44-45 (see footnote 142).

lack of data collection on gender-related matters, stigmatisation related to being a victim of gender-based violence or the fact that such violence is often conducted by non-state actors.

- **Availability of documentary evidence**. Women may not have access to documentary or other evidence supporting their claim, including identity documents, due to their status in society.

Keep in mind also that applicants may not always be aware that certain behaviour towards them may be considered an infringement of their human rights because they have been treated this way throughout their lives. Thus, you need to be able to recognise potential gender-based forms of persecution in the applicant's statements and explore them further.

Examples of practical considerations

- Ensure that the interview focused on what the applicant is expected to know considering the gender roles in the country of origin. For example, in some societies women have less knowledge or information than men about life outside the family home, while men have more limited information on what happens at home.
- Be aware that social taboos (e.g. sexuality, health, money) may make it difficult for the applicant to disclose and provide detailed and coherent accounts about certain issues. See Section 2.3.1.(h) 'Stigma and shame'.

2.3.2. Factors related to the case officer

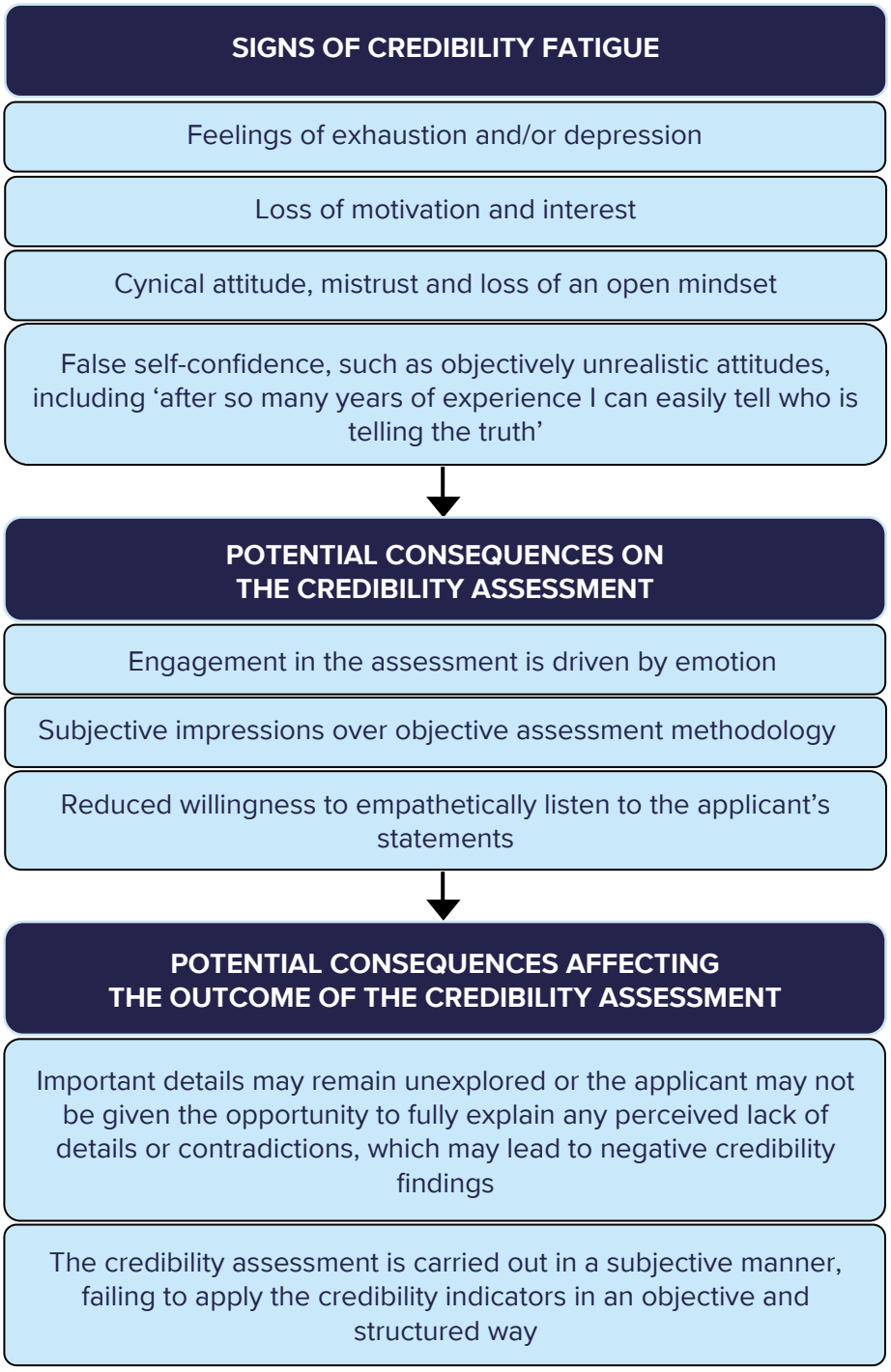
[Contents] [Checklist]

Working in the field of international protection means constantly working with people from different cultures, different social backgrounds and life experiences. It is one of the factors that makes your job interesting. Nevertheless, you are also a human being and may experience stress and frustration in this challenging working environment.

In your everyday work you are expected to fulfil quantitative targets, draft well-substantiated decisions and deal with applicants that are not cooperative or who have suffered negative personal experiences. Long-term exposure to applicants' accounts of severe ill-treatment can lead to effects ranging from inability to see each application impartially and individually to secondary traumatisation and displaying symptoms similar to persons suffering from PTSD. This long-term exposure may lead to 'credibility fatigue' or 'case hardening', which can make you more inclined to avoid getting deeper into statements to avoid hearing statements about negative life experiences. In such cases, you could be more inclined to draw unfounded conclusions, without conducting a proper credibility assessment.

The table below illustrates how such credibility fatigue may affect the credibility assessment.

Figure 11. Possible consequences of credibility fatigue on the credibility assessment



These factors can influence your objectivity and impartiality during the credibility assessment. It is important that you are aware of any such factors so that you can set them aside and minimise their impact on the credibility assessment.

You should reflect on your own performance, needs and potential difficulties that you have met while working on certain applications for international protection. It may be advisable to discuss them with colleagues, a psychologist or a supervisor in order to get the necessary support and enhance self-knowledge or to identify needs for training. Regular supervision and

response to your concerns can improve professional motivation and facilitate exchange of experiences.

In addition to factors relating to credibility fatigue, culture and beliefs determine how we understand and interpret information. They contribute to the meanings we give to different concepts and how we understand the world around us. In order to minimise the impact of cultural bias on credibility assessment, it is important to be aware of how your own culture and beliefs may affect your thinking and knowledge of other cultures. Self-reflection and training on other cultures and intercultural communication can facilitate this understanding.

It is important to remember that stereotypes and prejudice are not allowed to affect the credibility assessment.

Even though it is human that stress and inter-cultural communication affect our assessment to a certain degree, it is important to remember the standards applicable to the credibility assessment. Any assumptions or beliefs of any person or group (stereotypes) or negative attitudes towards this person or group (prejudice) are not to be used in the credibility assessment ([156]). It is also the duty of an asylum administration to ensure that you receive relevant training, knowledge and support to carry out your duties ([157]).

Related EUAA publications

EASO, *Practical Guide on the Welfare of Asylum and Reception Staff – Part I: Standards and policy*, September 2021. https://euaa.europa.eu/publications/practical-guide-welfare-staff-part-i.

Part I supports managers in preventing, reducing and handling occupational strain in staff working in the asylum context. Occupational strain is often a result of the inability to cope with stress and pressure at the workplace. The practical guide puts forward eight standards to guide the formulation, implementation and evaluation of staff welfare policy in asylum and reception contexts. The main target audience is persons working in management and human resources.

EASO, *Practical Guide on the Welfare of Asylum and Reception Staff – Part II: Staff welfare toolbox,* September 2021, https://euaa.europa.eu/publications/practical-guide-welfare-staff-part-ii.

Part II proposes practical tools, exercises and capacity-building activities to meet the standards of staff well-being. The tools are intended for reducing anxiety, stress and burnout in the workplace. They provide support to teams and individuals and they can be implemented by managers, peers, internal or external specialists. The guide also includes self-help tools that can be used by staff members themselves.

([156]) The CJEU held that stereotyped notions associated with homosexuals does not allow authorities to take account of the individual situation and personal circumstances of the applicant concerned. See *A., B., C* v *Staatssecretaris van Veiligheid en Justitie*, paragraphs 61-63 (footnote 38). Summary available in the EUAA Case Law Database.

([157]) Articles 4(8) and 34(3) APR.

2.3.3. Factors related to the interview situation

[Contents] [Checklist]

The interview situation may affect the applicant's statements: the formal context of the conversation can be stressful for an applicant; the expectation of discussing matters related to their personal life with strangers; technical issues may occur in remote interview settings, which can interrupt the interview and hamper the communication; communication via an interpreter may affect the meaning of the applicant's statements; the presence of their child or children may be distracting for the applicant; time pressure due to the limited amount of time allocated for the interview.

The interview situation should be properly addressed before and during the personal interview to minimise its impact on the statements. If these factors cannot, or not fully, be mitigated before or during the interview, they need to be noted down in an objective way in the interview transcript and considered when assessing the applicant's statements.

The non-exhaustive list below provides an overview of how factors related to the interview situation may lead to distortions.

(a) Multilingual communication through an interpreter

[Contents] [Checklist]

It is the duty of the determining authority to provide a reliable and competent interpreter for the personal interview ([158]). Even though interpreters are trained to reduce the impact of multilingual communication or personal and contextual circumstances on their work, it does not fully eliminate the factors of distortion.

Loss of information is inherent to translation and interpretation due to the following key differences between languages ([159]).

- **Vocabulary**. Languages do not duplicate each other's vocabularies. A particular language may not have a specific word to translate a term from another language or may not be able to articulate subtle differences when translating that term. The interpreter may also not be familiar with some terminology, for example relating to the military or LGBTIQ terminology.
- **Grammar**. Languages have different grammatical rules and structures. Translating a message from one language to another often requires some level of rephrasing to follow the grammatical rules of the target language, through which subtle differences may be lost.
- **Dialects**. Pronunciation, grammar, conjugation and vocabulary may vary significantly between different dialects of a language. This may result in distortions even though the applicant and the interpreter speak the same language as their mother tongue.

([158]) Articles 8(3) and 13(5) APR.
([159]) EUAA and IGC, *Practical Guide on Interpretation in the Asylum Procedure*, February 2024, https://www.euaa.europa.eu/publications/practical-guide-interpretation-asylum-procedure; EUAA, *Evidence and credibility in the context of the CEAS — Judicial analysis*, 2023, pp. 169-170 (see footnote 8); Hungarian Helsinki Committee, *Credibility Assessment in Asylum Procedures: A multidisciplinary training manual*, Vol. 2, 2015, pp. 11-14 (see footnote 142).

The way information is interpreted from one language to another may affect not only the meaning but also the level of detail, specificity and consistency. Languages are cultural constructions and the greater the difference between two languages, the greater the risk of distortions. Details may also be lost or contorted when translating larger parts of text instead of sentences.

The factors related to the case officer and the applicant may also affect the interpreter, including culture, religion and beliefs and gender roles. For more information, see sections 2.3.1. 'Factors related to the applicant' and 2.3.2. 'Factors related to the case officer'.

Examples of practical considerations

- Ensure that it was verified during the interview that the applicant and interpreter as well as the interpreter and case officer understood each other well even if they spoke the same language.
- Ensure that any inconsistencies potentially arising from multilingual factors and interpretation were clarified and the applicant was given an opportunity to explain.
- Assume that minor or implausible semantic differences (for instance, the use of tourist vs terrorist) are probably the result of translation errors and most likely do not constitute real inconsistencies. Internal credibility assessment should not rely on such inconsistencies.

(b) Interview setting

[Contents] [Checklist]

The physical interview setting may affect the applicant's statements. The setting should be a safe environment for the applicant to share their statements. This requires a quiet, sufficiently spacious room with a normal temperature and a calm environment that ensures confidentiality. For example, a small room without enough natural light or with a bar on the window may negatively affect the applicant and even trigger traumatic memories, for example by association with detention.

A remote interview setting may also affect the applicant's statements in several manners. Technical issues, such as low sound, poor video quality or connection interruptions, may limit the level of detail that is communicated. The positioning of the camera and lack of direct eye contact create distance and make it harder to pick up on non-verbal signs, such as indications of vulnerability, shame, fear or lack of trust. Remote settings can be perceived as more formal than an interview in person, leaving less room for active listening and for showing empathy and interest. These distortions leave more space for misunderstandings and may make lack of detail or inconsistencies harder to address.

Examples of practical considerations

- First assess the quality of the communication during the personal interview before starting the credibility assessment, particularly in the case of a remote interview.
- Be aware of signs of misunderstandings present in the interview transcript. Consider organising a new hearing for the applicant to clarify misunderstandings or ambiguities that affect the assessment of the core aspects of the material fact.

Example of a profile in which several factors that may lead to distortion take place at the same time: sexual orientation, gender identity and expression and sex characteristics

Asylum claims based on sexual orientation ([160]), gender identity ([161]) and expression ([162]), and sex characteristics (SOGIESC) ([163]) form a specific category within gender-related claims, which can entail several factors that may distort the applicant's statements in a specific manner. Factors related to the case officer and interview situation may similarly distort statements.

The applicant's account is often directly connected to the most delicate and intimate parts of the private sphere that constitute taboos in many societies, which may make it all the more challenging to disclose relevant information in a detailed, specific and coherent manner.

Lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) applicants, who do not conform with the heteronormative standards of their societies, often have long-standing experiences of discrimination, stigma and abuse. In many countries, LGBTIQ individuals are also subject to harsh penalties, such as imprisonment, fines or even execution.

Such life experiences might result in internalised homo/bi/trans/intersex-phobia, feelings of isolation and a lack of trust in authorities and the wider society. Such experiences can also have a traumatic effect and thus may affect memory functioning, limiting the applicant's ability to recall exact events in a coherent, consistent and/or detailed manner. They may also affect the applicant's trust in the asylum authority and willingness to disclose their experiences. The style of interviewing and the atmosphere created by the case officer and interpreter in the interview situation can affect the applicant's statements.

([160]) Sexual orientation refers to each person's capacity for profound affection, emotional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.
([161]) Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with their sex as assigned at birth or the gender attributed to them by society. It includes the personal sense of the body and other expressions of gender, including dress, speech and mannerisms, which may or may not involve a desire for modification of appearance or function of the body by medical, surgical or other means.
([162]) Gender expression refers to each person's presentation of their gender through physical appearance – including but not limited to dress, hairstyles, accessories, cosmetics – and mannerisms, speech, behavioural patterns, names and personal references, and noting further that gender expression may or may not conform to a person's gender identity.
([163]) Sex characteristics refers to each person's physical features relating to sex, including chromosomes, gonads, sex hormones, genitalia, reproductive organs, chromosome patterns and secondary physical features in relation to puberty.

Example of a profile in which several factors that may lead to distortion take place at the same time: sexual orientation, gender identity and expression and sex characteristics

For more information, see Sections 2.3.1(h) 'Stigma and shame', 2.3.1(b) Trauma' and 2.3.1(g) 'Fear and lack of trust'. See also Sections 2.3.2. 'Factors related to the case officer' and 2.3.3.(a) 'Multilingual communication through an interpreter'.

Moreover, their social and cultural background as well as the linguistic context may affect how LGBTIQ applicants self-identify and the terms they may use to talk about their SOGIESC. They may be used to different meanings, which may not necessarily be consistent with the terminology used in the Western scientific and academic context. These aspects may have an impact on the specificity as well as on the perceived coherence of their statements.

For more information, see Sections 2.3.3.(a) 'Multilingual communication through an interpreter' and 2.3.2. 'Factors related to the case officer'.

SOGIESC may affect the applicant's statements in the following ways, for example.

- **Lack of appropriate words**. LGBTIQ persons often come from linguistic contexts that may lack neutral terms to describe SOGIESC-related matters, which may lead to statements that appear less specific. Applicants may also give meanings to wording that is not consistent with terminology used in the Western context, which could affect the perceived coherence of their statements.
- **Intimate topics**. Talking to an unknown person about sexuality or identity and experiences of love, shame and desires that are linked to social taboos is a difficult task, which may lead to limited disclosure of the claim.
- **Availability of COI**. The marginalisation of LGBTIQ persons in the country of origin often leads to underreporting. Specific COI is therefore often limited or even lacking.
- **Availability of documentary evidence**. LGBTIQ persons may not be able to report any ill-treatment they have faced to the police and attain documentation related to it due to prevalent discrimination or criminalisation of their orientation, identity and/or characteristics in their country of origin.

Examples of practical considerations

- Ensure that the necessary special procedural guarantees were put in place, such as an interviewer and an interpreter of a chosen gender, when necessary and possible ([164]). Ascertain that the applicant's statements are addressed in a sensitive manner.
- Refrain from stereotypical and prejudiced assumptions regarding the behaviour, physical appearance or self-identification process of LGBTIQ applicants. Do not expect that they have had the same past experiences or self-realisation process.
- Ensure that neutral language was used, allowing and encouraging the applicant to tell their narrative.
- Keep in mind that SOGIESC may be a relevant consideration both if the applicant states that they represent the minority and/or when they are perceived by the society to represent the minority due to their non-conformity with stereotypical norms on how men and women should conduct themselves in society ([165]).

2.4. Determine if a material fact is accepted or rejected

2.4.1. Weighing the credibility findings of all evidence linked to a material fact

[Contents] [Checklist]

After assessing the documentary or other evidence and the applicant's statements, and taking potential distortion factors into account, all evidence related to a material fact is then considered together.

Look at all evidence in relation to a material fact in its entirety

Look at all the positive and negative credibility findings of all evidence linked to one material fact at the same time, in light of the relevant credibility indicators, and weigh each of the findings in relation to one another.

The aim is to arrive at an overall picture and eventually to a conclusion as to whether to accept the material fact or not.

([164]) Recital 21 APR.
([165]) Hungarian Helsinki Committee, *Credibility assessment in asylum procedures: A multidisciplinary training manual*, Vol. 2, 2015, p. 66 (see footnote 142).

One piece of evidence may be sufficiently probative to support the credibility of the material fact on its own as well as to confirm it. For example, an authentic and valid passport is highly probative evidence of citizenship on its own. On the other hand, a piece of evidence that is not probative of the material fact on its own, may support, in combination with other evidence and the statements of the applicant, the credibility of the material fact ([166]). For example, a driving licence, combined with a birth certificate, as well as other documents from a school and workplace, and the statements of the applicant taken all together, may be sufficiently probative of the alleged citizenship.

If positive credibility findings converge, they will support the acceptance of the material fact. If negative credibility findings converge, they will support the rejection of the material fact. In some circumstances, you might make findings that go in different directions. Your assessment of some indicators is in favour of the credibility of the material fact while others may run counter. You will then need to balance out these indicators. In this weighing exercise, credibility findings that are related to the core of the material fact have more weight than credibility findings that relate to elements that are not linked to the core of the material fact and are thus peripheral. The acceptance of a material fact should in general only rely on the credibility findings related to the core elements ([167]).

The weighing of all credibility findings requires a clear understanding of the credibility criteria, the factors of distortion and the rules of substantiation.

Example on how central the credibility findings are to a material fact

For example, the applicant provides a fairly detailed account but with some contradictions, and submits several documents that are reliable, but their relevance to the material fact is not very strong.

You will need to understand, among other elements, to what extent the high level of detail reveals a genuine, personal experience, how clearly established the contradictions are and how closely they are related to the core of the material fact and what can be expected from the applicant in the given situation. Your assessment will always depend on the specific features of the evidence, and on the factors of distortion that you may have identified.

Remember the following.

- A material fact may be accepted on the basis of one single document or other evidence if it is sufficiently probative to accept a material fact for which the statements are found to lack credibility. The doubt about the credibility of the statements of the applicant is not as such enough to disqualify the probative value of the documents or other evidence. Credible statements alone may also be sufficient to accept a material fact, even if the additional evidence is highly unreliable, or lacks authenticity.

([166]) Judgment of the ECtHR of 18 December 2012, *F.N. and Others* v *Sweden*, No 28774/09, ECLI:CE:ECHR:2012:1218JUD002877409, paragraph 72, https://hudoc.echr.coe.int/fre?i=001-115396.
([167]) See Section 2.1.3. 'Giving 'weight' to the credibility findings related to the piece of evidence'.

Example on accepting a material fact based on evidence that is sufficiently probative on its own: Case of a young woman from country C

The statements of the applicant in relation to her nationality of country C lack detail and specificity and they are also not consistent with the relevant COI. When confronted with this, the applicant cannot provide an explanation. On the other hand, after the interview the applicant submits a passport from country C, and that passport is reliable. The nationality of the applicant can be accepted on the basis of this passport, if further investigations on the circumstances in which it was obtained are not necessary.

In this particular case, the living conditions of women in country C of the social class to which the applicant belongs to do not allow women to know much of the 'outside world', as life takes place mostly inside the home. The case officer was not aware of this and the applicant had not mentioned this as an explanation either, as for her this was obvious and she did not realise that the case officer may not know this.

- As discussed in Step 1 (see Section 1.1.1(a).iii. 'Has the applicant given a satisfactory explanation for the lack of supporting evidence?'), it may be that certain evidence is missing. Your weighing process will consider the weight you have given to any lacking evidence. It is important to remember that it is on the basis of the evidence made available to you that you will make the assessment of the material fact under consideration. Thus, the absence of evidence may not have any impact on the assessment of the material fact if the available evidence is considered as sufficient to support the material fact. If, on the other hand, the missing evidence is decisive and its absence remains unexplained, the lack of it may have a negative impact on the assessment of the credibility of the material fact under examination.

Example on how the presence or absence of evidence that the applicant could be expected to submit may affect the credibility assessment: Case of a young woman from country C

The applicant could reasonably be expected, taking into account her individual and contextual circumstances, to take steps in order to collect and submit evidence on the death of both her parents, as she is still in contact with some family members who could support her and send her relevant documents.

- **Scenario 1**. The statements of the applicant are detailed and specific in relation to the circumstances of her parent's death, the way she learned about it, the steps taken for the funeral, and other administrative and legal steps that needed to be taken in relation to it. The fact that she did not submit additional evidence will not have much weight in this case, as her statements alone may be deemed sufficient to accept the material fact.
- **Scenario 2**. The statements of the applicant are inconsistent and no reasonable explanation was given for the negative credibility findings and no particular circumstance could explain them. In this case, the statements are not sufficient to

support the material fact. The fact that she has also not taken any steps to support her account with other evidence, while she reasonably could, and has not provided an explanation on that, has additional negative weight.

- It is important to note that a lack of cooperation of the applicant is as such not a ground to reject a material fact ([168]). It may lead to the rejection of the material fact if it has a direct negative impact on the assessment of the material fact under consideration that is not counterbalanced by positive findings in relation to that material fact.

A practical example is provided in Annex 2. Practical example of weighing credibility indicators to show how the weighing process may be done.

2.4.2. Concluding on material facts

(a) A conclusion based on the evidence assessment methodology

[Contents] [Checklist]

The conclusion on the material fact is the final step of the evidence assessment. Its structured methodology will allow you to conclude as to whether you can reasonably accept the material fact because you can rely on the previous steps.

- 1.1.2. 'Collect pieces of evidence relevant to the application': where you have linked all the available evidence to that material fact, the applicant's statements, and any other evidence that has been submitted by the applicant or that is otherwise available to you in relation to it.
- 2.2. 'Assess the statements of the applicant against credibility indicators' and 2.1. 'Assess documentary and other evidence': where you have assessed the credibility of the statements and the probative value of documentary or other evidence.
- 2.3. 'Consider individual and circumstantial factors that may lead to distortions': where you took into consideration the individual and contextual circumstances of the applicant and any factors of distortion that are relevant for the assessment.
- 1.1.1. 'Apply the duty to cooperate': where you properly considered all elements of the applicant's duty to substantiate and your own duty to investigate.
- 2.4.1. 'Weighing the credibility findings of all evidence linked to a material fact': where you have weighed all these findings in a holistic manner to reach a conclusion.

Based on all of these points, you should be able to reach a conclusion as to whether to accept or reject a material fact without any further assessment.

When reaching a conclusion on a material fact, you have to keep in mind the Challenges of assessing evidence in asylum procedures because of the position in which applicants for international protection find themselves, cut off from the protection of their home countries.

([168]) This is unless there is a ground for taking a decision of implicit withdrawal based on Article 41 APR.

Applicants are not expected to 'prove' their claim to the level of 'certainty' or 'beyond reasonable doubt'. There often remains a certain degree of doubt in relation to the facts presented by the applicant which has to be acknowledged when concluding the credibility assessment of material facts by taking into account the wider principle of the benefit of the doubt.

The benefit of the doubt is a wider principle used in the context of the standard of proof on factual assertions that are not confirmed by documentary or other evidence. In the context of the asylum procedure, the case-law box below reproduces statements from the ECtHR that are relevant in this regard.

ECtHR, *J.K. and others* v *Sweden*, paragraphs 92–93

92. According to the Court's case-law, it is incumbent on persons who allege that their expulsion would amount to a breach of Article 3 to adduce, to the greatest extent practically possible, material and information allowing the authorities of the Contracting State concerned, as well as the Court, to assess the risk a removal may entail (...). *The Court, however, acknowledges the fact that with regard to applications for recognition of refugee status, it may be difficult, if not impossible, for the person concerned to supply evidence within a short time, especially if such evidence must be obtained from the country from which he or she claims to have fled. The lack of direct documentary evidence thus cannot be decisive per se* (...).

93. Owing to the special situation in which asylum-seekers often find themselves, it is frequently necessary to give them the benefit of the doubt when assessing the credibility of their statements and the documents submitted in support thereof. Yet when information is presented which gives strong reasons to question the veracity of an asylum-seeker's submissions, the individual must provide a satisfactory explanation for the alleged inaccuracies in those submissions (...). *Even if the applicant's account of some details may appear somewhat implausible, the Court has considered that this does not necessarily detract from the overall general credibility of the applicant's claim* (...). ([169])

Extract of UNHCR Handbook, on the burden of proof

196. It is a general legal principle that the burden of proof lies on the person submitting a claim. Often, however, an applicant may not be able to support his statements by documentary or other proof, and cases in which an applicant can provide evidence of all his statements will be the exception rather than the rule. In most cases a person fleeing from persecution will have arrived with the barest necessities and very frequently even without personal documents.

(...)

([169]) *J.K. and others* (see footnote 45). Summary available in the EUAA Case Law Database.

203. After the applicant has made a genuine effort to substantiate his story there may still be a lack of evidence for some of his statements. As explained above (paragraph 196), it is hardly possible for a refugee to "prove" every part of his case and, indeed, if this were a requirement the majority of refugees would not be recognized. It is therefore frequently necessary to give the applicant the benefit of the doubt. ([170])

Wider principle of the benefit of the doubt

Throughout the different steps of both gathering of information and credibility assessment, as presented above, this wider principle of the benefit of the benefit of the doubt has been taken into account. For facts that are not 'proven' through objectively verifiable evidence, the wider principle of the benefit of the doubt is applied, through the use of credibility indicators in particular and by following steps of the evidence assessment methodology as described above in general.

(b) Article 4(5) QR

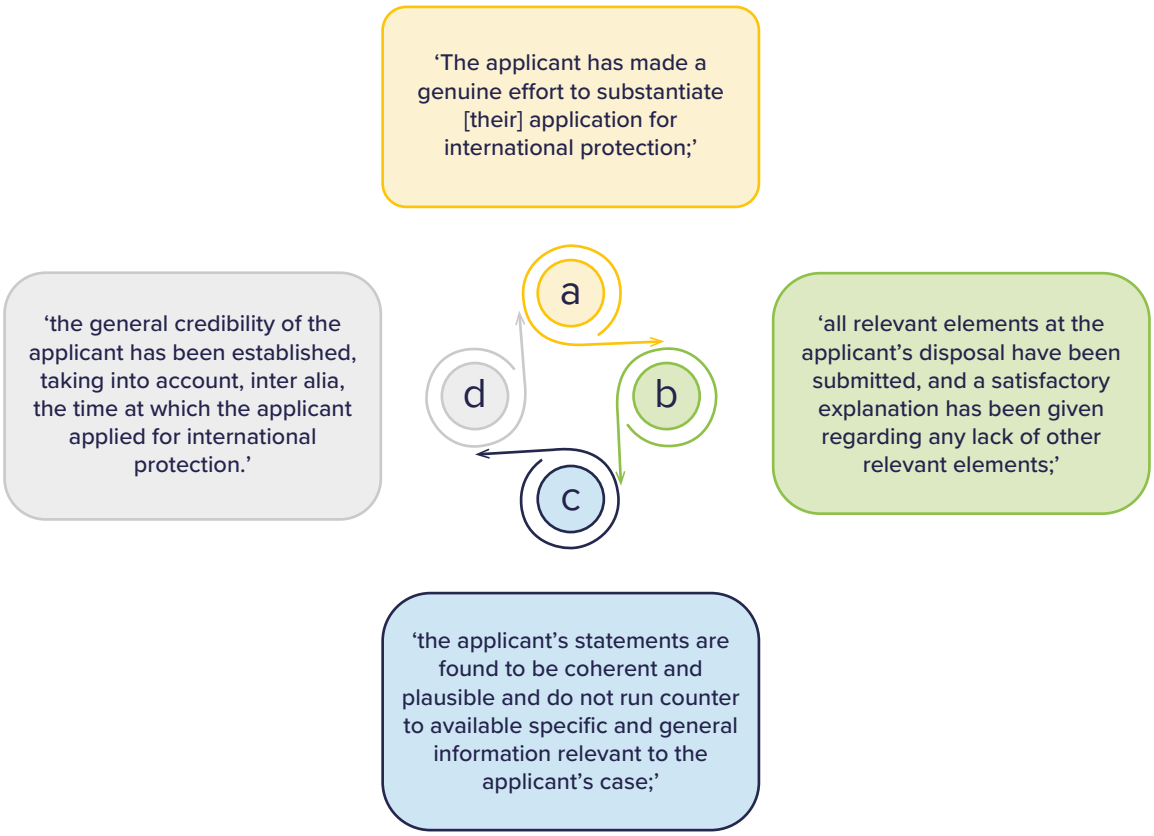
[Contents] [Checklist]

While the wider principle of the benefit of the doubt provides guidance on when a material fact can be accepted, **Article 4(5) QR** describes specific situations in which a material fact should not be rejected in any case ([171]). This provision will be particularly relevant when, despite having applied the credibility indicators and having fulfilled your duty to investigate, the weighing of the positive and negative credibility findings still does not allow you to reach a clear conclusion on a material fact. When all the conditions in Article 4(5) QR, as displayed in figure 12 below, are **cumulatively** met, you will know that the material fact should not be rejected.

([170]) UNHCR, *Handbook on procedures and criteria for determining refugee status and guidelines on international protection*, reissued April 2019, paragraphs 196-197 and 203-204 (see footnote 11).

([171]) Several requests for preliminary ruling made to the CJEU in relation to the interpretation of Article 4(5) Directive 2011/95/EU will likely be relevant for the interpretation of Article 4(5) QR. These questions, which are still pending at the time of publication of this guide, have been registered by the court as case C-138/25, *Medea,* https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62025CN0138, case C-7/25, *Ramadi*, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62025CN0007, and case C-8/25, *Karkik,* https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62025CN0008. You will find the summary of the judgments in the EUAA Case Law Database once the CJEU has ruled on the questions that were submitted.

Figure 12. Cumulative conditions in which material facts cannot be rejected based on Article 4(5) QR



It is important to note that conditions (a), (b) and (c) are applicable to the substantiation of the material fact under consideration.

Condition (a) provides that 'the applicant has made a genuine effort to substantiate their application for international protection'. This is a condition that you have assessed when considering whether the applicant has taken the relevant steps to gather evidence to substantiate the material fact (see Section i. 'Has the applicant made a genuine effort to provide statements and documentation at their disposal?'). This condition should be assessed while considering the personal circumstances of the applicant. If you could expect the applicant to have taken additional reasonable steps to gather evidence, and that this lack of genuine effort has led to missing information or missing evidence that has an impact on your ability to reach a conclusion on the material fact, then the applicant has not met this condition.

Condition (b) provides that 'All relevant elements at the applicant's disposal have been submitted, and a satisfactory explanation has been given regarding any lack of other relevant elements'. This is a condition that you have assessed when considering whether there is evidence at the disposal of the applicant that they could have submitted to substantiate the material fact but did not (see Section iii. 'Has the applicant given a satisfactory explanation for the lack of supporting evidence?'). If no reasonable explanation was provided, taking the applicant's personal circumstances into account, and that due to the fact that this element was not submitted you are not able to make a conclusion on the material fact, then this condition would not be fulfilled.

Condition (c) provides that 'the applicant's statements are found to be coherent and plausible and do not run counter to available specific and general information relevant to the applicant's case'. You have assessed this condition as it covers the credibility criteria of statements in relation to coherence, plausibility and consistency with COI (see Section 2.2. 'Assess the statements of the applicant against credibility indicators'). If these criteria are not fulfilled, while taking into consideration the personal circumstances of the applicant, this condition would not be met.

Condition (d) provides that the general credibility of the applicant has to be 'established, taking into account, inter alia, the time at which the applicant applied for international protection'.. The general credibility is the 'credibility record' of the applicant as an asylum seeker. It concerns all important factual elements related to the actions of the applicant that become known in the asylum procedure and are not limited to the assessment of one material fact only.

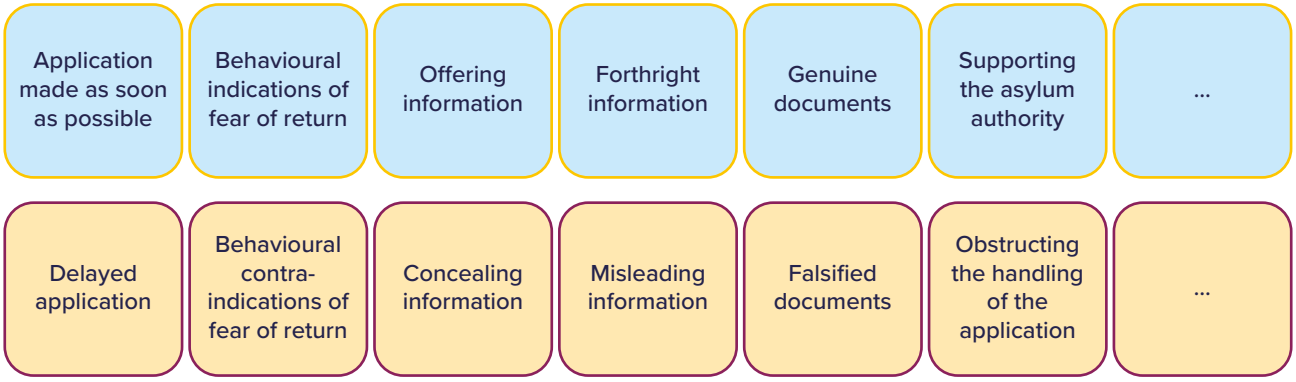
These elements can comprise, among others, behaviour or statements indicating that the applicant does not fear returning to their home country or, on the contrary, behaviour or statements that underline their fear; actions or omissions of the applicant in relation to their duty to substantiate the application, such as concealing information or duly offering all information, giving misleading information ([172]) or being straightforward, submitting falsified documents or supporting their case with authentic documentation; obstructing the handling of their case or complying with the obligation to cooperate.

'[T]he time at which the applicant applied for international protection' is highlighted in Article 4(5)(d) QR as one of the elements to consider in the general credibility of the applicant. Making an application as soon as possible supports the general credibility of the applicant, while delaying it could be assessed, among others and depending on the personal circumstances of the applicant, as a negative finding. When this factor is examined, the applicant must be given the possibility to explain the reason(s) for any delay in their application. If the applicant can provide a reasonable explanation for the timing of their application, that timing should not be considered as having a negative impact on the general credibility of the applicant (e.g. *sur place* claims, applicants with a need for special procedural guarantees). Keep in mind that the fact that an application is not made as soon as possible should in no case be used as the sole ground for rejecting the application for international protection as a whole. This is one element to consider in the general credibility of the applicant, which is, in itself, one of the conditions for applying Article 4(5) QR. If applicable, negative findings related to the timing of the application need to be weighed against all other relevant elements assessed under the general credibility of the applicant.

The following figure shows elements that can be considered.

([172]) See Judgment of the Court of Justice of 29 June 2023, *X v International Protection Appeals Tribunal, The Minister for Justice and Equality, Ireland*, C-756/21, ECLI:EU:C:2023:523, paragraph 93, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62021CJ0756. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=3489. In that case, the Court considered, among other elements, that Article 4(5)(e) of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (OJ L 304, 30.9.2004), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32004L0083, must be interpreted as meaning that a false statement, contained in the initial application for international protection, which was explained and withdrawn by the applicant for asylum at the first available opportunity, is not capable, by itself, of preventing the establishment of the applicant's general credibility.

Figure 13. General credibility – examples of elements to consider



The consideration of the applicant's behaviour for the purpose of determining their general credibility is focused on objective acts of the applicant. It cannot be based on observations of the applicant's demeanour (the way they look or behave). General credibility is not a trait of the applicant's personality but rather the consequence of their actions. If the applicant's actions leave the asylum authority with doubts as to whether or not they indicate the lack of a need for protection, you may ask the applicant about these aspects of their actions, the conditions in which they have taken place and thus clarify their meaning and consequences already in the personal interview.

The negative actions listed above need to be sufficiently serious in nature, either on their own, or in repetition or in combination with other actions before they can be considered to affect the general credibility of the applicant. It is thus not because one of them may be identified in the applicant's file that this would ipso facto have a negative impact on their general credibility ([173]). Information about the applicant that is not related to the asylum procedure is not relevant to the establishment of the applicant's general credibility.

In all cases, before reaching any conclusion on the general credibility of the applicant, you should consider all individual and contextual factors that could explain the considered behaviour of the applicant and give the applicant an opportunity to provide an explanation ([174])..

([173]) See *X v Ireland*, paragraph 92 (see footnote 172). Summary available in the EUAA Case Law Database.
([174]) See *X v Ireland*, paragraph 93 (see footnote 172). Summary available in the EUAA Case Law Database.

3. Step 3. Risk assessment

[Contents] [Checklist]

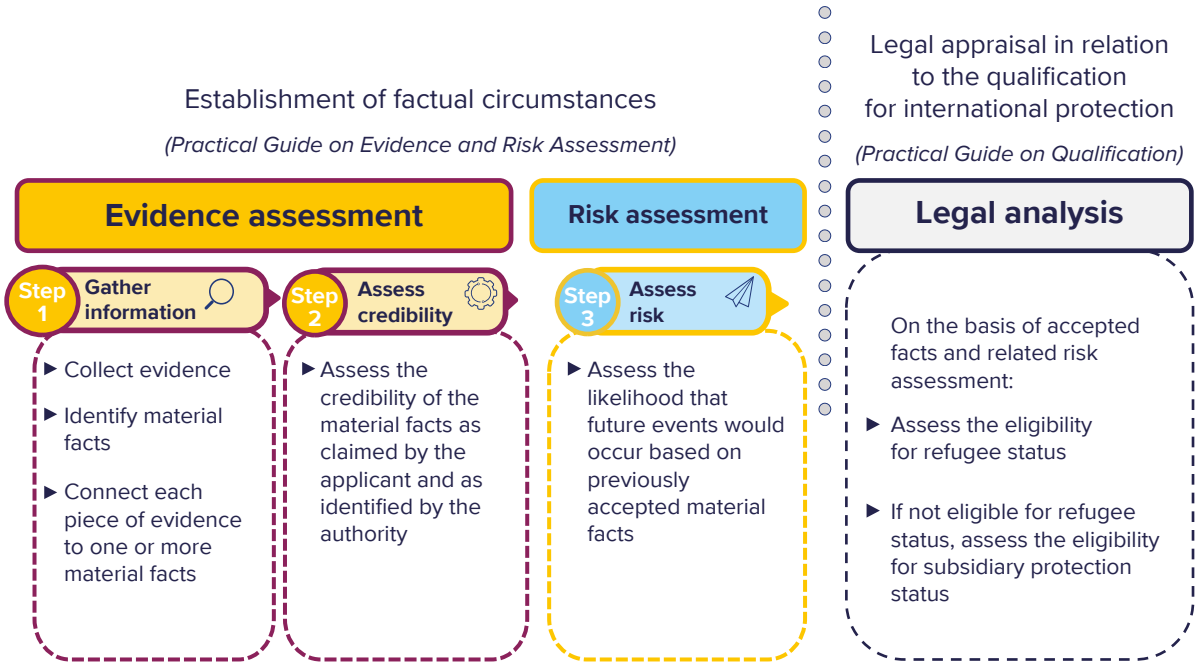
3.1. Introduction

Risk assessment is the third step in the three-step approach to the evidence and risk assessment proposed at the beginning of the guide. Risk assessment is a factual and future-oriented assessment (present and future) of the likelihood that the applicant would face upon return an event potentially amounting to persecution or serious harm; an assessment that considers all (and only) the accepted material facts (present and past), the personal circumstances of the applicant and the currently available information.

In this chapter, the term 'event' is used in a broad way to cover anything adverse that may happen to the applicant upon return to their country of origin. Events can include, for example, actions or inaction, treatments, experiences or situations in which the applicant may end up.

The figure below shows the three-step approach, which also clarifies the difference between evidence assessment and risk assessment, and the line between a factual and a legal assessment.

Figure 14. The factual and legal assessment during the examination procedure



At this stage, the identification of a risk does not yet imply the legal qualification of the events as 'persecution' or 'serious harm'. It is only an identification and description of the events that could happen to the applicant upon return to the country of origin or habitual residence and could amount to persecution or serious harm, and an assessment of the likelihood that they

might happen. The accurate identification and description of the events that could happen to the applicant and could amount to persecution or serious harm at the phase of risk assessment is very important. This will help you to assess and decide if these events amount to persecution or serious harm under the phase of legal analysis. Similarly, the assessment of the likelihood of an event happening under the risk assessment will be the basis for the assessment of the 'well-founded fear' under the legal analysis.

Risk assessment is not based on speculations but on an objective methodology, that 'must be carried out with vigilance and care, based solely on a specific evaluation of the facts and circumstances' ([175]) of the case. On the other hand, the legal analysis is the legal appraisal of whether the eligibility criteria for granting international protection are met.

The risk assessment consists of two main steps:

1. defining the risk(s);
2. assessing the risk(s).

3.2. Defining the risk(s)

[Contents] [Checklist]

A risk is a future event that may happen and which poses a threat to the applicant. The risk is defined by what may happen, the reason(s) it may happen, who would carry it out or cause it and the circumstances in which it may happen. In order to accurately define the risk(s), you must rely on the results of the evidence assessment, meaning:

- the fears and risks as expressed by the applicant;
- the risks you identified based on the currently available information ([176]). For further guidance on the COI that should be collected, refer to Section 1.1.1. (b) vi Obtain relevant COI and other evidence and hereunder.

([175]) Judgment of the Court of Justice of 5 September 2012, *Bundesrepublik Deutschland v Y and Z*, cases C-71/11 and C-99/11, EU:C:2012:518, paragraph 77, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62011CJ0071, which further specifies that this evaluation needs to happen in accordance with the rules laid down in particular in Article 4 of Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (OJ L 304, 30.9.2004). Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1700.

([176]) Judgment of the Court of Justice of 4 June 2026, *PM, QN, RM, SM, TM, UM, VM, WM v Minister van Asiel en Migratie*, case C-440/25 [*Ebilum*], paragraph 81, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62025CJ0440. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=6002.

Remember that COI is needed for the identification of risks

For you to identify any risks not expressed by the applicant, it is pivotal to have the proper information on the general situation in the country of origin and also a good view on the specific profile and personal circumstances of the applicant. While risks not mentioned by the applicant may be more often identified during the stage of gathering evidence, at the point of the risk assessment you may, in fact, still identify some new risks after your COI research on the current situation in the country of origin. This can happen, for instance, when changes occur after the interview was conducted. In this case, you should go back to the previous steps, identify the underlying material facts, assess them and if they are accepted, continue with the risk assessment.

Keep in mind that after your COI research, apart from new risks, you might identify some risks that are different from those initially described by the applicant, which were related to specific material facts.

Example on defining a risk by taking COI into account: Case of an activist from country B

The applicant has stated that she fears being killed due to her profile as a lawyer for NGOs defending human rights and denouncing violations. You have accepted the material fact of her profile as a lawyer for NGOs defending human rights and denouncing violations.

However, from the COI research you have found that people with this profile are not risking their lives but instead they would have their professional licences withdrawn or their offices closed.

Based on this, you will define that the risk for her is not that she will be killed but would have her professional licence withdrawn or her office closed because of her political activities. Of course, there might be additional risks depending on the other material facts that have been accepted.

COI on risk assessment

The COI you used in the credibility assessment (external credibility indicators) is not necessarily the same as the COI used for the risk assessment. While the COI that underpins the credibility assessment focuses on the confirmation of a past event or situation, the COI for the risk assessment also looks at any other evidence which may indicate that a certain type of harm may happen in the future. For example, the COI for risk assessment looks at the objective security and human rights situation in the country of origin, the patterns of behaviour of the actor of persecution or serious harm and the risks persons in a similar situation as the applicant are known to undergo.

Example on identifying risks based on accepted material facts: Case of an activist from country B

The fear initially expressed by the applicant was that she will be ill-treated by the authorities of her country due to her activities as a lawyer for NGOs defending human rights and denouncing violations. The ill-treatment would include an (unfair) trial based on false accusations, a possible sentence and detention, physical and sexual abuse and even death.

Starting from the expressed fear, you have conducted your credibility assessment and accepted/rejected some material facts. Below is a list of the material facts you have accepted.

- **Material fact 1.** The applicant comes from country B.
- **Material fact 2.** The applicant is a human rights lawyer, social leader and advocates against violations of human rights in country B.
- **Material fact 3.** The applicant is a member of several human rights organisations, including the NGO called Y.
- **Material fact 4.** The applicant participated in a demonstration.
- **Material fact 5.** The applicant was arrested, detained and beaten up as a consequence of her participation in and filming of the demonstration.
- **Material fact 6.** The applicant was charged with 'resisting arrest' and 'public instigation to violence' and received an indictment indicating the date of the trial before the military tribunal.

In this case, the risks for the applicant are based on the expressed fears based on events that she has undergone in the past. Therefore, the risks upon return that you are going to identify are that she might be prosecuted based on the indictment she received; for the duration of the trial, she may be placed in detention; she may be facing an unfair trial; following this trial she may be sentenced and imprisoned. During this process she might also be ill-treated, abused or even killed by the authorities of her country. These possible events are due to her activities as a human rights lawyer and her participation in the demonstration.

The accurate description of the risk(s) as mentioned by the applicant or identified by you will be helpful throughout the assessment of the risk. This is the phase that will allow you, when you come to the legal analysis, to determine a number of aspects. These include whether these factual risks may be considered a well-founded fear of persecution or real risk of serious harm, who the actors of persecution or serious harm are, the reasons for persecution, the circumstances in which this would happen and if there is a possibility of protection. In other words, if these factual elements fall within and meet the legal definitions.

Principles to consider when defining and describing the risks

- The applicant's statements are the starting point for defining risks.
- These are complemented by the risks you identified based on the currently available information.
- The outcome of the credibility assessment (accepted/rejected material facts) will define the exact scope of the risks.
- All relevant details related to the risks should be included in the description (i.e. what, by whom, why, in which contributing circumstances and whether there is a possibility of protection)
- The risks are related only to events that could happen in the future.
- Any legal qualification should be avoided at this stage.

3.3. Assessing the risk

[Contents] [Checklist]

After you have defined the risks of what may happen to the applicant upon return, the next step is to assess the likelihood that they will take place in case of return.

The aim of assessing the risk is to identify the types of harm for which there could be a 'well-founded fear' or 'real risk'.

In the risk assessment, the risk always needs to be understood in its entirety: the feared events in connection with the specific actors, the reasons and the circumstances in which the events may take place as described above.

After discussing which standard of likelihood is applicable and what this entails, this section will help you to explore all aspects of the risks and includes questions you could consider in order to identify all the elements (risk indicators) that will affect the likelihood of the risk, before concluding on all these elements together. In the conclusion, you will give proper weight to each of your findings related to the risk indicators, apply the rules on the shifted burden of proof when necessary, and conclude if the reasonable degree of likelihood is met.

Bear in mind that at the risk assessment stage, you are not engaging in the legal analysis. However, based on the outcome of this assessment, you will define if there is a well-founded fear of persecution or serious harm under that step.

3.3.1. Standard of likelihood for well-founded fear and real risk (standard of proof)

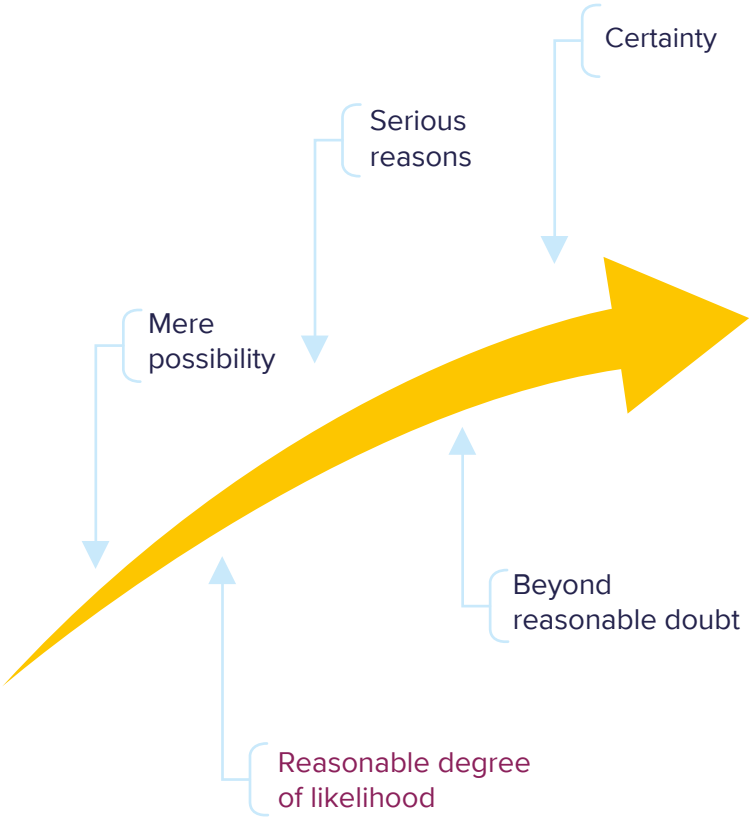
[Contents] [Checklist]

To assess the likelihood of the risk occurring you need to apply the correct standard. The standard of likelihood of the risk refers to the threshold that has to be met in order to establish that a certain risk may occur in the reasonably foreseeable future in case of return of the applicant to their country of origin or of former habitual residence. When the threshold is met, it will be accepted that the risk corresponds to a well-founded fear or real risk.

The applicable standard of likelihood in assessing the future risk for the applicant is the 'reasonable degree of likelihood' ([177]). This means that the expectations on the level of likelihood that the risk will happen should not be set as high as the level of 'certainty' or 'significant probability' or that the risk will happen 'beyond reasonable doubt'. On the other hand, also a 'mere chance' or 'mere possibility' is not sufficient to establish the future risk. The figure below presents the different standards of likelihood.

([177]) *Ebilum*, paragraph 87 (see footnote 176), summary available in the EUAA Case Law Database; *Bundesrepublik Deutschland* v *Y and Z*, paragraph 76 (see footnote 176), summary available in the EUAA Case Law Database. In the latter judgment, the CJEU clarified that when assessing whether an applicant has a well-founded fear of being persecuted, the competent authorities are required 'to ascertain whether or not the circumstances established constitute such a threat that the person concerned may reasonably fear, in the light of his individual situation, that he will in fact be subject to acts of persecution'; Judgment of the Court of Justice (Grand Chamber) of 2 March 2010, *Aydin Salahadin Abdulla and Others v Bundesrepublik Deutschland*, joined cases C-175/08, C-176/08, C-178/08 and C-179/08, EU:C:2010:105, paragraph 89, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62008CJ0175. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1445; Judgment of the Court of Justice of 7 November 2013, *Minister voor Immigratie en Asiel* v *X, Y and Z*, joined cases C-199/12 to C-201/12, EU:C:2013:720, paragraph 72, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62012CJ0199. Summary available in the EUAA Case Law Database, https://caselaw.euaa.europa.eu/pages/viewcaselaw.aspx?CaseLawID=1432.
As is also mentioned in the case of BVerwG (informal translation):
The standard of probability presupposes that in a summary assessment of the existential issue submitted for examination, the facts arguing for the existence of persecution have a greater weight, and therefore prevail over the facts that speak against its existence. Here a 'qualifying' approach must be applied, in the sense of a weighting and weighing of all established circumstances and their significance. The material question is whether, in view of these circumstances, a fear of persecution can be induced in a reasonable, prudent person in the situation of the person concerned.
Federal Administrative Court (Germany), BVerwG 10 C 23.12, paragraph 32, available in German at www.bverwg.de; UNHCR, *Handbook on procedures and criteria for determining refugee status and guidelines on international protection*, reissued April 2019, paragraph 42 (see footnote 11); UNHCR, *Note on Burden and Standard of Proof in Refugee Claims*, 16 December 1998, paragraphs 16 and 21 (see footnote 17).

Figure 15. Standard of likelihood for well-founded fear and real risk



The 'reasonable degree of likelihood' requires a qualitative analysis. It does not call for the risk to be quantified on a scale of probabilities or that the chances for the risk materialising are 'more likely than not'. The existence of a 'reasonable degree' cannot be replaced with a mathematical formula. To assess the 'reasonableness' of the degree of likelihood, the risk assessment will instead focus on the individual situation of the applicant within the existing circumstances in the country of origin ([178]).

The assessment of the likelihood stretches out to the reasonably foreseeable future. The reasonably foreseeable future is what can be reasonably expected to happen, based on the information on past and present events and circumstances. The reasonably foreseeable future extends beyond the immediate future but does not go further than the time during which certain events can reasonably be expected to take place.

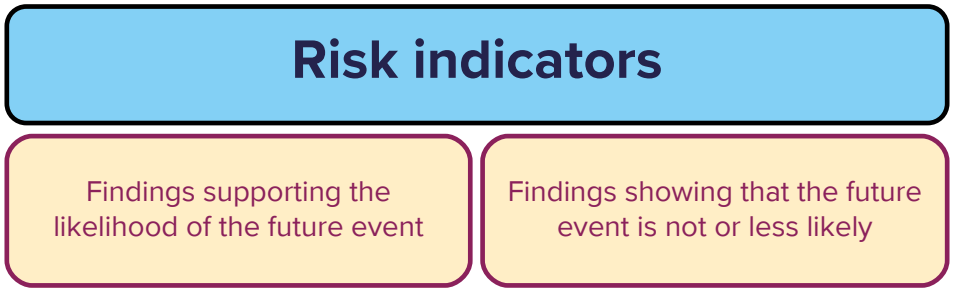
3.3.2. Risk indicators

[Contents] [Checklist]

The risk indicators will allow you to explore all the elements that may affect the likelihood of the risk. The risk indicators can point to both findings that support the likelihood of the event happening in the future as well as to findings that indicate that there are reasons to believe that the risk will not materialise.

([178]) *Ebilum*, paragraphs 74-88 (see footnote 176). Summary available in the EUAA Case Law Database.

Figure 16. Risk indicators



The risk indicators will be explored by looking at the following five areas.

(a) The events the applicant has experienced in the past (including events that may amount to persecution or serious harm, the threats thereof and situations or actions possibly leading up to such events).

(b) People close to the applicant or in a similar situation as the applicant, being persecuted, experiencing serious harm or being threatened in this way.

(c) The personal circumstances of the applicant, which may increase or decrease the risk.

(d) The underlying reasons or motives for the feared events at the time of a possible return of the applicant to their country of origin.

(e) The capacity of the actors of persecution or serious harm to threaten or carry out the threats in case of return.

For each of these areas, the section below will present questions useful to explore all aspects of the risk and reach positive and/or negative findings. Keep in mind that the indicators detailed here are as such not exhaustive and that there may be additional risk indicators that have to be considered in individual applications.

Importance of COI and, where available, of EUAA country guidance, in the risk assessment

In order to conduct the risk assessment, you will have to research and use the most recent, relevant and reliable COI, and consider it in light of the individual characteristics and the circumstances of the case ([179]). Unless the applicant is a well-known person, COI will mostly give you information about persons who are or may be in a similar situation to that of the applicant.

For some cases or certain countries, there is a huge amount of material available from many sources. On the contrary, for other cases and countries you may find a limited amount of information. The fact that you do not find information on the current situation related to the risk you are trying to assess does not necessarily mean that the risk does not exist. Instead, it may mean that the topic is not reported or is underreported.

For dealing with contradictory, limited or a lack of COI during the examination of an application, see EASO, *Practical Guide on the use of country of origin information by case officers for the examination of asylum applications*, December 2020, pp. 38-40.

Where available, EUAA common analysis and guidance notes should be taken into account ([180]).

(a) The events which the applicant has experienced in the past

[Contents] [Checklist]

In general, the fact that an event has already happened in the past is in itself probably the strongest indicator that there is a likelihood of it happening again in the future. For this reason, the QR indicates that in cases where, in the past, the 'applicant has already been subject to persecution or serious harm, or to direct threats of such persecution or such harm', it is for the determining authority to establish whether there are 'good reasons to consider that such persecution or serious harm will not be repeated' ([181]). For more information on this shift in the burden of proof, see Section 3.4. 'Concluding on the risk'.

Through the identification of the material facts and the credibility assessment, you have already established all the events that took place in the past and which may substantiate the future risk.

([179]) Article 34(2) APR:
the determining authority shall take the following into account: [...]; (b) relevant, precise and up-to-date information relating to the situation prevailing in the country of origin of the applicant at the time of taking a decision on the application, including laws and regulations of the country of origin and the manner in which they are applied, obtained from relevant and available national, Union and international sources, including children's rights organisations and, where available, the common analysis on the situation in specific countries of origin and the guidance notes referred to in Article 11 of Regulation (EU) 2021/2303; [...].
([180]) Article 34(2)(b) APR.
([181]) Article 4(4) QR:
The fact that an applicant has already been subject to persecution or serious harm, or to direct threats of such persecution or such harm, shall be considered a serious indication of that applicant's well-founded fear of being persecuted or of a real risk of suffering serious harm, unless there are good reasons to consider that such persecution or serious harm will not be repeated.

Once you have accepted certain past events as credible, an important dimension to explore further in the risk assessment is how these are spread over time.

When did the (last) event take place?

- How much time elapsed between the last event and the moment the applicant left their country of origin?
- What happened in the period between the last event and the applicant's departure?
- What did the actor of persecution or serious harm do during this time?
- If there were no significant events in the intervening period, what are the reasons nothing else happened? Are there indications that, despite the timelapse, the actor will again start threatening the applicant or committing the events that could amount to persecution or serious harm?

If an event took place long before the applicant's departure from the country of origin and they have lived for a long time without any repetition of similar events, this can be an indication that there is limited risk for it to happen again in the future. This could be considered the case for as long as there are no other explanations for this, which need to be explored in detail. There may be many reasons no events have taken place before the departure. The actor might not have been aware of the whereabouts of the applicant, or might have had other priorities at that time, without necessarily having changed its policy or intent towards the applicant.

It is important to note that while having experienced past events that could amount to persecution or serious harm is a serious indication that such events may likely happen in case of return, the absence of past events that could amount to persecution or serious harm, on the other hand, does not necessarily lead to the absence of future risk, as you cannot expect a person to wait to be subjected to such events before fleeing their country of origin.

(b) People close to the applicant or in a similar situation to the applicant

[Contents] [Checklist]

Are people close to the applicant being threatened or facing events and/or behaviour that could amount to persecution or serious harm?
What has happened or is still happening to family members or friends in relation to the applicant's situation is also an indicator of an existing risk. For example, it may show that the actor of persecution is getting closer to the applicant or wants to harm the applicant through close relatives.

- Are people close to the applicant threatened for the same reasons as the applicant who fears persecution or serious harm? Are they threatened because they are closely related to the applicant? Are they threatened for any other reasons?

Below is a non-exhaustive list of elements to consider.

On the events

- What are the events that persons close to the applicant are typically facing?
- How frequent are these events?
- How widespread are these events?

On the similarity

- Are there important differences between the applicant and the related persons, which may have a significant impact on the risk of the applicant facing a similar fate?

Example on the treatment of relatives as risk indicator: Case of an activist from country B

The death of her cousin, the ill-treatment of her relatives, and the detention of her nephews were clearly direct threats from the actor of persecution toward the applicant to make her stop her activities. If you have accepted those facts, they would constitute strong indicators of the risk at hand.

Are people in a similar personal situation and/or with the same characteristic(s) being persecuted, undergoing serious harm or being threatened in this way?
When persons in a similar situation as the applicant and/or with the same characteristic(s) as the applicant are persecuted or undergoing serious harm, this offers a strong indication that the applicant themself may also be at risk upon return. The similarities may be real or perceived. In this case, the following questions would need to be explored.

Below is a non-exhaustive list of elements to consider.

On the events

- What are the events that persons in a similar situation are typically facing?
- Are these events provided by law?
- How frequent are these events?
- How widespread are these events?

On the similarity

- To what extent does the situation of the applicant correspond to the situation of the persons who have experienced persecution or serious harm and/or to what extent do they share similar characteristics?
- Are there important differences between the applicant and the persons who have experienced persecution or serious harm, which may have a significant impact on the risk of the applicant being persecuted or harmed?

The similarities or differences can relate to the below listed examples.

The area of origin of the applicant

- Is the persecution or serious harm limited to another area other than the area the applicant resided in or originated from?
- Are there reasons to believe that the persecution or serious harm will stay limited to those areas?
- Does the actor of persecution or serious harm have the same capabilities in the area of origin of the applicant?

The profile of the person

- Is the persecution or serious harm directed mainly or exclusively toward persons with a higher profile?
- Is the persecution or serious harm limited to persons that:
  - have conducted activities at a certain level?
  - took up specific roles and responsibilities in their organisation?
  - had a certain social visibility or who had certain ties with other major opponents?

Example on the treatment of persons in a similar situation as a risk indicator: Case of a young man from country A

There are no past events that could amount to persecution or serious harm or even threats. In this case, as it is a forward-looking examination, it is important to examine and collect information on what is happening to people who refuse to join the terrorist group. What are the consequences for them?

If you have accepted the material fact that the applicant was approached to join the terrorist organisation, the consequences of the refusal of other persons who have been approached in the same way as the applicant was, and with similar characteristics, will also indicate a risk for the applicant. Are these recruitments for example taking place in specific areas? Do the targeted young men belong to a certain ethnic or social group?

Example scenario: The applicant has left the country without having received any calls for recruitment. In this case, you have not previously formulated and assessed a material fact that he has been approached by the group but a material fact regarding the events and the behaviour of this terrorist group and the methods/practices they use to recruit people.

If you have accepted that it is indeed a common practice in this area for the terrorist group to recruit young men, then the profile of the applicant and in particular his age are very important in order to assess if it is possible for him to undergo this risk, in addition to the information about what happens to persons with the same profile or in the same situation.

(c) Risk indicators related to the circumstances that heighten or reduce the risk

[Contents] [Checklist]

Are there (personal) circumstances which increase or reduce the risk?
You have identified the circumstances that can contribute to the risk as part of the identification of the material facts. These circumstances now need to be complemented with any circumstances that may increase or reduce the risk. Based on these, you will assess to what extent they will increase or decrease the likelihood of the risk materialising.

Personal circumstances that can heighten the risk may relate, for example, to age, gender, SOGIESC, literacy, educational background, social position, family relations, disability, ethnicity, religion, social group or statelessness, where these do not form the main reason for this risk. Other circumstances can be related to facts such as the place of residence or the fact of having visible scars, to the extent the applicant cannot easily dissociate themself from these facts. For example, in some countries, changing address will not change the fact that you are seen as originating from a certain part of the country or a certain part of a city.

- How is the life of the applicant, or of other persons sharing the same circumstances or characteristic(s), affected by these circumstances?
- To what extent do these circumstances or characteristic(s) make the applicant an easier target by the actors of persecution or serious harm?
- To what extent do the circumstances make the applicant a more ‘wanted’ target?

Other circumstances may increase or reduce the risk. They can include wealth, social position, family, tribe or social network, level of education or tribal conflict resolution mechanisms, etc. You will need to assess the effectiveness of these circumstances to prevent the risk from materialising and if this would preserve the applicant from the feared events in a predictable and durable way.

- To what extent do these circumstances effectively reduce the risk?

(d) Risk indicators related to the motive of the actors to carry out the events that could amount to persecution or serious harm

[Contents] [Checklist]

It is important to assess the motive(s) for the alleged events that could amount to persecution or serious harm at the moment of a possible return of the applicant. There may have been changes in the motive, or the motive itself may have entirely disappeared.

Will the actor (still) have a motive to carry out the threat at the time of a possible return?

The actor of persecution or serious harm may have changed their policy in relation to the alleged events that could amount to persecution or serious harm, or their position or interests may have changed.

Are there any changes in legislation, for example an amnesty measure now in place or the decriminalisation of an offence?

- Has there been a change of regime? If yes, at which levels and to what extent?
- Has there been a change in the treatment committed by the actor of persecution or serious harm towards the applicant, their family members or other persons in a similar situation?
- Does the applicant still hold or are they still perceived to hold the characteristic(s) upon which the motive for the alleged events that could amount to persecution or serious harm is based?
- Has the actor of persecution obtained otherwise (beyond targeting the applicant) what they were pursuing?
- Under which circumstances did the applicant leave the country (legal or illegal exit, means of travel, etc).

It is important to make sure that this change is effective. If, for example, the law changed but the practice is to continue prosecuting the same behaviour by using other legal grounds, the risk related to it would still exist. Likewise, a change in political context may not lead to a change in practice when the public officers remain the same and still behave in the same way. Even the circumstances under which the applicant left their country could give an indication as to the intentions of the actor of persecution. For example, if the applicant has experienced events committed by the authorities that could amount to persecution or serious harm, and they left the country legally with all the proper documents in their own name, this may be an indication that the actor had not targeted the applicant. This would at least be the case at the moment of exit.

If the available COI contains indications that the motive(s) of the actor has(ve) changed or disappeared, you would need to check with the applicant if these changes apply as well to their individual situation. You need to confirm that the change would have an effective impact on their risk of being subjected to events that could amount to persecution or serious harm.

Are the actors aware of the actions or characteristics of the applicant which may form the motive for acts that could amount to persecution or serious harm?

The actions committed by the actors of persecution or serious harm are often triggered by the behaviour or appearance of the applicant. You therefore need to have an idea of how the applicant will appear or behave upon a possible return. Keep in mind, however, that the applicant cannot be expected to conceal or hide any elements that are fundamentally linked to the characteristic(s) protected by the refugee definition in order to avoid persecution ([182]). In short, an applicant cannot be expected to hide or conceal what is fundamental to who they are or what they believe in.

([182]) Article 10(3) QR. See also *Bundesrepublik Deutschland* v *Y and Z*, paragraph 78 (see footnote 175). Summary available in the EUAA Case Law Database. In this judgment, the CJEU deals with religion as a reason for persecution. The reasoning can be extrapolated to all the reasons for persecution, in particular where the judgment states that none of the rules under consideration make it necessary 'to take account of the possibility open to the applicant of avoiding the risk of persecution by … renouncing the protection which the Directive is intended to afford the applicant by conferring refugee status', by abstaining from religious practice which the person considers necessary to them or which are mandated by their religion. The same reasoning was applied by analogy to the expression of sexual orientation in *Minister voor Immigratie en Asiel* v *X, Y and Z*, paragraphs 70-76 (see footnote 177). Summary available in the EUAA Case Law Database.

Sometimes it is not clear if the actor is aware of the actions or characteristics of the applicant which may form the basis for acts that could amount to persecution or serious harm. This may happen in particular when the fear arose *sur place*. In such situations, you will need to assess how the applicant, based on their statements, 'may reasonably be thought' to behave or appear upon return, keeping in mind that they cannot be expected to hide fundamental characteristics.

If, for example, the applicant has participated in a protest in the country of asylum merely for opportunistic reasons, and the authorities of the country of origin are not aware of their participation and there are no indications that they may become aware in the foreseeable future, this may not lead to a risk of events that could amount to persecution or serious harm. This is because the applicant may be reasonably considered to not participate in similar protests in their country of origin.

If, however, the applicant never expressed their political opinion in their country of origin before departure, out of fear, and the authorities are consequently not aware of the political opinion of the applicant, this may nonetheless lead to a risk of events that could amount to persecution or serious harm. This is because the applicant cannot be expected to continue hiding their political opinion to avoid events that could amount to persecution upon a possible return.

The main questions to ask in this regard are therefore:

- What will be the behaviour and/or actions of the applicant upon return, considering what the applicant cannot be expected to hide or conceal?
- Did the applicant engage in activities or a certain behaviour for merely opportunistic or coincidental reasons?
- If yes, are the authorities in the country of origin aware of these activities or this behaviour?
- If yes, how do the authorities perceive this behaviour or these activities?

Publications on social media ([183])

- Applicants may rely on the **publicity** given to a publication on social media as an example of the future risk. Publications on social media may have potentially large number of viewers/readers. Just because the potential exists, it does not mean that every publication on the internet has a large audience and, where applicable, that this audience includes the actor of persecution or serious harm ([184]). You will need to consider all relevant general and individual circumstances, as well as the applicant's explanations, before reaching a conclusion on the likelihood of the actor of persecution or serious harm knowing about a publication. The examination process is based on the combination of all different factors and needs to be assessed by taking into account the context of the country of origin.
- Where the actor of persecution or serious harm has **active monitoring policies** towards online publications of the kind published by the applicant, the chances of the persecutor knowing about them are going to be higher. This is the case even where the publicity given by the applicant to their publication(s) is proportionately limited. If the actor of persecution or serious harm demonstrates more passive behaviour, the chances of them knowing about the publication are going to be lower and will depend more on the promotion of the publication itself rather than on the demeanour of the actor of persecution or serious harm.
- The **publicisation/visibility of the publication** itself may depend on several factors. You will need to look for clues that will allow you to know how likely it is that the information has reached or may reach the actor of persecution or serious harm. The questions to consider are: 'Is it a confidential publication with a limited number of views or a limited potential number of views? Or rather is it intended, based on the medium used and the tools used to ensure its visibility, to be seen by a large number of people? Has the publication otherwise spread over the internet beyond the intention of the author?'
    - Some internet pages may allow you to see the **number of views**, likes, etc. This may give an idea as to the number of people who have accessed the publication. Be aware that, on some web pages, the number of 'views' reflects not the number of different people who have seen the publication but, rather, the number of times the page was visited. This means that multiple visits by the same person, including the author themself, will be considered as different 'views'. The number of views is one factor to take into account but the 'importance' of the number will depend on the national context, and perhaps also on other factors, such as how recently it has been viewed (e.g. a large number of views many years ago may be considered less relevant than a smaller number of recent views).

([183]) This text is compiled from Section 3.7. 'Political opinion expressed via social media' in: EUAA, *Practical Guide on Political Opinion*, 2026 (see footnote 115).

([184]) For more information on this issue, see Section 1.10.3.4 in: EUAA, *Qualification for international protection (Directive 2011/95/EU) — Judicial analysis*, second edition, 2023 (footnote 95); See also Decision of the Upper Tribunal (Immigration and Asylum Chamber (IAC), United Kingdom of 20 January 2022, *XX (PJAK – sur place activities – Facebook) Iran CG,* [2022] UKUT 23 (IAC), (last update 30 Sep 2022), https://tribunalsdecisions.service.gov.uk/utiac/2022-ukut-00023.

  - The **number of 'followers'** of the author, if applicable, may give an idea of the number of possible viewers. The fact that a person is 'followed' online by a large number of people makes it more likely that their publications are viewed and their content is known and shared.
  - The importance of the **type of medium** used and its impact. On the internet, not all mediums have an equivalent impact and scope. Was the publication published in a mainstream newspaper webpage or a private blog? If you are aware of the functioning of different types of social media (Facebook, YouTube, Instagram, TikTok, etc.) and of the impact of each medium in the country of origin, you will be able to assess the potential reach of the publication. It is not the same publishing in a personal or private blog as it is to write an article on the blog of an opposition party, for example. The latter will probably be followed by more people (and in particular by the actor of persecution or serious harm), while the former may remain quite confidential.

- **Accessibility**. Who can access this information and how easily can it be accessed? Internet publications are not always meant to be seen by everyone. You should thus check if the page is public, and to what extent, or if it has remained private or limited to a restricted number of viewers. Check, for example, the 'friends' or subscribers to that publication or social media platform and to what extent the information may be shared with others, for example, whether it is possible to share the page electronically. Another question to consider is if anyone may stumble upon the information, whether by chance or through a simple search, or if the publication is so difficult to find that only those who have very detailed information about the publication would find/see it.
  - **Example scenario**. If this is the applicant's only publication and you need to type very specific information, such as the name of the applicant or specific keywords to be able to find the publication, or if you need to have the URL address to reach the publication, it is highly unlikely that anyone who does not already have this information will come across this publication. It is therefore not information that is highly publicised.
- **Availability**. Is the page still available on the internet? The author may have removed a page or altered the content after it was published. When an applicant refers to internet publications, pay attention to the way in which the information is provided by the applicant. Has the applicant only presented a printout of an internet page? Is that page still available on the internet, and if not, why not? If it is no longer available on the internet, you might be interested in checking the reasons this publication would still indicate a risk to the applicant upon return.
- Keep in mind, however, that electronic publications leave a cyber footprint and may have an infinite lifespan, which allows you to find or recover the publications even after the author has deleted them.

(e) Risk indicators related to the capacity of the actor to harm the applicant

[Contents] [Checklist]

Will the actor of persecution or serious harm have the capacity to harm the applicant?
The ability of the actor of persecution or serious harm to harm the applicant will depend on their position and their support. Their capacity may differ significantly depending on whether the actor is the state or a non-state actor.

When the actor is the state, there is a presumption that they will be able to execute the intended acts that could amount to persecution or serious harm and reach the applicant anywhere within the territory of the state. However, the following questions still need to be asked.

- Does the threat emanate from the state as such, or from individuals or a limited group of functionaries within that state? Do these individuals act out of self-interest or are they implementing a policy of the state?
- If so, do these individuals have power or influence beyond their local or regional level?
- Do they have the power to execute events that could amount to persecution or serious harm?

When the risk comes from non-state actors, their capacity to act and their influence needs to be assessed carefully.

- What is their social position?
- To what extent are they accepted or supported by the surrounding society?
- To what extent do they have influence on the state and to what extent is the state prone to corruption?
- Can they act with impunity?

The findings related to the capacity of the actor will normally not in themselves lead to the conclusion that there is no risk or no reasonable degree of likelihood of the risk. These findings need to be read in combination with the other risk indications. The findings may nevertheless feed into the legal assessment (the next step in the examination process) in particular with regards to the availability of the formal protection in general and the availability of an IPA as defined in the QR ([185]).

Related EUAA publication

For a detailed discussion of the notion of the IPA and how to apply it, see the EUAA, *Practical Guide on the Application of the Internal Protection Alternative*, 2026.

([185]) Article 8 QR.

3.4. Concluding on the risk

[Contents] [Checklist]

To conclude the risk assessment, you need to consider all the findings on the risk indicators of each risk together and assess if the standard of the reasonable degree of likelihood is met.

Consider all risk indicators together

While some elements may not lead, by themselves, to a risk that is sufficiently likely, the combination of elements in light of the information available, may lead to the conclusion that there is a reasonable degree of likelihood for the risk to happen in case of the applicant's return to the country of origin.

If there are divergent indicators, you will need to weigh each of them. Indicators directly related to what happened to the applicant in the past may weigh more than what happened to persons close to the applicant, which in turn may weigh more than what happened to persons in similar situations. This needs to be assessed, however, in light of the concrete situation, the available information and considering the personal circumstances of the applicant and/or the event, and the general circumstances in the country of origin or habitual residence.

When doing this, you will have to apply a shifted burden of proof for risks that have already materialised in the past or for which threats have already materialised in the past. If a material fact that may qualify as past persecution or serious harm (or direct threat thereof) is accepted, it is presumed that this fact can happen again in the future ([186]) and that, as a consequence, the standard of likelihood of the risk is met.

This presumption can be overturned if you have 'good reasons' to consider that such events will not be repeated in the future. The question as to whether or not these events amount to persecution or serious harm is not something that needs to be assessed and decided at this stage. At this stage, it is sufficient that there is an indication that these past events 'could' amount to persecution or serious harm ([187]). Only if you find that there are good reasons to consider that these events would not happen again in the future under the risk assessment, then this risk will not be retained for the legal assessment.

There is no need to demonstrate that the persecution or serious harm will not happen again with full certainty. Instead, you need to substantiate that there are good reasons, i.e. objective circumstances, to believe that that these events will not occur again.

([186]) Article 4(4)QR:
The fact that an applicant has already been subject to persecution or serious harm, or to direct threats of such persecution or such harm, shall be considered a serious indication of that applicant's well-founded fear of being persecuted or of real risk of suffering serious harm, unless there are good reasons to consider that such persecution or serious harm will not be repeated.

([187]) The fact that an event that happened in the past is a serious indication that there is a risk of it happening again, unless there are good reasons to consider that such acts or event will not be repeated, applies to any act or event, regardless of whether it could amount to persecution or serious harm or not.

For example, a relatively long timelapse between the last incident or threat will not be in itself sufficient as a good reason for believing that the event will not occur again. You will have to have explored the possible reasons for this long timelapse, both from the perspective of the applicant as well as that of the actor of persecution or serious harm. Only when you have found that there are no other explanations for the absence of incidents or threats, other than that the actor of persecution or serious harm has stopped persecuting or trying to harm the applicant and where there are otherwise no other indications that they will pick up their behaviour again in the future, can you conclude that the timelapse may form part of the good reasons to believe that the persecution or serious harm will not be repeated.

Legal analysis

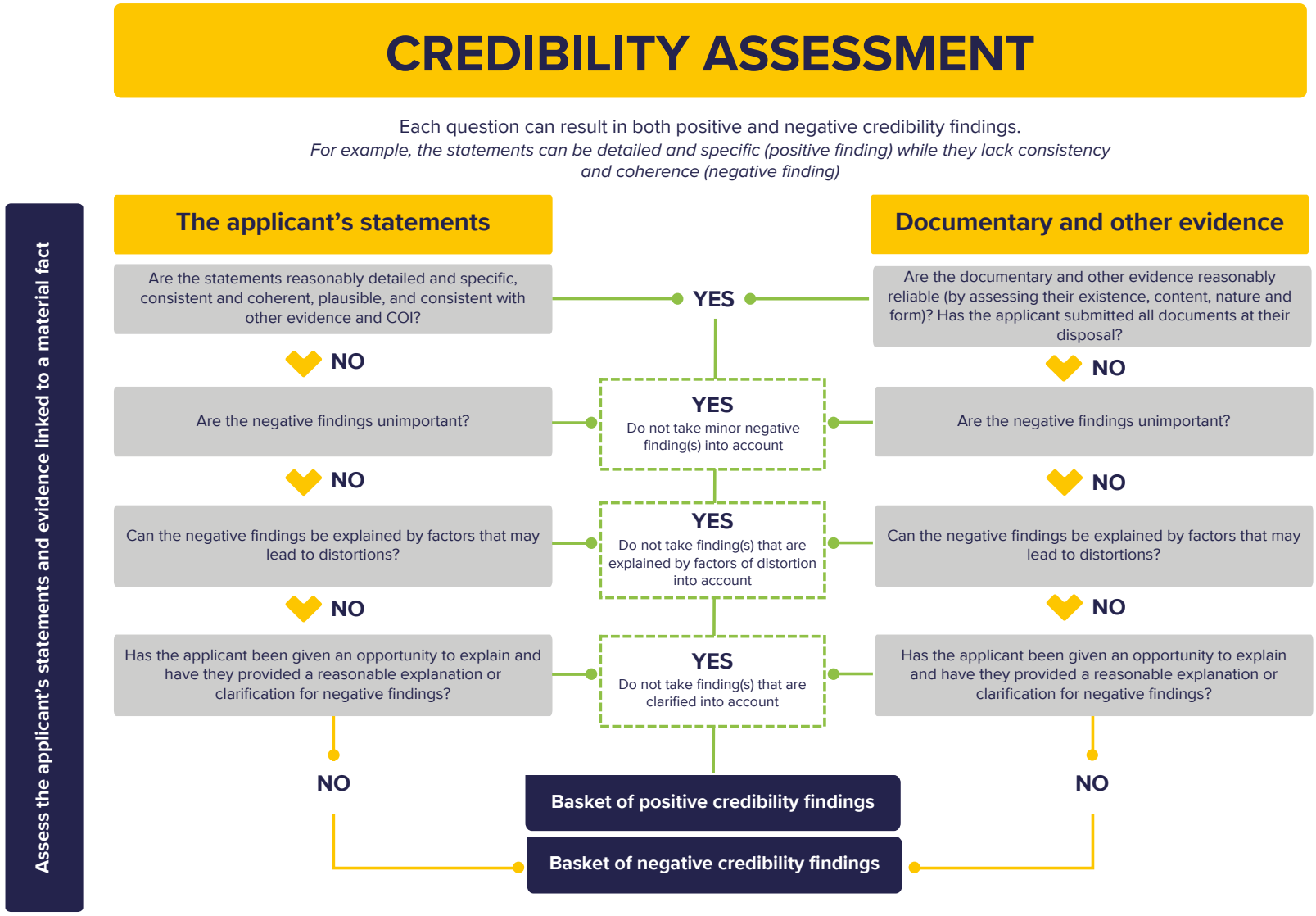
After you have conducted the risk assessment, you will retain only the risks for which there is a reasonable degree of likelihood that they may happen to the applicant upon return to the country of origin. For each of the risks, you will have described what is accepted as to what the applicant fears, by whom and why or in which circumstances. Based on these risks you can move to the legal analysis step, during which you will assess whether the substantive conditions laid down in the QR for granting international protection are met, first for refugee status and, if not, for subsidiary protection status.

You will assess if the events that could happen to the applicant upon return with a reasonable degree of likelihood (as defined in the risk assessment) would amount to persecution or to serious harm. If so, you will assess the availability of national protection, the applicability of a potential IPA and the legal examination of the identified grounds for exclusion.

Related EUAA publication

For further analysis, refer to EUAA, *Practical Guide on Qualification for International Protection*, June 2026.

Annex 1. Credibility assessment flowchart



Determine if a material fact is accepted

Take stock of all the positive and negative credibility findings related to the statements and documentary and other evidence, and the weight that is given to each of these findings (taking into account the individual and circumstantial evidence), to assess in which direction the credibility findings converge or balance over and to conclude if the material fact can be accepted.

Look at the evidence in its entirety and accept or reject the fact

If the weighting does not allow you to conclude after fulfilling your duty to investigate, keep in mind that you should not reject the material fact in case these cumulative conditions are met:

- The applicant has made a genuine effort to substantiate their application for international protection;
- All relevant evidence at the applicant's disposal has been submitted and a satisfactory explanation has been given regarding any lack of other relevant elements;
- The applicant's statements are found to be coherent and plausible and do not run counter to available specific and general information relevant to their application; and
- The general credibility of the applicant has been established, taking into account, inter alia, the time at which the applicant applied for international protection.

Annex 2. Practical example of weighing credibility indicators

[Contents] [Checklist]

This annex aims at providing the reader with a practical example based on the Case of an activist from country B, to show how the weighing of the credibility indicators and the credibility assessment has been done for one material fact of that case.

This example is presented for educational purposes only.

After a narrative summary of the assessment done of each credibility criteria in relation to the statements of the applicant and the evidence provided, the weighing process of negative and positive credibility findings is presented.

At the end there is a mind map graph, which is one possible illustration of the reasoning developed in the narrative.

Material fact assessed. The applicant is a **social leader** within a non-governmental organisation (NGO) called Y who advocates for human rights, and documents, investigates and denounces abuses of power and human rights violations.

Statements

Internal credibility

In the example, the applicant could provide detailed information on the structure, activities, and objectives of the NGO, Y. However, when asked about her personal involvement in specific activities that she claims to have carried out within the organisation, such as the documentation and investigative work, or the way, concretely, in which she has denounced abuses of power and human rights violations, her statements remained very general, despite the repeated relevant guidance that you provided on the expected level of detail and specificity. She was also not able to provide an explanation when you gave her an opportunity to provide one. The applicant had no more contact with NGO, Y, after she left country B, and mentions having stopped any activities, also in your country, where the organisation has a branch.

The statements lack **details and specificity** in relation to the advocacy and social leader profile she claims to have. This is also the case considering that it is accepted that she is a lawyer and a member of the NGO, Y, and that one would expect her to be able to talk about recent files she has worked on. This leads to a negative credibility finding in this respect.

All other credibility findings are positive, as her statements have been considered internally coherent and consistent and are consistent with the membership card. There are no indications of lack of consistency with COI and no plausibility issue has appeared.

In this particular instance, this material fact relates to her own involvement in activities that she claims to have carried out repeatedly, willingly and for a quite extended period of time. Based on her level of education and professional background, and in the absence of any known personal circumstances that would explain the shortcomings, or impact the assessment of her statements, the lack of detail and specificity here has an important negative weight.

Membership card from the non-governmental organisation

- Relevance

The card has limited relevance to the material fact, as the purpose of the card is not to substantiate the activities that the applicant as carried out in the NGO, Y, as it does not contain any information on her functions in the organisation. The card is more relevant in relation to her membership to the NGO, Y. However, this is not the material fact under consideration. Here, the material fact is about her role in the organisation, and more generally, as a social leader.

- The criteria related to the reliability of the membership card lead to positive credibility findings. The card is reliable.

Given that the findings in relation to relevance are not fulfilled, this document has a low probative value of the material fact under consideration, which has an important negative weight.

Weighing process

For this material fact, what are the positive credibility findings?

- The credibility indicators in relation to the statements are fulfilled, except for the lack of detail and specificity.
- All the reliability indicators in relation to the membership card are fulfilled.

For this material fact, what are the negative credibility findings?

- Notable lack of detail and specificity in relation to her statements.
- The membership card of Y is not sufficiently relevant to support her profile and the activities she took part in whilst being member of the NGO.

Could the weight of the positive credibility findings compensate the weight of the negative credibility findings?

The positive credibility findings may not compensate for the lack of relevance of the document and a lack of detail and specificity of the statements in this case. The negative credibility findings are those related to core aspects of the credibility of the material fact and have thus more weight than the positive credibility findings.

Would you have expected additional evidence to be submitted to support the credibility of the material fact?

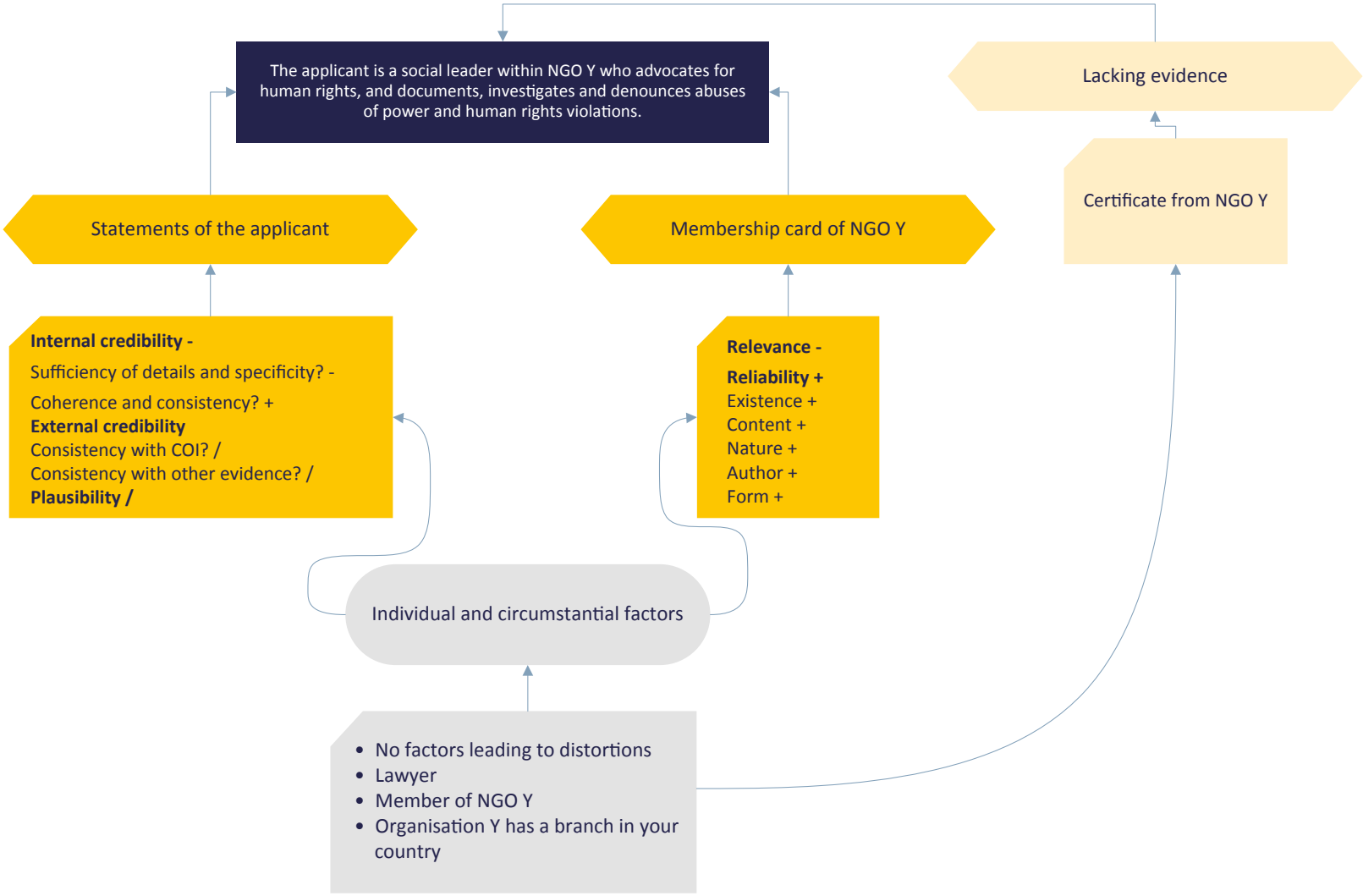
Scenario 1. Assuming that, based on relevant and up-to-date COI, the NGO, Y, frequently issues certificates in relation to the activities in which their members take part. These certificates are generally reliable and may be requested through the branch of the organisation that is located in your country. However, the applicant has not submitted such a document. She also has not given a satisfactory explanation as to why she has not taken additional steps to substantiate her claim in this respect. This is something that could be expected, considering her personal and contextual circumstances, and the fact that additional time was provided to her to take such steps.

In this example, the overall assessment of all the available evidence, and the possible evidence that is missing, and considering the individual and contextual circumstances of the applicant, would lead you to conclude on the rejection of the material fact.

Scenario 2. Assume that the applicant has submitted a certificate issued by the NGO, Y. You would have to check again all the criteria to assess its probative value. The certificate has been drafted by a high-level member of NGO, Y, who provides a detailed account of the activities carried out by the applicant, which is consistent with her statements and was submitted in its original form. The COI you have at your disposal shows that this person only signs such certificates after proper verification, and that the formal features of this certificate are compliant with those of the available specimen. This certificate has thus an intrinsically high probative value, due to its relevance and reliability. Therefore, in your weighing process, the positive credibility findings related to the document would supersede the negative credibility findings related to the statements of the applicant. The material fact would be accepted.

The full reasoning of scenario 1 may be summarised in a mind map such as in the example below.

Example of a mind map based on scenario 1



Checklist

[Contents]

Checklist. General duties of the case officer and applicant

Apply the duty to cooperate **throughout evidence assessment**

☐ Check if the applicant fulfils their duty to substantiate the application

- ☐ Assess if the applicant has made a genuine effort to provide statements and documentation at their disposal
- ☐ Assess if all the evidence has been provided as soon as possible
- ☐ Check if the applicant has given a satisfactory explanation for the lack of supporting evidence

☐ Fulfil the case officer's duty to investigate

- ☐ Identify persons with special procedural needs and support them adequately
- ☐ Inform the applicant about their duties
- ☐ Allow the applicant to present all relevant facts and evidence through a personal interview
- ☐ Ask the applicant to clarify what is unclear
- ☐ Address apparent inconsistencies, lack of sufficient information, plausibility issues
- ☐ Obtain relevant COI and other evidence

☐ Consider the specific substantiation rules if applicable when:

- ☐ protection in the country of origin may be available;
- ☐ the internal protection alternative may be applicable;
- ☐ exclusion from international protection may be applicable;
- ☐ the applicant has already been subject to past (direct threats of) persecution or serious harm;
- ☐ the applicant comes from a safe country of origin.

Checklist. Step 1 – Gathering information

- ☐ Collect pieces of evidence relevant to the application
  - ☐ Collect the applicant's oral statements and/or written statements
  - ☐ Collect all available identity documents and other documentary evidence
  - ☐ Collect country of origin information
  - ☐ Collect any other evidence, if relevant and available (such as medical, psychiatric and psychological reports, the asylum files of family members, information available in social media etc.)
  - ☐ Do not collect evidence that is in breach of the applicant's fundamental rights (such as evidence on the applicant's sexual activities)
- ☐ Identify material facts based on the eligibility criteria
  - ☐ Identify the facts related to:
    - ☐ the nationality(ies) of the applicant or the lack thereof;
    - ☐ past or present facts substantiating future fear or risks upon return;
    - ☐ reasons for the identified fears or risks;
    - ☐ availability of protection against what is feared or being risked or lack thereof;
    - ☐ facts related to a possible exclusion, if relevant
  - ☐ Consider the applicant's personal circumstances surrounding the material facts
  - ☐ Exclude facts that are not material
- ☐ Formulate clear, comprehensive, factual material facts
  - ☐ Capture only the past and the present
  - ☐ Adhere to the applicant's statements
  - ☐ Include all relevant details
  - ☐ Avoid personal interpretations or conclusions
  - ☐ Avoid questions of law
  - ☐ Formulate each material fact around well-defined facts, events or situations
- ☐ Link the relevant evidence to the material fact(s)

Checklist. Step 2 – Credibility assessment

- ☐ Assess documentary and other evidence through the **assessment criteria**
  - ☐ Relevance
  - ☐ Reliability: existence/occurrence, content, nature, author, form.
- ☐ Give 'weight' to the credibility findings related to the piece of evidence
- ☐ Assess the statements of the applicant against credibility indicators
  - ☐ Apply internal credibility indicators
    - ☐ Sufficiency of details and specificity
    - ☐ Coherence and consistency
  - ☐ Apply external credibility indicators
    - ☐ Consistency with COI
    - ☐ Consistency with documentary and other evidence
  - ☐ Apply the plausibility indicator
- ☐ Have you considered individual and circumstantial factors that may lead to distortions?
  - ☐ Have you considered factors related to the applicant?
    - ☐ Functioning of memory
    - ☐ Trauma
    - ☐ Other psychological and health problems
    - ☐ Age
    - ☐ Education
    - ☐ Culture, religion and beliefs
    - ☐ Fear and lack of trust
    - ☐ Stigma and shame
    - ☐ Gender roles
- ☐ Have you considered factors related to the case officer?
    - ☐ Signs of credibility fatigue (stress, exhaustion, long-term exposure to accounts of negative life events, mistrust, excessive self-confidence, etc.)
    - ☐ Cultural background
- ☐ Have you considered factors related to the interview situation?
    - ☐ Multilingual communication through an interpreter
    - ☐ Interview setting

- ☐ Determine if a material fact is accepted or rejected
  - ☐ Weigh the credibility findings of all evidence linked to a material fact
  - ☐ Conclude on accepted and rejected material facts

Checklist. Step 3 – Risk assessment

☐ **Define the risks based on accepted material facts**

- ☐ Consider risks expressed by the applicant.
- ☐ Consider risks you identified based on currently available information.
- ☐ For each risk describe:
  - ☐ Future event(s) the applicant may encounter
  - ☐ Actor(s)
  - ☐ Reason(s) they may happen
  - ☐ Circumstances under which they may happen
  - ☐ Possibility of protection against them

☐ **Consider all risk indicators that may affect the likelihood of the risk**

- ☐ Consider the events which the applicant has experienced in the past.
- ☐ Consider people close to the applicant or in a similar situation to the applicant.
- ☐ Consider personal circumstances of the applicant, which may increase or reduce the risk.
- ☐ Consider the underlying reasons or motives for the feared events.
- ☐ Consider the capacity of the actors of persecution or serious harm to threaten or carry out the threats in case of return.

☐ Concluding on the risk

- ☐ Consider all risk indicators together.
- ☐ Assess if the standard of the reasonable degree of likelihood is met.

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