

APPENDIX 1D

SAMPLE QUESTIONS/TOPICS FOR APPLICANT INTERVIEWS

Applying for asylum, withholding of removal, and protection under the Convention Against Torture requires that the practitioner gain his or her client's trust in order to gather all of the important details of the client's story and to effectively present the facts in a persuasive manner. This process takes time and patience, often requiring several lengthy meetings with the client before there is even enough information to draft the client's declaration. The following topics and questions may serve as a helpful starting point for practitioners when setting out to clearly present their clients' stories with significant detail. This list, however, is not meant to be a substitute for individualized questions and important follow-up questions that may elicit more detail from the client.

PAST PERSECUTION

1. Have you, your family, or close friends or colleagues ever experienced harm, mistreatment, or threats in the past by anyone? If yes, what happened?
2. When did this happen?
3. Who caused the harm/mistreatment/threats?
4. Why do you believe that you were harmed? Why did they target you specifically?
5. Please provide a complete timeline of events, from the initial act of persecution (if you suffered past persecution) or from the initial moment that you felt afraid to be in your home country, through your entry to the United States.

FEAR OF PERSECUTION

6. What are your protected characteristic(s)?
7. Why does your protected characteristic make you afraid? Would you be targeted because of that?
8. Who would target you?
9. What would they do to you?
10. Why would they target you specifically?
11. How would the persecutors become aware of your protected characteristic?

13. Is it possible to/are you willing to change your protected characteristic in order to protect yourself?
14. Do you have any other family members, friends, neighbors, colleagues still in your home country who share your protected characteristic? If so, who specifically and how often are you in contact with them?
15. If so, are they safe? If they are safe, why are they safe while you would be in danger? What distinguishes them from you?
16. If they are not safe, what has happened or what will likely happen to them?

FEAR OF TORTURE

17. Are you afraid of being subjected to torture in your home country or any other country to which you may be returned? If so, why?
18. Who would torture you?
19. Please describe the torture you fear.
20. Why would they torture you specifically?
21. How do you know that this would happen to you? What makes you believe this?

GENERAL QUESTIONS

22. Is there anywhere in your home country where you could live safely? Why or why not?
23. After leaving your home country, did you or your family members travel through or reside in any other country before entering the United States? If so, what country, how long were you there, what was your status there?
24. Have you or your family members ever applied for or received any lawful status in any country other than your home country?
25. If so, what country, what was your status, how long were in you that status, why did you leave, and are you entitled to return?
26. Did you apply for refugee status or asylum while you were there? If yes, what was the outcome of that application? If not, why not?

28. Have you or your family members ever belonged to or associated with any organizations or groups in your home country (political parties, student groups, religious organizations, military or paramilitary groups, ethnic groups, human rights groups, the press or media, etc.)? If yes, please explain the group, your position in the group, your level of participation in the group, the length of time you were involved in the group, and whether you still participate in this group.
29. Have you or any of your family members ever ordered, assisted, or otherwise participated in causing harm or suffering to any other person because of their race, religion, nationality, social group, or political opinion? If yes, please explain.
30. After you left your home country, did you ever return there? If so, when, for how long, why, and did anything happen while you were there? When was the last time you were in your home country?
31. Have you or your family members ever committed any crime and/or been arrested, charged, convicted, or sentenced for any crimes in the United States? If so, what happened, when, where, what were the formal charges, and what was your sentence?
32. Have you or your family members ever committed any crime and/or been arrested, charged, convicted, or sentenced for any crimes outside the United States? If so, what happened, when, where, what were the formal charges, and what was your sentence?

SUPPORTING EVIDENCE

33. What supporting documentation can you provide to corroborate your claims? See Appendix 3A for more specific topics on supporting documentation that a practitioner may discuss with his or her client.
34. What family members, friends, neighbors, colleagues might be able to verify what happened to you as witnesses?
35. What family members, friends, neighbors, colleagues might be able to verify that your fears are reasonable given the conditions in your home country (either because of their own similar experiences or because of their personal knowledge of the conditions there)?