



## *Hearing at the Federal Office for Migration and Refugees („Bundesamt für Migration und Flüchtlinge“)*

### *A. General Remarks*

The hearing you are about to face is **the most important part** of your asylum procedure. Your statement within the hearing will be the basis for the decision on your request for asylum.

The decision will mostly depend on the **believability of the statements** you make during the hearing. So be sure to provide complete information and avoid contradictory statements or exaggeration.

It will be difficult to add details or new information to your statement once the hearing is over. For that reason you should consider the hearing the **one and possibly only chance** for you to convince the Bundesamt of your need for protection.

Therefore it is very important to:

- **Tell your whole story!**

Do not skip unpleasant or shocking information. If you had to experience violence or torture, you need to say so in the hearing. If you do not feel capable of talking about your experience in detail, you must explain that to the officer. In any case, try to present the events as clearly as you can.

Do not assume that anything about your story is obvious. The Bundesamt is aware of the situation in your country, but you need to lay down all information which **makes your case stand out**. Therefore provide contextual information of how the general situation in your country **specifically** affected your life.

- **Be clear about the facts!**

Do not exaggerate and always be clear about whether you are reporting facts or only your interpretation of the facts. Tell the officer if you are not sure about certain facts. Otherwise he might think you are trying to conceal something or even lying.

Be precise about the dates, times, and order in which events in your story took place. This is very important for the believability of your statement. If you cannot exactly remember a certain date, explain that to the officer and make a reasonable estimate („It happened in the summer 2004 or 2005!“). An informed guess is better than incorrect information.

- **Provide evidence!**

Try to collect **evidence** that may support your statement such as official documents, letters, photos, newspaper articles etc. Think about people who may have witnessed what has happened to you. If you can, find out where those **witnesses** reside and how to contact them. Finally, you should show the results of your research in the hearing.



## *B. Important Topics within a Hearing*

Below you will find topics which need to be addressed during your hearing if applicable to you. If they do not apply to you, state that. If you are lucky, the officer will ask questions similar to the ones below. However, it is also possible that he/she will just ask you to „tell your story“. In this case you need to provide all the information **without the guidance** of questions. So be prepared to tell your story independently.

The most important topics are as following:

- **What kind of persecution have you been facing?**

What actions were undertaken by the government or other actors against you? Have you been persecuted because of your belonging to a certain ethnicity, social group, religious group, nationality, or your view on politics? Have you been attacked, threatened, tortured, discriminated against by the police or courts or other officials for those reasons?

If you have been persecuted because of your political opinion or religious belief, how did you exercise your opinion/belief? Have you been part of a political or religious organisation? How did your political opinion/religious belief develop over time? What change in your circumstances led you to seek asylum?

-> **Again: Pay close attention to detail and try to explain the circumstances of your case clearly.**

- **Is there nobody to help you in your country?**

Did you seek help to confront the persecution? If so, why did you gain the impression that you are no longer safe in your country? If you did not seek help, why not? Was there no help available, or were your efforts to seek help in previous or other situations unsuccessful? Was it perhaps even dangerous to seek for help?

Why did you have to come to Germany/EU to be safe? Was there no possibility to seek help **within the borders** of your country? Was there no possibility to move to another part of your country in order to escape from persecution? If not, why not?

- **Did you take part in political/religious activities after your escape?**

Could your activities since you left your country put you in danger if you were sent back? If so, how?

- Health status

Do you have any physical or mental illness which renders you incapable of travelling or which cannot be cured in your country of origin? If so, contact a doctor as soon as possible for a **medical certificate** to provide in your hearing.



### *C. The Protocol (official record of the hearing)*

- Note that the protocol of your hearing plays an **important role** within the asylum seeking process. It will be basis of the decision regarding your recognition as a refugee. In case you appeal the decision of the Bundesamt in court, the success of your appeal will rely heavily on the protocol of your initial hearing.
- Therefore it is crucial that **from the very beginning** all important facts about your case are written down in the protocol **completely and correctly**. Later on, adjustments or corrections are nearly impossible.
- The protocol should include not only the issues you discuss in the hearing, but also the **circumstances of the hearing** (participants, break times, etc.).
- Do not **sign** the protocol unless it fulfills all the criteria mentioned above and is **translated to your native language**. Even if the officer urges you to sign the protocol before, you should insist on the correct procedure.

**-> Do not shy away from conflict: A dispute with the officer is better than a wrong or incomplete protocol!**

### *D. Your Rights*

- You have the right to be interviewed in your **native language** – the *Bundesamt* is obliged to provide a translator for you. **We strongly advise you to exercise this right**, even if you also speak other languages (e.g. English). It will be far more difficult to express yourself as comfortably and precisely in any foreign language as in your native language.
- You also have the right to bring your own **translator** and/or another **person of trust** to the hearing to support you. Even if the Bundesamt should try to prevent your helpers from attending the hearing, you should insist on this right.



## *E. How to prepare for the hearing*

- A few days before the hearing, you should **write down** the important issues you want to present in the hearing. This will help you to find a structure for your statement.
- While writing down your experiences, be sure to present everything in **the correct order of events**. Try to verify the dates you mention. If you are not sure about a certain date, you should write down your doubts and provide an approximate date (e.g. „in the summer of 1988 or 1989“).
- If you do not feel capable of talking about certain **traumatic events** (e.g. torture, sexual violence), you should nevertheless try to write down what has happened to you. Later you can take these notes to the hearing and give them to the hearing officer. The Bundesamt is **obliged** to include such written statements in the protocol.
- As already mentioned above, you should collect **evidence** that may support your statement such as official documents, letters, photos, newspaper articles etc. Think about people who may have **witnessed** what has happened to you. Try to find out where those witnesses reside and how to contact them. Finally, you should present all your research results in the hearing.
- In case you want to bring a translator of your own and/or a person of trust to the hearing, be sure to give the Bundesamt **advance notice** of this. Telling them early helps you avoid potential conflicts on the day of your hearing.