



Welcome the stranger.
Protect the refugee.

Afghan Asylum Pro Se+ Project: Interview Prep Toolkit Supplement

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About HIAS

There have never been more people seeking safety and so few places willing to protect and welcome them. Over 80 million people are fleeing persecution. Governments should be taking responsibility to support them, but instead, their responses are unacceptable. Founded in the late 1800s, HIAS is there for refugees when and where they need help most. We are a Jewish humanitarian organization that works in the United States and 15 other countries, providing vital services to refugees and asylum seekers of all faiths so they can rebuild their lives in safety, and with dignity. With the Jewish community beside us, we also advocate for the rights of forcibly displaced people globally. Over our expansive history, we've confronted—and overcome—formidable challenges facing refugees. Today, we are a leader with the expertise, partnerships, and values necessary to respond to the global crisis. Refugees deserve a world in which they find welcome, safety, and freedom. With you, we can create it. Join us.

- **Learn** about the global refugee crisis and how to make our world more safe and welcoming.
- **Visit [HIAS.org](https://www.hias.org)** to learn about our work in the U.S. and 15 countries around the world.
- **Donate to [HIAS](https://www.hias.org)**, or directly to **[HIAS' Legal Team](https://www.hias.org)**. Your gift will make an immediate impact in the lives of refugees and asylum seekers.
- **Take action.** Speak up, show up, or organize your community to advocate for the rights of refugees and asylum seekers everywhere.
- **Volunteer** your time and talents directly to help refugees and asylum seekers near you.
- **Welcome the Stranger.** Learn about the Jewish values we bring to our work and how you can live them out every day.
- **Follow HIAS on social media** ([Facebook](https://www.facebook.com/hias) – [Instagram](https://www.instagram.com/hias) – [Twitter](https://twitter.com/hias)) to stay informed on refugee news and ways to help.

About the ABA: Commission on Immigration

Guided by resolutions adopted by the American Bar Association House of Delegates, the Commission on Immigration (COI) works to coordinate and strengthen the ABA's response to legal developments and to address the needs of immigrants and newcomers. The ABA Board of Governors has designated immigration to be a legislative priority of the ABA in each Congress since 1992. The Commission works to achieve its goals to ensure fair treatment and full due process rights for immigrants, asylum-seekers, and refugees within the United States through various projects including South Texas Pro Bono Asylum Representation Project (ProBAR), Immigration Justice Project of San Diego (IJP), the Children's Immigration Law Academy (CILA), the Detention and LOP Information Hotline, and the COI pro bono, educational, and advocacy efforts.

Asylum Interview Worksheet: Creating a List of Key Points

It is vital that all of the requirements for asylum are established during the client's interview. The below worksheet can help you create a list of key points specific to the client's story/case, which will aid in your interview preparation sessions with the client. Please note that the facts of every case are different. These are just examples of possible facts in the client's case that may be relevant.

Experienced past persecution

- List any major persecutory events in the client's life
- List other times the client experienced harassment, discrimination, abuse, violence, threats, etc.

Holds a well-founded fear of future persecution

- List any threats the client received in Afghanistan
- List any persecution of similarly situated individuals
- List any threats the client or their family received after arriving in the U.S.
- List any country conditions that are specifically relevant to the client's fear (relevant to client's fear being objectively reasonable)
- List reasons why client's fear is **subjectively genuine**

Suffered/fears persecution by government or at the hands of group or individual government is unable or unwilling to control

- List any attempts to report threats/harm to the police/other authorities and the outcome
- List reasons why client did not report to police/other authorities
- List any relevant country conditions/laws/societal norms that client can speak to

Suffered/fears persecution on account of race, religion, nationality, membership in a particular social group, and/or political opinion

- List client's race/religion/nationality/political opinion/particular social group
- List any reasons why the client believes they were targeted
- List anything said by persecutors during attacks
- List any incidents of other members of the race/religion/nationality/political opinion/social group being threatened or harmed

No mandatory bars apply, and a positive exercise of discretion warranted

- List any potential issues and explanation
- List positive factors warranting the granting of asylum

Sample Questions for Mock Asylum Interview

Please note that the facts of every case are different and every asylum officer is different. These are examples of possible questions that may be asked by an asylum officer. It is by no means an exhaustive list.

Pre-Interview Tips

- Remember the interview is meant to be a “friendly” conversation, not antagonistic; and that the goal is to make it easy for the AO to decide to grant asylum
- Remind the client that eye contact is important to help establish credibility. *(Note - This may take a couple of mock interviews to achieve.)*
- Remind the client that they should answer “I don’t know” or “I don’t understand” or “I don’t remember,” when that is the case.
- Remind the client that they will be sworn in.
- Remember to ask the client the toughest questions during your mock interview, so that they are not surprised when they are asked them by the AO.

Preliminary Questions following oath

The Asylum Officer may go through the I-589 questions one by one to confirm that everything is correct.

- Do you recognize the I-589 application?
- **Did a lawyer help you prepare it? (NOTE – make sure your client understands that they need to answer YES to this question)**
- Is there any information in this application that has changed since you filed it?

Interview [Officer will tailor questions to specifics of applicant’s case]

Sample Background Questions

- What is your full name?
- What do you like to be called?
- How old are you?
- When is your birthday?
- Where were you born?
- Where do you live now?
- Who do you live with currently?
- Do you work? Where?
- Are you in school?
- Who did you live with in your home country?
- Who else resided there?
- Did you return to your home country after suffering persecution there?

- Do you have any family in your home country?
- Has anyone in your family ever applied for asylum before?
- What are your children's names?
- What is your spouse's name?

Sample Questions – Persecution Suffered

- Do you fear going back to your home country?
- If you fear going back to your home country, why?
- Have you ever been harmed or threatened in your home country?
- If you were harmed or threatened in your home country, what happened? When?
- Have your friends and family ever been harmed or threatened in your home country?
- If your friends or family were ever harmed or threatened, what happened? When?
- Why were you harmed? Why do you think, or how do you know that is the reason?

Sample Questions – Potential Issues Related to Terrorism-Related Inadmissibly Grounds

*If any of the below questions are “yes,” please ask the client for additional information. We recommend that you watch the training on **Asylum 201: Bars to Asylum and Common Issues**, attend an upcoming HIAS/ABA Office Hours session, and/or reach out to the HIAS pro bono team directly at probono@hias.org for additional information.*

- Have you ever committed acts of terrorism?
- Have you ever committed acts that harm others purposefully?
- Have you ever been a member of a group that used weapons?
- Have you ever resided in a part of Afghanistan that was under Taliban control?
- Have you ever had any interactions with the Taliban?
 - Did you ever have to go through a Taliban checkpoint?
 - Were you ever forced to provide Taliban members with money or supplies?
 - Have you ever attended a Taliban run school?
- Have you ever had any interactions with any group that used weapons or violence?
- Do you have family members in Afghanistan who are working, or previously worked for, the Taliban-run government?

Sample Questions – Other Potential Bars to Asylum

- Have you ever been arrested, in the U.S. or anywhere in the world?
- Have you ever committed any crimes while in the United States?
- Have you ever committed any crime in your home country?
- Have you ever lied to the United States government?
- Have you or your family members ever been accused of, charged, detained, interrogated, convicted, sentenced, or imprisoned in any country?

Sample Questions [on account of association with U.S. or Afghan governments]

Anticipate questions regarding Particular Social Group formation

- Where did you work in Afghanistan?

- What was the nature of your work?
- How long did you work there?
- Did you ever receive threats from anyone?
- Who threatened you? Why do you think they threatened you?
- After that incident, did they ever bother you again?
 - When? Where were you? Who were you with? was it the same people? How many?
- About how many times did they threaten you in that way?
- Were you always in the same place? If not, where else?
- What did you do after they threatened you?
- Do you know if they threatened any other people in the same way? How do you know? What do you know about those people?
- When you received these threats, how did you feel?
- Why were you afraid?
- What did you think that they would do?
- Why did you think that they would do that?
- What if anything did you do to try to protect yourself, to try to prevent that from happening
- Do you know anyone that was ever hurt or killed by the Taliban? Who? How do you know him or her? What happened to that person? How do you know?
- Ask additional questions specific to PSG, for example:
 - Do you belong to a minority ethnic group?
 - Are you religious?
 - Were you outspoken against the Taliban or any terrorist group?
 - Are there any other reasons you were targeted?
- What made you decide to leave your home country?
- What is your life like in the U.S.?
- What do you think would happen if you returned to home country?
- **Is there anything else you want me to know and have not had a chance to tell me?**

Sample Questions [Political Opinion]

- Have you ever been part of an organization or group like a political party or social group?
- What is your particular political belief that was being targeted?
- When did you first join the political party (or, when did your family become members of the political party, or when did you first develop your political beliefs?)
- Were your family members also in the political party (or hold the political beliefs?)
- What made you become a member of this political party/hold these particular beliefs? Was there a specific incident?
- What does the rest of your community believe about this political party/beliefs?
- Did you ever openly acknowledge your membership in the political party/beliefs? How?
- Did people know about your membership in the political party/beliefs? How?

- *Ask additional questions establishing membership, as relevant*
- Did you ever receive threats because of your membership in the political party/beliefs? What happened?
- Did you face discrimination? What happened?
- Were there any incidents of violence? What happened?
 - *Ask additional questions about specific incidents of harassment, threats, discrimination, or violence, as relevant*
- Did other members of your political party receive similar threats? How were they treated? How do you know about these incidents?
- What if anything did you do to try to protect yourself, to try to prevent that from happening
- How did these incidents make you feel? Explain why.
- What made you decide to leave your home country?
- What is your life like in the U.S.?
- What do you think would happen if you returned to home country?
- **Is there anything else you want me to know and have not had a chance to tell me?**

Sample Questions about Fear of Future Persecution

- Is it possible that you could have moved to another part of home country in order to protect yourself? Why not?
- Do you think that the police in home country could have protected you? Why not? Is there anyone else in home country that could protect you? Why not?
- Since you've been in the United States, do you still have contact with family in home country? How often?
- To your knowledge, has [persecutor] looked for you since you left? How do you know that?
- Are you afraid to return to home country? Why?
- What do you think will happen to you if you are forced to return to home country?

Considerations/Reminders for the Interview

Interpreter

If your client is not fluent in English, they must bring a competent interpreter to the interview. We recommend that the client meet with the interpreter prior to the interview to ensure that the interpreter understands them and is able to translate correctly the vocabulary used by the asylum officer, and the client. It is also essential that the client feel comfortable with the interpreter and is able to discuss sensitive matters in the interpreter's presence. Remind the client that a monitor will be listening in by telephone to the interpretation during the interview.

A temporary rule is in effect through at least March 16, 2022 that requires affirmative asylum applicants to use USCIS contract interpreters at their interviews if they speak any of the 47

[available languages](#). The government-contracted interpreters will be provided at no cost to asylum applicants. Asylum applicants who are unable to proceed with the interview in English or any of the available languages must continue to provide their own interpreter. For more information, read the [temporary final rule](#) published in the Federal Register or visit the USCIS website [here](#).

Original Documents

Remind the client to bring the original of all personal documents submitted with the asylum application, such as their passport, driver's license, political party identification card, etc, in case the Asylum Officer ("AO") asks to see them. The client should bring extra copies to leave with the AO just in case.

Tips for the Applicant

Remind the client to review their the I-589 and supporting declaration several times before the interview. Instruct them client to tell the truth, to listen carefully to the asylum officer's questions, and to answer the questions asked, if they are able. Tell the client that it is ok to say that they do not know an answer to a question! Let them know the following:

- They will need to go through security upon entering the Asylum Office; remember to bring photo ID.
- Their photo and fingerprint will be taken before the interview begins.
- Anticipate a long wait. Remember that you cannot bring food or drinks into the waiting room.
- Cell phone use is not allowed in waiting room.

Frequently Asked Questions about Asylum Interviews

1. How can the client request a postponement / reschedule their affirmative asylum interview? What information should they provide in the request?

The client can request a postponement by emailing the appropriate asylum office directly. They should provide their availability for a rescheduled interview. An initial request for a postponement will typically be granted as a matter of course; any additional requests for postponements will only be granted for good cause.

2. How long is the first adjournment of an asylum interview?

The asylum office typically provides an adjournment of two weeks, after the first request.

3. How has the COVID-19 pandemic affected postponements / rescheduling of asylum interviews?

Due to the complications in staffing, number of people permitted in office spaces, and changing CDC guidelines, we anticipate that the asylum offices' response to requests for postponements will be less predictable. We will continue to update HIAS' guidance as more information becomes available.

4. What should I do if I have questions about requesting a telephonic appearance or Asylum Office specific procedures?

Asylum Offices often have their own processes and procedures. If you are representing a client at their interview, we recommend reaching out with questions directly to the Asylum Office where the interview will be held. A full list of asylum offices can be found [here](#). Contact information for each office is generally available online.

5. What should I make sure the Client addresses during the interview?

Draft a "List of Key Points" (detailed above) and share it with the client.

6. What important things should the client keep in mind about their behavior/role in the interview?

The client's role in an affirmative asylum interview is to tell their story. They should keep in mind, however, that the interview is not necessarily the place to tell their entire life story. The client should understand what are the most important details of their story that support the legal theory of their case. For example, if the client suffered threats and harm that were unrelated to their persecution on account of a protected ground, the asylum interview may not be the best venue to share those stories. Take time to educate the client on what the law requires an asylum seeker prove, and explain which parts of the client's story you believe help establish that they qualify for asylum under the law.

7. What happens when the client gets to the asylum office?

After passing through security, the client will “check in” with the front desk. They will have their photo and fingerprint taken. Then, they will take a seat and the office will call them when they are ready.

8. Who needs to attend the asylum interview?

The applicant and any family members in the United States who are included as derivatives on the application need to attend the interview.

9. What protocols are in place for the COVID-19 Pandemic?

Visit the [USCIS website](#) for updated information regarding COVID-19 protocols.

10. What happens after the interview?

The Asylum Officer will instruct your client as to what happens next. Your client may need to return to the Asylum Office in two weeks to pick up their decision, or the Asylum Office may mail your client a decision.