

Asylum Process (General)

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I. Apply

1. To apply for asylum, regardless of where you do so, you must be in that country. The criteria for applying for asylum are that you (1) must be outside your home country, (2) unable to return to your home country for (3) well-founded fear of persecution based on (4) your race, nationality, religion, political opinion, or membership in a protected demographic or community (i.e. LGBT).
2. You will typically arrive in the country you intent to seek asylum from and go immediately to (1) airport immigration authorities or (2) the local police station to apply for asylum.
3. The receiving administration will take your identification documents, take your biometric data, and open your application.
4. *You are legally guaranteed representation by an attorney through this process and should meet with your attorney prior to your interview and you will go over your story and evidences with that attorney.*
5. During the process, you will be housed, fed, and given necessary medical care. You do not have to have money to apply for asylum.

II. Interview

1. The immigration interview will be focused on what basis you have for claiming and substantiating “well-founded fear” of persecution in your home country. Many things can be considered evidence but the more personally specific, the better. Often they will ask if you sought assistance from the local authorities and you will need to be able to substantiate your fear resulting in choosing not to call authorities OR that you did call and were not assisted.
2. After your interview you will typically have another meeting with your attorney to go over the initial “intent to _____ *insert decision here, grant/deny” response from the agency and compose a response to that intent.

III. Decision

1. For most Americans, regardless of validity of circumstance or evidence, you can expect an initial denial because of the US being considered a safe country. Please, do not lose heart; that is what the appeal process is for.
2. The safe country list/policy is just that: a policy. The laws that host the criteria and expected response from the agency are not beholden to a policy. The judicial system is bound to honor the *law* above a *policy*.

IV. Appeal

1. Your attorney will file your appeal with the Court.
2. You will get a hearing date (depending on the country and track you are in, a hearing date can be anywhere from 4 weeks to 12 months away)
3. You will have your case presented to a judge, including your evidence which you can add to.
4. You will get a final decision from the court.