

Assumptions Underlying Credibility Assessments in Asylum Processes:
An Analysis of Evaluations in Finnish Asylum Cases

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ASSUMPTIONS UNDERLYING CREDIBILITY ASSESSMENTS

ÅBO AKADEMI UNIVERSITY – FACULTY OF ARTS, PSYCHOLOGY AND THEOLOGY

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Abstract <p>Asylum seekers rarely arrive in a receiving country with corroborating evidence to their claims. Thus, to determine asylum status, asylum officials often have to evaluate how truthful the applicant's claim is rather than search for hard evidence that could substantiate it. However, the task of assessing credibility might force asylum officials to use subjective opinions and expectations in the evaluation processes, which could undermine the integrity of the determination processes that should be conducted objectively and impartially. The aim of the current study was to assess whether there seems to be certain assumptions underlying the credibility assessments in asylum processes in Finland, and how well these assumptions correspond with current psychological literature. The methodology partly replicated a similar study by Dowd and colleagues from 2018. We identified assumptions in official asylum cases ($n = 56$) and assigned these to major themes and sub-categories, which were then compared to empirical psychological knowledge. The results indicate that asylum officials' explicit and implicit assumptions affect the asylum determinations. It would be essential to compare assumptions about human memory and behavior with current research, and to adjust them to be in line with the literature where needed. Thorough guidelines for how such assumptions should be acknowledged and approached are needed. More training could also be provided about relevant psychological aspects to the asylum processes. For example, the training could focus on how trauma and mental health concerns may affect individuals' abilities to recollect memories and to present credible asylum claims.</p>	
Keywords: asylum seeker, asylum procedures, credibility assessment, the Finnish Immigration Service	
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<p>Abstrakt</p> <p>Asylsökande anländer sällan till ett mottagande land med bevis som kunde bestyrka deras asylanspråk. Därmed måste asylhandläggare fastställa asylstatus baserat på hur sanningsenliga asylanspråken är, istället för att söka efter konkreta bevis som kunde bestyrka dem. Att bedöma trovärdighet kan tvinga asylhandläggare att använda sig av subjektiva åsikter och förväntningar, vilket kan påverka integriteten av asylprocesser som borde bedömas objektivt och opartiskt. Denna studie undersöker vilka sorters antaganden finska asylhandläggare använder sig av för att bestyrka sina slutsatser om tillförlitlighet, och hur väl dessa antaganden motsvarar aktuell kunskap från den psykologiska litteraturen. Metodologin i denna studie motsvarade delvis en liknande studie av Dowd och kolleger från 2018. Vi identifierade antaganden i officiella asylfall ($n = 56$) och delade in dessa i huvudteman och underkategorier, som sedan jämfördes med empirisk psykologisk kunskap. Resultaten indikerar att asylhandläggares explicita och implicita antaganden påverkar asylbesluten. Det vore viktigt att jämföra antaganden om rationellt mänskligt beteende och minnesfunktioner med aktuell forskning, och vid behov justera antagandena så att de är förenliga med litteraturen. Omfattande riktlinjer för hur dylika antaganden borde bekräftas och behandlas behövs. Mer utbildning kunde även erbjudas om psykologiska aspekter som är relevanta för asylprocesser. Exempelvis kunde utbildningen fokusera på hur trauma och psykisk ohälsa kan påverka individers förmågor till att återkalla minnen och presentera trovärdiga asylanspråk.</p>	
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In Turku, October 2020,

It all started in Fall 2018, with me and Jenny Skrifvars trying to figure out which topics to pick for our master's theses. We both wanted to do research that could provide practical benefits for some psychological field of study. Docent Julia Korkman and Associate Professor Jan Antfolk introduced us to their plans of exploring the asylum seeker domain, which we were happy to participate in.

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ASSUMPTIONS UNDERLYING CREDIBILITY ASSESSMENTS

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Assumptions Underlying Credibility Assessments in Asylum Processes: An Analysis of Evaluations in Finnish Asylum Cases

According to the United Nations Convention laid out in 1951, refugees are persons who have “well-founded fears of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”, are outside their country of nationality, and are due to the fears “unable or unwilling” to return to their own countries (United Nations, 1951). Despite the theoretically clear definition, the task of distinguishing between genuine and disingenuous asylum seekers is complex (Herlihy, Gleeson, & Turner, 2010; Noll, 2005; Rousseau, Crépeau, Foxen, & Houle, 2002).

The legal framework and determination principles in asylum procedures differ from those applied in other legal cases. Asylum seekers rarely arrive in the receiving country with external evidence with which to substantiate their claims, such as identity documents, warrants, or proofs of detention (Gyulai, 2013; Kagan, 2003; Thomas, 2006; Goodman, 2013; Noll, 2005; United Nations High Commissioner for Refugees [UNHCR], 2013). Consequently, in contrast to other legal cases (e.g., criminal or tax issues), asylum seekers are only required to verify their asylum claims to a reasonable degree of likelihood, instead of beyond a reasonable doubt (van Veldhuizen, 2017; Thomas, 2006; UNHCR, 1998).

Decision makers are instructed to accept an applicant’s statement regardless of the lack of corroborating evidence if four criteria are met: first, the applicant has made a genuine effort to substantiate their statements; second, the applicant has applied for asylum as soon as possible after entering the receiving country; third, the asylum authorities deem the statements coherent and plausible after considering all relevant information in the case; and fourth, the asylum authorities consider the applicant generally credible. This is called the benefit of the doubt-principle (for more information, see e.g., UNHCR, 2011; 2013).

Although asylum seekers do not have to fully corroborate their claims, they are still responsible for providing all relevant proof (i.e., information about their identities, backgrounds, and the reasons for seeking asylum) to the asylum authorities (Qualification Directive, 2011, Article 4.1). If any corroborating hard evidence exists, the applicant should submit it promptly in the asylum process, and the rest of the protection claim should be corroborated by the testimony. The asylum officials are responsible for gathering and assessing all relevant information to the applicants’ claims (Qualification Directive, 2011, Article 4.1), and to determine whether the claims are substantiated to a sufficient degree (UNHCR, 2013). Before assessing the substantiality of a claim, the decision makers must

assess which of the core aspects in the claims are plausible. Only the believable aspects are forwarded to the substantiality assessment (UNHCR, 2013), thus, this evaluation of believability, also called the credibility assessment, constitutes a central stage in the asylum process (Goodman, 2013; Kagan, 2003; Gyulai, 2013; Herlihy et al., 2010; UNHCR 2013).

The integrity of due process might be negatively affected if the asylum system relies on assumptions that are based on unfounded grounds. Therefore, identifying assumptions that underlie these credibility assessments is essential to be able to compare the assumptions against scientific findings regarding human behavior and memory. This is what the current study sets out to do.

Current Best Practice Guidelines for Evaluating Asylum Claims

The United Nations High Commissioner for Refugees (UNHCR) provides asylum-authorities with handbooks and directives for executing fair and reliable asylum procedures (UNHCR, 2011; 2013). The UNHCR also provides a continuously updated database with Country of Origin Information (COI)-reports, which can assist decision makers in their tasks of substantiating applicants' statements about certain events and places in countries (UNHCR, 2013). Despite these provided resources, the evaluation processes in asylum cases are still affected by asylum officials' subjectivity and biases (Macklin, 1998; Coffey, 2003; Granhag, Strömwall, & Hartwig, 2005; Granhag, Landström, & Nordin, 2017). These could stem from, for example, cultural and social backgrounds, experiences, and general knowledge (Thomas, 2008; Smith-Khan, 2017; UNHCR, 2013).

The latest best-practice handbook by the UNHCR (2013) includes thorough information about the stages in a credibility assessment process, as well as detailed information about credibility indicators and how to implement them in practice. The handbook specifies five major credibility indicators to be observant of in the asylum hearings: *Sufficiency of detail and specificity*, *Internal consistency*, *Consistency with other witnesses*, *Consistency with information from external sources*, and *Plausibility*. Officials are encouraged to use these elements as guidance to what genuine statements can be assumed to look like (UNHCR, 2013). Although helpful, these indicators are based on certain assumptions which are partially uncorroborated by empirical research (see e.g., Granhag, Landström, & Nordin, 2017). The UNHCR's handbook acknowledges that decision makers hold expectations that are based on "assumptions about human memory, behavior, values, attitudes, perceptions of and responses to risk, and about how genuine accounts are presented"

(UNHCR, 2013, p. 54). Research has shown that expert decision-making in any context can be affected by aspects that might bias the outcomes of cases (see e.g., Dror, 2020).

Psychological Literature Relevant to Asylum Procedures

Decision makers could benefit from having knowledge about psychological aspects that can affect the asylum procedures. For example, research indicates that assumptions about normative behavior or memory functions cannot be applied to any individual, since the variation between individuals is vast (Cohen, 2001).

Memory functions and possibly distorting factors. The psychological literature regarding human memory and its limitations is extensive. Both memory functioning under usual and unusual circumstances are relevant for asylum procedures. Melton (1963) defines memory processes as divided into three stages: encoding (i.e., initial coding into memory), storage (i.e., maintaining the memory over time), and retrieval (i.e., a recollection of the memory when needed). All three stages must be intact to successfully create and maintain a memory (Melton, 1963). The psychological literature has proved that human memory is unable to store, keep, or retrieve information in exhaustive ways (e.g., Bartlett, 1932; Hyman & Loftus, 1998). Importantly, memories are individuals' experiences of events, not objective recollections (Gyulai, 2013). The details attended to and coded into memory depends on an individual's previous knowledge and experiences (Cohen, 2001). Research suggests most individuals can maintain the central gist of an event, while peripheral information may be lost (e.g., temporal information, such as dates, times, frequency, duration, and sequence; names; or commonly appearing objects; Cameron, 2010).

Furthermore, memories have been found to deteriorate over time, regardless of how important or distinctive they have been for a person (Morgan et al., 2004). Especially the autobiographical memory is prone to produce errors (Rubin et al., 2008). Visual, verbal, and auditory information is reconstructed each time a memory is recalled, which means that it usually is partially different at each recall (Cameron, 2010). Considering all the above, the literature indicates that inconsistencies tend to occur naturally in any individual's recollection of memories (Conway & Holmes, 2008). Hence, vagueness or inconsistencies in applicants' testimonies might not be accurate indicators to use in credibility assessments (Vredeveldt, van Koppen, & Granhag, 2014).

Autobiographical memories of traumatic events. Asylum seekers' claims are often based on traumatic experiences (UNHCR, 2013). Psychological research shows that trauma affects how memories are dealt with and recalled (Herlihy & Turner, 2007; Herlihy, Jobson,

& Turner, 2012; Graham, Herlihy, & Brewin, 2014; Cohen, 2001). In the same way as normal memories, the central gist of traumatic experiences is usually remembered, but peripheral details may be overlooked (Moore & Zoellner, 2007; Herlihy & Turner, 2007). However, there are currently no consensus on how trauma affects the memory. According to some studies traumatic memories might be even more vulnerable to distortion (e.g., Southwick, Morgan, Nicolaou, & Charney, 1997; Herlihy, Scragg, & Turner, 2002), while other studies show that they are more accurately remembered than neutral memories (e.g., Porter & Peace, 2007). Mental health issues such as Post-Traumatic Stress Disorder (PTSD), depression, and anxiety have been found to affect all three stages of the memory process (Budson & Price, 2005; Brewin, 2011); for example, by narrowing the attentional span which could lead to overgeneral encodings of events (Chaudhary, 2010). Individuals might also, consciously, or unconsciously, suppress traumatic memories due to their tendencies to trigger unwanted emotional states (Herlihy & Turner, 2007). Asylum seekers have been found to have a higher prevalence of mental health issues than the normal population (Cohen, 2001; Fazel, Wheeler, & Danesh, 2005; Steel, Frommer, & Silove, 2004). Thus, concerns with mental health might explain why an asylum seeker is vague or omits central information in a testimony (Bögner, Herlihy, & Brewin, 2007).

The impact of cultural factors and stereotypical thinking. The Qualification Directive states in Article 4.1 that the duty to gather all relevant facts for an applicant's claim lies on both the asylum seeker and the authority. In practice, this also means that the two parties must manage cultural and linguistic issues while aiming at flexible intercultural communication (Gyulai, 2013). Intercultural communication is defined as an interaction in a multicultural group where the participants strive to understand each other regardless of their different cultural backgrounds (Fox, 1997).

When an asylum official and an asylum seeker from different cultures meet in an asylum hearing, several factors could affect how relevant information is gathered. Granhag, Landström, and Nordin (2017) present four of these in their handbook for Swedish asylum officials. Firstly, the expectation of the style of communication might differ between the two individuals. Asylum seekers might not know what it means to "present all relevant information", and therefore, their attempts at all-encompassing testimonies might not be considered sufficient by the asylum officials. Secondly, there are cultural differences in individuals' verbalities. Asylum officials may expect applicants to be able to present experiences, thoughts, and feelings, even more sensitive ones, in structured and detailed ways.

Individuals from some cultures communicate with simple sentences that have implicit meanings, expected to be understood by the receiving part. An asylum official who is not used to implicit information in a testimony might mistakenly deem the claim non-credible due to a lack of detail and specificity.

The third aspect considers power distances, which are the hierarchical standards in a culture that defines how authorities are perceived and approached. The asylum process, especially the asylum hearing, entails a power imbalance between the applicant and the official. The imbalance might be reinforced if an individual comes from a culture with a larger power distance (i.e., a culture where authorities are not questioned or criticized). Asylum seekers from such background contexts might find it difficult to present objections or additions to written determinations or asylum officials' conclusions, since they might find it inappropriate, even shameful, to question authorities. Fourth and lastly, cultures have different conceptual frameworks, vocabularies, and perceptions of time (i.e., both calendar systems and the value of estimating time) that could lead to misunderstandings between applicants and asylum officials. By considering these four aspects presented by Granhag and colleagues (2017), such misunderstandings could be avoided.

Stereotypes and prejudices. Another issue that affects the decision-making in asylum processes are stereotypes and prejudices. Stereotypes are socially constructed opinions about certain people or groups, and prejudice means giving certain values to these stereotypes. Both the applicant and the decision maker in asylum processes are affected by their previous assumptions about people and groups (Gyulai, 2013). Stereotypes imply generalizations that all individuals tend to have about members of a particular group. Although helpful in structuring a world with an overflow of information, decision makers should acknowledge the possible impact of these in their evaluation processes. Dror considers this in his recent study from 2020 that explores fallacies and biases in expert decision-making. Biases can impact both what data is initially included in analyses (i.e., certain data is sought from the beginning), and how that data is interpreted (i.e., certain assessment strategies are chosen; Dror, 2020).

Biased thinking, including cognitive fallacies, stereotypes, and prejudices might be featured in the evaluations of plausibility. The UNHCR handbook acknowledges plausibility as one of the five credibility indicators but states that the definition of this indicator is not as clearly defined as the other indicators in terms of what it means for the credibility assessment (UNHCR, 2013). The handbook defines plausibility as the realistic likelihood of events, which means that a statement is implausible if a decision maker deems it to be “beyond

human experience of possible occurrence” (Maegherman, van Veldhuizen, & Horselenberg, 2018). Thus, decision makers have to evaluate what is realistic based on their subjective views (Granhag, Landström, & Nordin, 2017), although the legal framework for asylum processes require the assessments to be objective and impartial.

The assessment of plausibility is not only based on decision makers’ subjective assumptions concerning realistic events. Some reference frames can be used for implausibility by considering what is humanly possible (e.g., jumping over a high prison wall is implausible; Maegherman, van Veldhuizen, & Horselenberg, 2018). Usually, however, the decision makers do not have any reference frames to use in their assessments, and therefore, they might deem an event implausible without considering all alternative explanations from, for example, other cultural contexts (Gyulai, 2013; Maegherman, van Veldhuizen, & Horselenberg, 2018). The UNHCR’s handbook (2013) reminds asylum officials that they should always be aware of possible biases in their decision-making. By including thorough substantiation to conclusions in a written determination letter, biases might be more easily detected.

Previous Research

Some previous studies have explored the quality of credibility assessments in asylum cases. Most of these have used samples of asylum cases that have been brought to a court for an appeal against the initial decision. Herlihy, Gleeson, and Turner (2010) conducted a qualitative analysis of British immigration judges’ assumptions in decision-making processes. The authors coded assumptions found in 30 randomly selected written determinations through an inductive thematic analysis, which resulted in three major themes with sub-categories (see Table 1).

The first major theme; *There: How others behave*, includes assumptions about how people behave in their home countries. One sub-category contains assumptions about individuals’ and families’ behavior in danger or following trauma (e.g., it would be considered irrational to continue living in a place where one is threatened), while another sub-category includes assumptions about the behavior of authorities (e.g., on which grounds individuals are arrested). The second major theme; *Here: The asylum system*, collects assumptions about the asylum system. A sub-category for appellants reflects decision makers’ assumptions about appellants’ knowledge about the asylum system, and capabilities to implement this knowledge to asylum processes (e.g., appellants know which information they need to disclose). Another sub-category consists of assumptions where decision makers assess

other professional actors’ clinical judgments (e.g., in some cases, it was questioned whether a psychiatrist can reach a diagnosis only based on a short clinical interview with an asylum seeker). The third major theme; *A truthful account*, considers assumptions about the characteristics of genuine testimonies (e.g., truthful accounts are rich in details and consistent through the hearing process), with the appellant’s demeanor as a sub-category (e.g., nervous appellants might be untruthful).

The authors only briefly explore whether the categories of assumptions found in this study corresponds with empirical evidence. They conclude that cross-disciplinary research should strive to develop an overview of how frequent unfounded assumptions are in asylum processes.

Table 1
Three Themes of Assumptions Made by Asylum officials (Herlihy, Gleeson, & Turner, 2010).

There: How others behave	Here: The asylum system	A truthful account
How individuals and families behave in danger and following trauma	Appellants	Demeanor
How authorities behave	Other professionals/actors	

In 2018, an interdisciplinary team of Australian researchers in law and psychology continued to explore decision makers’ assumptions in asylum processes. The frequency and importance of assumptions were analyzed in 50 asylum cases which had been processed by the Australian Refugee Review Tribunal in 2015 (Dowd, Hunter, Liddell, McAdam, Nickerson, & Bryant, 2018). The aim was to outline how often Tribunal members consider credibility guidelines and psychological empirical evidence when applicants’ claims cannot be substantiated by corroborating evidence. The authors used the same major themes as Herlihy, Gleeson, and Turner (2010), but altered them partially to better fit the current sample (see Table 2).

The first major theme; *Now: The applicant as a truthful witness*, reflects the following three assumptions about how truthful witnesses present themselves: first, applicants presenting their testimonies clearly and convincingly are more reliable than applicants who are hesitant and confused; second, testimonies that are presented consistently throughout the processes are truthful; third, truthful applicants present testimonies in detail, focusing on the most significant events. The researchers acknowledge that all three assumptions are inconsistent with findings from the psychological literature. Further, the second major theme;

There: Plausibility of account, includes four sub-categories of assumptions regarding the plausibility of an account. Asylum officials hold assumptions about the behavior of people in threatening situations, as well as characteristics of durable threats. Furthermore, officials seem to commonly favor “objective” COI over the applicants’ “subjective” accounts about their home countries. Finally, the third theme; *Here: The asylum system*, presents two sub-categories of assumptions that considers the applicants’ knowledge of the asylum system in the receiving country, and the applicants’ behavior in the asylum procedures. The first sub-category considers assumptions about delayed disclosure of information (e.g., disclosing relevant facts only at the review stage of the protocol undermines credibility), and the other relates to the use of the benefit of the doubt-principle, distinctive for the judicial framework in asylum cases.

Table 2
Three Themes With Sub-categories of Assumptions Made by Asylum officials (Dowd et al., 2018).

Now: The applicant as a truthful witness	There: Plausibility of account	Here: The asylum system
Demeanor	Assumptions about the conduct of State and non-State actors	Assumptions about delay and disclosure
Inconsistency	Assumptions about threats being only temporary	The benefit of the doubt
Detail	Assumptions about fear, fight, or flight Assumptions about family	

Dowd and her colleagues note that although some inconsistencies between Tribunal members are inevitable, the results of the study show that Tribunal members approach the credibility assessments inconsistently, which can have a substantial impact on the reliability of asylum processes. The results also indicate that the assumptions held by Tribunal members sometimes contradicted psychological empirical evidence. Therefore, the authors conclude that Tribunal members should strive for predictability and consistency in their decision-making when they are faced with issues related to both the officials’ and the applicants’ cultural norms, individual values, experiences, and expectations.

The Current Study

More research is needed to develop an overview of the current quality of asylum

procedures, and if necessary, to improve the guidelines and principles behind these. Credibility assessments are considered to be one of the key factors to revise in asylum processes since, despite guidelines and handbooks on how to conduct the assessments, they still leave room for decision makers' subjective interpretations (Kagan, 2003; Herlihy et al., 2010). In the current study, we firstly aimed at analyzing possible expectations and assumptions regarding credibility and truthful accounts held by Finnish asylum officials. Secondly, we strived to explore whether the identified assumptions correspond with empirical psychological knowledge regarding human behavior, memory, and communication abilities. As the present study is still among the first to include an analysis of these factors, we explored the data qualitatively instead of making *a priori* hypotheses, following Dowd and colleagues' (2018) thematic analysis.

Methods

Ethical Permission

The study received ethical permission by the Ethical Review Board of the Faculty of Arts, Psychology, and Theology at Åbo Akademi University.

Case Selection

The included cases were selected from a larger sample of official asylum cases obtained from the Finnish Immigration Service in 2019. The Finnish Immigration Service granted the researchers' request for documents, as the documents were classified as publicly available after anonymizing all personal information. The sample consisted of 200 randomly selected asylum cases, processed between 2017 and 2018 in any of the four active reception centers in Finland at the time. Each asylum casefile included transcripts of all available asylum hearings conducted during the asylum procedure, as well as the written asylum decision. The applicants were both adults and minors, applying individually or with their families.

Out of the 200 cases in the sample, we included 56 in our analysis. A total of 46 cases were excluded due to a lack of a concluding determination in the case (i.e., expired or not investigated asylum cases). Furthermore, 98 cases were excluded due to a lack of explicit statements about the applicant's credibility in the written determination. A majority of the excluded cases were granted (55.2%) and only a few (5.5%) rejected asylum, while the rest had either been given a subsidiary protection status or residence permit on compassionate grounds. The final sample consisted mostly of rejected cases (83.9%), two granted cases (1.8%), and the rest was equally divided between alternative residence permits.

Procedure

The first coder (VS) read all determinations and noted how Finnish asylum officials formulate their written determination letters. Next, themes and sub-categories from Dowd and colleagues' (2018) study were applied, to conduct a theory-driven instead of a data-driven thematic analysis as Dowd and colleagues' (2018) and Herlihy and colleagues' (2010) did. VS established coding principles and specifications of definitions for the current study. An assumption was defined as statements and a conclusions about a credibility indicator or any other fact affecting the decision, where the asylum officials substantiated their conclusions about the believability of an applicant or a statement (e.g., "Your story lacks details and specificity, therefore the Finnish Immigration Service does not believe that it reflects a true event."). The pre-defined set of themes, directly corresponding to the results of Dowd and colleagues (2018), were: *Demeanor*, *Inconsistency*, *Detail*, *Assumptions about the conduct of State and non-State actors*, *Assumptions about threats being only temporary*, *Assumptions about fear, fight, or flight*, *Assumptions about family*, *Assumptions about delay and disclosure*, and *The benefit of the doubt* (see chapter 1.3 for a more thorough description). We later revised these themes to better fit the current sample.

The coding process consisted of three steps: first, identifying an assumption; secondly, rewriting the assumption in a data file; third, assigning a theme to the assumption based on the pre-defined categories. If a theme corresponded with two or more categories, we coded them into all relevant ones. Thus, the statement "Your story lacks details and specificity and is inconsistent with your wife's narrative, therefore the Finnish Immigration Service does not believe that it reflects a true event." was coded as both corresponding to the theme *Sufficiency of detail and specificity* and *Consistency*. The first coder noticed at an early stage of the coding that the pre-defined set of themes did not cover all assumptions found in the sample. Consequently, all assumptions that did not fit a pre-defined theme were given a preliminary label, and these labels were formed into coherent new themes at a later stage.

Coding of assumptions and theme. At this point in the coding, a second coder (JS) was introduced to the materials and the coding principles. The two coders coded approximately four cases together, after which they coded 20% of the sample ($n = 11$) independently, for an inter-rater reliability analysis. The focus was on the first step of the process, that is, identifying assumptions, and not the coding of the themes. When comparing the results, the coders noted a need for stricter and more extensive coding principles for identifying assumptions, as the determinations proved to be complex and diverse. The coding

principles were therefore revised, and a partly new set of cases was chosen, excluding the cases already discussed. The second inter-rater reliability analysis yielded the following results: a total of 109 assumptions were identified, of which both coders had identified 88 (80.7%). VS had additionally identified 16 assumptions that JS had not found, and JS had identified 5 assumptions that VS had not found. After a thorough examination, 8 of the 21 assumptions which had been identified by only one of the coders did not fit the definition and were thus excluded. Furthermore, in approximately 50 % of the inconsistencies, the coders had identified the same assumption, but VS had considered it to contain two assumptions whereas JS had coded it as one. Considering that Herlihy and colleagues (2010) reached a similar level of inter-rater reliability between the coders, we concluded the inter-rater reliability to be sufficient. The rest of the sample was coded cooperatively by both coders.

After identifying and coding all assumptions, we examined the existing, pre-defined categories for different themes and adapted them to be more fitting for our sample. The theme *Demeanor* was deleted since no examples of it were identified in our sample. The theme *Assumptions about threats being only temporary* was divided into two themes; *Threat assumed not to be personal* and *Threat assumed not to be durable*, since we noticed that most of the examples of this category seemed to relate to a threat not being personal, and because of that only temporal. The other themes were slightly renamed (for a list of the final themes, see Table 3).

Thematic analysis. Next, the assumptions which had not been coded into any of the pre-defined categories of theme were examined in a data-driven thematic analysis. We read these assumptions, their descriptions, and preliminary labels several times and adapted the labels during the process. We identified two new themes that had not been included in the previous studies; *The ability to disclose sensitive information* and *The impact of one assumption on the whole claim*. The first theme represents assumptions held by asylum officials about what applicants can be expected and willing to know and talk about. These assumptions often started with an official's statement that "one can reasonably expect a person to be able to talk about thoughts and feelings related to...". The second new theme reflects instances where the asylum official explicitly stated that a previous assumption affected the credibility of a later assumption. Often, officials stated that since they had not found one aspect of the persecution claim plausible, another aspect could not be considered plausible either.

Results

Descriptives

We identified a total of 449 statements regarding credibility aspects, ranging between 1–22 statements in each case. A majority of the statements had a negative outcome (i.e., were not believed; 72.4%). In cases with positive outcomes, only three sub-categories were identified: *Consistency* (77.4%), *Detail* (14.5%), and *The benefit of the doubt* (7.5%). In general, applicants did not provide corroborating evidence to their statements (70.4%), but, about half (48.3%) of the statements with positive outcomes had corroborating evidence.

Themes

The themes and sub-categories found in the sample are presented below, and summarized in Table 3. Examples of each sub-category are presented in Table 4–6.

Table 3

Three Themes With Sub-categories of Assumptions Made by Asylum officials in Our Sample.

Now: The applicant as a truthful witness	There: Plausibility of account	Here: The asylum system
Sufficiency of detail and specificity	Plausibility of the alleged conduct of State and non-State actors	Delay and Disclosure
Consistency	Plausibility of the alleged conduct of the applicant	The benefit of the doubt
The ability to disclose sensitive information	Plausibility of the alleged conduct of other actors	
The impact of one assumption on the whole claim	Threat assumed not to be personal Threat assumed not to be durable	

Table 4

Examples of the Sub-categories From the Theme “Now: The Applicant as a Truthful Witness”.

Sub-category	%	Example	Assumption
Sufficiency of detail and specificity	23.2	<p>“Your story is marked by a lack of subjective specificity as a whole since your story about the threat from Asaib Ahl Al-Haq is undetailed, and you have given narrow answers to the specifying questions about this threat.”</p> <p>“When you have been asked to tell more about the attack, your story has remained narrow and only contains few details that are typical for self-experienced accounts.”</p>	A lack of detail and specificity in applicant’s stories can be used as indicators of untruthfulness
Consistency	30.5	<p>“You presented details about the attack on your store, but [name X] and [name Y] stories contain inconsistencies between themselves. [X], you said you were inside the cafeteria when the men attacked and assaulted you. [Y], you said that your husband had closed the store and was outside when the attack happened. This weakens the credibility of your stories.”</p> <p>“Your identity cannot be confirmed since you have not presented any documentary evidence about it. However, you have told consistently about your background during the process. The Finnish Immigration Service deems your story about your citizenship, religion, and ethnicity credible.”</p>	Inconsistency within the applicant’s story, between two individuals’ stories, or between other information and the applicant’s story can be used as indicators of untruthfulness
The ability to disclose sensitive information	2.0	<p>“When prompted, you have not described thoughts and feelings related to the conversion to Christianity [questions X-Y]. You have said that you have chosen the church [name] because the Holy Spirit has touched you, but this experience has been presented very superficially [questions X-Y]. When asked how your life has changed after coming to faith, you have given a very short answer that your life became better after reading the Bible [questions X-Y]. The Finnish Immigration Service considers it reasonable to assume, that you would be able to describe this important change in your life and the thoughts related to it in more detail, and from a more personally experienced perspective.”</p> <p>“Sexuality is part of an individual’s identity. When one’s identity is in a process of change, there are often a lot of different feelings associated with homosexuality and the recognition of it. You state that your sexual thoughts about men aroused after puberty.</p>	If individuals are unable or unwilling to disclose sensitive personal information, their statements can be used as indicators of untruthfulness

		<p>However, you have not described the formation of your sexual identity, or thoughts and feelings related to it. [...] Your answers regarding your sexual orientation have also been closely tied to having sexual intercourse, not thoughts and feelings you have experienced due to your homosexuality. The Finnish Immigration Service states that there is more to one’s sexual identity than having sex.”</p>	
<p>The impact of one assumption on the whole claim</p>	<p>2.2</p>	<p>“[...] you have given wrongful information about your home area, which in itself weakens the credibility of your story, the Finnish Immigration Service does not accept your story about the threats from ISIS to be real.”</p> <p>“You have presented photographs and copies of documents which you have said are related to your father’s political activity. Considering the ambiguities and inconsistencies in the other documents you have presented, [<i>these</i>] documents cannot be given much evidential value.”</p>	<p>Assumptions about credibility earlier in the assessment may affect decisions later in the assessment</p>

Table 5

Examples of the Sub-categories From the Theme “There: Plausibility of Account”.

Sub-category	%	Example	Assumption
<p>Plausibility of the alleged conduct of State or Non-state actors</p>	<p>5.1</p>	<p>“Considering the presented COI, your age, story, and lack of special skills and knowledge about weapons, the Finnish Immigration Service does not accept as a fact that you would be subject to a threat of being recruited into armed groups.”</p> <p>“The Finnish Immigration Service finds it implausible that you, at the age of 13, after your father’s death, have started to get threatening text messages from Mahdi’s army due to your father’s party membership.”</p>	<p>Assumptions about plausible behavior of State and non-State actors</p>
<p>Plausibility of the alleged conduct of the applicant</p>	<p>3.8</p>	<p>“Your story contains implausible features. You said that you were unconscious during the rape, but still at times conscious when the rapist told you his name. [...] the Finnish Immigration Service does not accept that your rapist was an infamous prisoner wanting to kill you because you recognize him.”</p> <p>“A nurse at the Reception Center has stated that you have started a healthier lifestyle and that you do not consume alcohol at all anymore. [...] the Finnish Immigration</p>	<p>Assumptions about plausible behavior of applicants</p>

Sub-category	%	Example	Assumption
Plausibility of the alleged conduct of other actors	1.6	<p>Service considers it reasonable to assume that a person can stay away from the consumption of alcohol if it causes serious problems. [...] Considering all the above, the Finnish Immigration Service does not accept that you would be in danger of serious infringement due to the consumption of alcohol if you were to return to your country of origin.”</p> <p>“There are several grammatical and typing errors in the documents, which does not support your story about the documents originating from a law firm. [...] Considering the previously mentioned facts, the Finnish Immigration Service does not accept your story about the events of 2012 as true.”</p> <p>“Considering your whole story, the Finnish Immigration Service finds it implausible that even though [<i>person X</i>], according to your story, was a famous and valued lawyer, he only had one inexperienced supporting lawyer in his office.”</p>	Assumptions about plausible behavior of other actors
Threat assumed not to be personal	22.5	<p>“The Finnish Immigration Service considers that you have been randomly targeted by a shooting due to the country’s general safety situation.”</p> <p>“The previously presented COI supports the fact that marriages between Sunnis and Shias may cause problems on a case-by-case basis. [<i>Person X</i>], you have not presented credible grounds as to why you would be of specific interest for the Shia militia because of your intermarriage or other reasons.</p>	Assumptions about what constitutes a real threat, and which aspects assure that the threat is directed towards the applicant
Threat assumed not to be durable	4.2	<p>“You have left the area and been away for over one and a half years. Considering the time that has passed since the event and the nature of [<i>it</i>], the Finnish Immigration Service does not accept as a fact that if you were to return to your home area, you would be in danger of serious violations from the same persons.”</p> <p>“However, considering that you have not brought forward any other personal reasons than your clan background, and that those violations took place 20 years ago, and that according to current COI, the [<i>X</i>]-minority are not subject to direct violence, the Finnish Immigration Service does not accept that the reason why you fled Somalia would put you in danger of violations in the future.”</p>	Assumptions about which threats might subside over time, and how long it takes for them to subside

Table 6

Examples of the Sub-categories From the Theme “Here: The Asylum System”.

Sub-category	%	Example	Assumption
Assumptions about delay and disclosure	2.7	<p>“You have informed that you have understood the meaning of the hearing, such as the obligation to tell about all the reasons why you cannot return to your home country, and therefore, The Finnish Immigration Service deems it generally implausible that you have brought these [new] aspects forward only at the appeal stage of the process, when you have not mentioned them at all at the hearings arranged at [place X] and [place Y].”</p> <p>“When you, [person X] and [person Y], arrived in Finland, you told the authorities that you came on a tourist trip to Finland and that you would stay for 42 days. You have only presented your asylum claims when the authorities prevented your entry to the country. When prompted why you did not immediately disclose that you were going to apply for international protection, you said that you were afraid, did not have any experience of seeking asylum, and that you had to get to the Reception Center.”</p>	Disclosing new relevant information at a later stage in the process can be used as an indicator of untruthfulness
The benefit of the doubt	1.8	<p>“Your story about [ex-husband’s] background was left unspecified. However, considering that you were only 13 years old when you married him and that you eventually spent only roughly one year together with him, the Finnish Immigration Service assumes that you cannot be expected to be able to tell about [ex-husband’s] background in more detail. The documents that you have delivered from the court corroborates your story about [ex-husband’s] criminal past.”</p> <p>“When assessing your [daughter’s] danger of being subject to genital mutilation if you and your family were to be returned to your home area, the Finnish Immigration Service applies the benefit of the doubt-principle. [...] the Finnish Immigration Service has not been convinced of [parents’] general credibility earlier. However, considering all previously mentioned facts and the best interests of the child, the Finnish Immigration Service does not consider that your [parent X] and [parent Y] lowered credibility is a reason not to apply the benefit of the doubt-principle [...].”</p>	Assumptions about when to implement the principle of the benefit of the doubt

Now: The applicant as a truthful witness. This major theme, divided into four sub-categories, includes all assumptions relating to the asylum hearings where the applicants' protection claims are presented. The decision makers evaluate the credibility in the content that the applicants present, but also, how they present it during the asylum hearings.

Sufficiency of detail and specificity. Out of all assumptions, 22.7% were assigned to this category. Truthful applicants were expected to be able to provide detailed information about their experiences, including, for example, visual or auditive details from the events, or what emotions they felt. A lack of specificity in the accounts was perceived to indicate that the applicant was not credible.

Consistency. This was the most frequently occurring type of assumption, as it consisted of 30.7% of the whole sample. The expectation that genuine statements would be consistent was reflected in, for example, an assumption that the statements of a family or a couple applying due to the same fear of persecution should be consistent with each other. Furthermore, applicants' statements were expected to correspond with external corroborating information, either presented by the applicants or externally retrieved (e.g., COI-reports).

The ability to disclose sensitive information. Assumptions were assigned to this category in 2% of the sample. Asylum seekers were expected to be able and willing to disclose sensitive personal information about, for example, traumatic experiences, personal relationships, sexual orientations, or religious beliefs. Decision makers also presented assumptions about the way in which they expected the information to be presented. For example, a decision maker stated in a written determination letter that the applicant's inability to present subjective thoughts or feelings regarding his/her decision to convert to another religion indicated that he/she was untruthful.

The impact of one assumption on the whole claim. Out of all assumptions found, 2.2% were assigned to this category. The decision makers assumed in some cases that the applicants' particular words or deeds affected the general credibility of their claims. For example, if applicants had presented incorrect facts about their home countries, the credibility of the perceived threats were undermined. Furthermore, if a decision maker deemed a statement non-credible in the beginning of the assessment, subsequent statements of the applicant could also be affected by this assessment. For example, when an applicant had provided documents that a decision maker considered fabricated, the subsequently submitted documents, unrelated to the previous documents, were not considered credible either without specification as to why this was the case.

There: Plausibility of account. The second major theme, divided into five sub-categories, reflected decision makers expectations about rational behavior in specific situations, especially in situations where fear or trauma are involved. Furthermore, decision makers presented perceptions of what personal and/or durable threats entail.

Plausibility of the alleged conduct of State or non-State actors. This category was assigned to 5.3% of all the assumptions found. Decision makers held assumptions about how State or non-State actors (e.g., paramilitary or extremist groups) normally function. Decision makers presented assumptions about the characteristics persons were expected to have in order to be of interest to recruiters of extremist groups. For example, recruiters were not expected to approach young applicants, and/or applicants lacking knowledge about special skills that are needed in armed groups.

Plausibility of the alleged conduct of the applicant. Out of all assumptions, 3.8% were assigned to this category. These assumptions related to the behavior applicants were expected to demonstrate when they experienced fear, had to fight someone or flee from something. For example, one decision maker did not believe that a female applicant could be both conscious and unconscious during a rape, and therefore, that the applicant could not have heard the name of the rapist. Another example was presented in a case where the applicant applied for asylum due to substance abuse. The applicant had recovered from the abuse, and thus the decision maker stated that “a person can be reasonably assumed to be able to stay away from the consumption of alcohol if it causes serious problems”.

Plausibility of the alleged conduct of other actors. This category was assigned to 1.6% of all identified assumptions. Decision makers had certain expectations about the behavior of other actors, such as family members, relatives, or acquaintances. For example, a decision maker stated that a document with several typing errors could not have come from a law firm. Furthermore, in another case, renowned lawyers were not expected to only have inexperienced employees as their support.

Threat assumed not to be personal. Out of the sample of assumptions, 23.1% were assigned to this category. For example, decision makers assumed that applicants were not personally threatened if the threats seemed to be related to the applicants’ home countries’ general safety situations. Furthermore, threatening actors were not expected to be interested in harming applicants that were not profiled for something (e.g., member of a political party or a church worker) in their countries. In one case, having a father that was politically active was not considered to be able to affect an applicant him-/herself as well.

Threat assumed not to be durable. Almost four percent (3.8%) of the assumptions were assigned to this category. Decision makers assumed in some cases that threats would subside over time, but which time frame was considered long enough for a threat to pass differed between decision makers. One decision maker could argue that a few months were enough for a threat to pass, while another decision maker judged a similar threat to pass only after several years. As an example, one applicant was considered to be able to return safely to his/her home country since he/she had not been threatened for over one and a half years. However, the applicant had been away from his/her home country during this whole time, which implies he was unable to estimate whether the threat was still present.

Here: The asylum system. The third major theme, divided into two sub-categories, related to what asylum seekers were expected to know about the asylum procedures, and how they should manage to go through the different stages of the processes. For example, decision makers expected all applicants to be aware of how and when to apply for international protection, as well as what information and evidence to provide during the processes.

Assumptions about delay and disclosure. Out of all assumptions found, 2,7% were assigned to this category. Decision makers were found to hold the assumption that not applying for international protection at the earliest time possible after arriving in a receiving country might be an indicator of an applicant's lack of fear of being persecuted. Furthermore, not disclosing important information or evidence promptly at the asylum hearing could be interpreted as an indicator of untruthfulness. For example, one asylum seeker who disclosed relevant information only at the appeal stage of his/her process was considered to either having added fabricated information at the appeal stage or having tried to cover up information initially.

The benefit of the doubt. The remaining 1.8% of the assumptions found were assigned to this theme. The benefit of the doubt is one of the distinctive principles in the asylum procedure. Decision makers were found to give the benefit of the doubt to, for example, applicants considered unable to disclose all relevant information due to medical or mental health concerns, traumatic experiences, or a young age. One female asylum seeker was given the benefit of the doubt although her story of being a rape victim was undetailed since she had been able to tell consistently about her experiences throughout the whole asylum process. In another case, the benefit of the doubt was given to a family where there were doubts concerning the general credibility of the parents, since the best interest of the family's child was prioritized over the credibility issues.

Discussion

This study builds on two previous studies which analyzed assumptions made by asylum officials in their line of reasoning (Herlihy et al., 2010; Dowd et al., 2018). Our study analyzed 56 real asylum cases obtained from the Finnish Immigration Service, identifying assumptions presented in the written determination letters, and comparing how well these assumptions correspond with psychological literature. The results are in line with the findings by Herlihy and colleagues' (2010) and Dowd and colleagues' (2018). However, some differences also emerged. An important difference was that no assumptions concerning the theme *Demeanor* were identified in the Finnish sample, implying credibility assessments were not based on or motivated by the behavior of the applicants in the interview situations. This is in line with current recommendations for credibility assessments in asylum procedures since individuals with different backgrounds show such a great variety of behaviors that demeanor during the asylum hearing cannot be used as an indicator of untruthfulness (Kagan, 2003; UNHCR, 2013; Dowd et al., 2018).

Thematic Assumptions

The themes and sub-categories found in the current study reflect Finnish asylum officials' assumptions about normative human behavior both in individuals' home countries and during the asylum process. Furthermore, they also reflect what decision makers perceive to be normative memory functioning and truthful accounts.

Now: The applicant as a truthful witness. This major theme reflected assumptions about what information asylum seekers present at asylum hearings, but also how they present it, through four sub-categories: *Sufficiency of detail and specificity*, *Consistency*, *The ability to disclose sensitive information*, and *The impact of one assumption on the whole claim*.

Decision makers were found to hold assumptions about five aspects: first, genuine applicants are expected to present their claims in detail and with sufficient specificity; second, a lack of detail in applicants' statements is perceived as indicating untruthfulness; third, genuine applicants are able to present their claims consistently throughout the asylum process. Consistency is expected to be found within and between the applicants' hearings, between other applicants' statements if several persons apply due to the same asylum claim (e.g., a family), and lastly, with information derived from external sources, such as COI-reports; fourth, genuine applicants are expected to be able and willing to disclose sensitive personal information, for example, details about traumatic events, personal relationships, sexual

orientations, or religious convictions; and fifth, a conclusion about the lack of credibility in one statement can undermine the credibility in other statements too.

These assumptions are, at least partially, inconsistent with knowledge from the psychological literature. Several researchers, as well as the UNHCR, have acknowledged that while a lack of detail or specificity in applicants' claims may indicate untruthfulness, it is not necessarily an indicator to be used by default (UNHCR, 2013; Cameron, 2010; Cohen, 2001; Herlihy & Turner, 2006; Vredeveltdt, van Koppen, & Granhag, 2014). A genuine applicant can be expected to remember the central gist of an event, but peripheral information might not be recalled (e.g., dates, times, frequencies, durations, or sequences; Cameron, 2010). The effects of traumatic experiences (Herlihy & Turner, 2007), the time between an event and the recollection (e.g., Morgan et al., 2004), cultural differences in memory (e.g., Gyulai, 2013; Granhag, Landström, & Nordin, 2017), and individual circumstances for the applicant should be taken into consideration.

Assumptions found in our sample indicate that Finnish asylum officials are partially conscious of how variations in memory might complicate credibility assessments (e.g., the requirements to present the testimony in a detailed manner was lower for an applicant who was diagnosed with schizophrenia, as well as another applicant who was young when the recalled event took place). Nevertheless, officials still seem to base some conclusions on unfounded grounds. For example, alternative explanations to a lack of detail, specificity, or consistency should always be considered. Some written determination letters in our sample did not address alternative explanations to officials' judgments, which indicated that alternatives might not have been considered in the officials' decision-making processes. Not considering alternative explanations might pose a risk of basing judgments on confirmation bias in accordance with one's own assumptions. Therefore, providing more insight into which aspects the asylum officials have considered in their judgments might both make the officials more cognizant of their deduction processes and make the determination letters more transparent to the readers.

For example, in contradiction to the psychological literature on cultural differences and memory, decision makers held the assumption that applicants should be able and willing to present even sensitive personal information in asylum hearings. Factors such as trauma, shame, and stigma might affect how willingly applicants provide information (Gyulai, 2013).

A small, but relevant number of assumptions were found in our sample where the

official expected the applicant to be able to provide certain information about personal experiences. Applicants could be deemed non-credible if they were unable to provide information requested by the officials. For example, the case considering an asylum seeker whose claim was based on his homosexual orientation did not consider alternative explanations as to why the applicant was unable to provide information about thoughts and feelings related to his sexual orientation. At least two alternative explanations could have been considered in the Finnish asylum officials' decision-making. Firstly, the applicant might consider aspects of sexuality to be taboo, and, be unwilling to disclose these to unknown persons. Previous studies have suggested that applicants might find it challenging to disclose aspects relating to their sexual orientation (UNHCR, 2012; Dowd et al., 2018). Secondly, the applicant might come from a culture where the vocabulary for this context is not as vast and detailed as in, for example, Western cultures. Even if the applicant wanted to disclose more, he might not have had words for expressing thoughts and feelings related to this aspect. In addition to this, there is a lack of research on how people in general recall and describe the development of their sexual identity, regardless of the culture or context. In other words, assumptions seem to be made about accounts that differ from a norm when there is no normative information in the first place.

Similar alternative explanations could also have been considered in the other example concerning an applicant who claimed to have converted to Christianity. Asylum officials should be more cognizant of the various challenges that applicants might face in the asylum process if they apply due to sexual orientation or religious beliefs. This has been noted previously by other researchers as well (see e.g., UNHCR, 2012; Heller, 2009).

The assumptions in the theme *The impact of one assumption on the whole claim* seemed to be more connected to judicial issues in asylum procedures than psychological factors. Asylum processes must be assessed objectively and impartially according to the law, and therefore decision makers should assess the credibility of each statement in an applicant's claim individually. The individual assessment was at times not complied with in our sample. For example, in the case of the applicant who presented two sets of documentary evidence that were related to two different aspects of his/her claim, both sets of documents should have been assessed impartially.

There: Plausibility of account. This section of the study relates to assumptions about what decision makers think rational behavior and genuine threats entail. The assumptions about rational behavior in certain contexts seem to be based on subjective opinions held by

asylum officials, affected by cognitive fallacies, stereotypes, and prejudices. Decision makers presented assumptions about what individuals should have done in specific situations, but also about how societies, possibly unknown to them, function. The assumptions found in our sample correspond with the results from Dowd and colleagues' (2018) and Herlihy and colleagues' (2010) studies.

The assumptions about how non-State actors behave might not be grounded in reality, since the evaluation of plausibility has been argued to be predominantly based on asylum officials' subjective decision-making. Several identified assumptions did not include alternative explanations as to why paramilitary groups could be interested in a particular applicant despite him not fulfilling the normative criteria for what recruiters for paramilitary groups are interested in. Overall, asylum officials should not automatically prioritize COI-reports, or other externally retrieved information, over the facts given by an applicant. Although thorough, COI-reports cannot cover the variety of individual circumstances that can impact the situations of individual applicants.

Assumptions about the expected behavior of applicants or other actors was also problematic in light of psychological knowledge. Research has shown that individuals behave in various ways when they have experienced traumatic or threatening situations, and that no one "typical" victim behavior can be expected (Steimer, 2002). Factors such as these could have been considered in the applicant's credibility evaluation.

The assumptions that reflected the sub-categories *Threat assumed not to be personal* and *Threat assumed not to be durable* might indirectly connect to psychological factors, however, external corroborating information like COI-reports are so intertwined in the statements that it is challenging to assess to what amount psychological factors have affected the decision-making. The assessments by individual officials were diverse, especially the estimations of time frames for durable threats. Therefore, these types of assumptions might result in inconsistent decision-making by asylum officials, and consequently, legally uncertain determinations.

The whole global asylum system should address the problems inherent in using plausibility as a credibility indicator. Furthermore, Finnish asylum officials, and likely other European and Western asylum officials, could also benefit from more training on understanding how different cultures affect memory and communication, as well as how experiencing traumatic situations influence behavior and memory.

Here: The asylum system. This part of the study considers assumptions about applicants' abilities to understand the asylum system and to navigate through the asylum procedures, as well as decision makers' use of the benefit of the doubt-principle. As in one of the examples of *Assumptions about delay and disclosure*, disclosing relevant information at a late stage in an asylum process seems to be considered an indicator of untruthfulness. Thus, it is important to ensure that applicants in an early stage of the process understand which aspects of their reasons for seeking asylum need to be provided. Asylum seekers might find it challenging to extract the most relevant aspects to their claim, since their statements are often based on a testimony of large parts of their lives, with experiences and events that have taken place throughout a longer period of time. One of the assumptions reflects an assumption that asylum seekers would not claim to be on a tourist trip in a country if their real reason for entering a country is a fear of persecution. In this case, the asylum seekers' explanation that they were afraid and did not know how to apply for asylum was not sufficient according to the decision maker.

The guidelines for credibility assessments states that a delay in disclosure of central information to an applicant's claim may be used as an indicator of fabrication (UNHCR, 2013). Nevertheless, there could be several alternative explanations as to why applicants add information at later stages in asylum processes. Firstly, memories are not recollected in a structured way; some details might be omitted in one recollection but added in another recollection of the same event (Cameron, 2010). Secondly, applicants may not have initially disclosed important information due to experiences of trauma, guilt, shame, stigma, or out of distress or nervousity (Gyulai, 2013; Granhag, Landström, & Nordin, 2017; Bögner et al., 2007). Thirdly, it might even be that the applicant did not initially understand or take notice of which information should have been provided. Mental health issues may also come into play. PTSD, as well as other mental health concerns, disrupt executive functions (Dowd et al., 2018; Fazel, Wheeler, & Danesh, 2005). Therefore, an applicant may not have the attentional control needed to keep track of asylum seekers' obligations, or which aspects of his claim has not been disclosed yet (Dowd et al., 2019; UNHCR, 2013).

Finnish asylum officials held similar assumptions as those found in the studies by Dowd and colleagues (2018) and Herlihy and colleagues (2010). As stated before, officials should be provided with more information on how human memory works, and how mental health issues may impact asylum processes. Similarly to the sub-category *The ability to disclose sensitive information*, these assumptions should be carefully used when making

decisions about claims that are based on sensitive information, such as traumatic experiences, sexual orientation, and religious beliefs.

Applying the principle of the benefit of the doubt is one of the distinctive features of the asylum law, but it is certainly affected by assumptions about psychological factors as well. In our sample, the benefit of the doubt was used sparsely. However, as the UNHCR handbook (2013) also notes, decision makers might not always explicitly state in the written determination when they use the principle. Thus, other sub-categories in our sample might include statements where the benefit of the doubt-principle has been applied, but not clearly referred to. The UNHCR has noted in interviews with legal practitioners that decision makers often are uncertain of how to apply the benefit of the doubt, and therefore might only use the principle in cases where they are not sure what to do (UNHCR, 2013). This might explain the finding in our study that the benefit of the doubt seemed to be applied inconsistently throughout the asylum cases. Nevertheless, the examples that were identified in our sample were apt presentations of when the benefit of the doubt should have been given.

Strengths and Limitations

Research on actual asylum cases is critical when analyzing the quality of current asylum procedures. Similar studies have used appealed asylum cases as their sample, which might bias the literature in this area since they draw conclusions on only a part of all asylum cases. A randomized sample of cases handled at a first-instance asylum authority, in this case, the Finnish Immigration Service, gives a valuable and realistic overview of the current asylum procedures. Day-to-day challenges that asylum officials face, such as limited resources of time and issues that spring from co-operating with interpreters (see e.g., Kälin, 1986; Pöllabauer, 2004; Colin & Morris, 1996) are featured in our sample. Furthermore, participants are unaffected by factors such as social desirability, which is a frequent restriction in experimental setups.

The sample consisted of asylum cases from 2017 and 2018, which we deemed not to be affected by the migration crisis that took place in 2015 and 2016 in the European Union. At this time the Finnish Immigration Service had to hire new employees at a rapid pace to be able to keep up with the massive influx of asylum seekers, which might have resulted in differences in employees' knowledge and abilities, and consequently, differences in the decision-making processes. We consider the sample from 2017 and 2018 to be a more reliable representation of the current evaluation processes conducted by Finnish asylum officials.

The written determinations in asylum cases might not reflect the whole context of the

asylum processes. It is impossible to know whether or not applicants were truthful in their statements, and therefore, the accuracy of the credibility assessments. Furthermore, alternative explanations might have been considered during the evaluation process although not included in the written determination letter. The asylum official who conducts the asylum hearings with an applicant is usually not responsible for evaluating the case. This procedure is in place to minimize the possible effects of subjectivity. However, the decision-making official might understand the received information and its context in a different way than the interviewing official. Interpreters might also add distorting factors to the asylum process, which this study could not control.

Similarly to the asylum officials, we might also have been affected by subjective expectations. Neither of us two coders had legal training, and we developed our own understandings of how credibility issues were presented in written determination letters, and how to identify assumptions in them. The overall format of the various determination letters in our sample resembled each other, but each decision maker added their individual style of writing to the presentation of credibility statements. In some cases, it was challenging to understand to what extent the credibility statement affected a conclusion, and, to what extent each conclusion affected the outcome of the evaluation process. Furthermore, we might have added subjectivity to the analyses when assigning each credibility issue into a theme and sub-category, and when translating the excerpts presented in this study from Finnish to English.

Some of the sub-categories that we identified represented a negligible amount of all assumptions found, which should be considered in the interpretation of the results. It remains unclear how often decision makers use these categories of assumptions in reality. Our sample of 56 cases is also too small to fully represent all asylum procedures conducted in Finland today. Nevertheless, the results give insight into a rather unknown field of psychological research, and therefore, we decided to include all sub-categories that were represented in the sample.

Recommendations and Further Research

The evaluation processes conducted by the Finnish Immigration Service follow the guidelines and principles for EU authorities fairly accurately. The number of assumptions that are not in line with empirical research on human behaviour and memory, however, calls for clearer and more evidence-based practice recommendations and further research into the topic.

Firstly, granted asylum applications should address the outcomes of the credibility

assessments in the same way as rejected applications do in their written determination letters. We acknowledge that there are variations in guidelines in different countries on this aspect; for example, UK guidelines recommend including credibility findings in both accepted and rejected cases, while the guidelines in the Netherlands state that credibility findings are unnecessary in accepted cases (UNHCR, 2013). However, including credibility findings regardless of the outcome of the case would make all asylum cases more coherent and comparable with each other. Relevant references to guidelines, the legal framework, and/or evidence-based literature should be included when officials substantiate their conclusions. Furthermore, providing information on how each presented credibility issue has affected the outcome would presumably aid both applicants and legal practitioners with understanding the determination.

Secondly, asylum officials should be provided more knowledge on human behavior and communication as well as the functioning of memory. Also, information about the impact of traumatic experiences and mental health concerns should be addressed. Education aiming to improve asylum officials' intercultural communication abilities should be provided by individual asylum authorities, and also the UNHCR. Guidelines and handbooks should also focus on developing fairer evaluation processes for applicants who seek protection due to their sexual orientation or religious beliefs.

Future research should focus on developing an even more thorough overview of assumptions that asylum officials use in their decision-making processes, and how well these correspond with the scientific literature. Interdisciplinary research with legal and medical fields could provide knowledge on assumptions about other than psychological aspects. Furthermore, it would be interesting to explore to what extent diverse credibility findings are presented to asylum seekers before reaching a conclusion. Applicants are entitled to be informed about which aspects of their testimony seem to lack credibility, and, to give their explanation to these findings before asylum officials reach a conclusion. Currently, it is unclear how well this is complied with in asylum procedures. Presumably, by giving applicants opportunities to explain, misunderstandings between decision makers and applicants could be prevented to a greater degree. If misunderstandings could be ruled out earlier in asylum processes, the number of appeals against a first-instance decision would presumably decrease, and ease higher instances' volumes of work.

Conclusion

Evaluating the asylum seekers' eligibility for international protection is arguably one

of the most complex legal matters today. The current study set out to explore assumptions present in the evaluation processes in Finnish asylum cases, partly replicating two similar previous studies, one by Herlihy and colleagues (2010) and another by Dowd and colleagues (2018). We also compared how well the identified assumptions correspond with empirical psychological knowledge. The results from ours as well as the two previously mentioned studies show that officials struggle to conduct credibility assessments in practice, despite handbooks and guidelines provided to aid these.

A crucial challenge to be addressed by asylum authorities and institutions (e.g., the UNHCR) is to take into consideration the existing, and further develop the knowledge on how individuals' behavior, memory, and communication abilities differ due to, for example, cultural aspects and mental health concerns, and how these aspects might affect the evaluation processes in asylum cases. Another challenge for asylum authorities is to develop thorough general structures for written determination letters, which would make them more transparent and understandable to any reader. Time pressure and other restricted resources will inevitably affect how thoroughly one determination letter can be written; however, credibility issues should be addressed in both rejected and accepted asylum cases. By providing substantiation to all decisions, the impact of possible misunderstandings, cognitive fallacies, and/or biases could be decreased, which should be in the interest of all involved parties.

Swedish Summary – Sammanfattning på svenska

Antaganden i fastställandet av flyktingstatus: En granskning av beslutsfattande i finska asylfall

Enligt Förenta nationernas (FN) konvention från 1951 samt finländsk lag ska en person beviljas asyl ifall hen ”vistas utanför sitt hemland eller sitt permanenta bosättningsland till följd av att han eller hon känner välgrundad fruktan för förföljelse på grund av sitt ursprung, sin religion, nationalitet eller tillhörighet till en viss samhällsgrupp eller på grund av sin politiska uppfattning, och om han eller hon på grund av sin fruktan inte vill använda sig av detta lands skydd.” (Utlänningslagen 2004/301 § 87). Trots denna teoretiskt sett tydliga definition är det en komplex uppgift att identifiera vilka sökanden som är berättigade till internationellt skydd (Herlihy et al., 2010; Noll, 2005; Rousseau et al., 2002).

Asylsökande anländer sällan till ett mottagande land med externa bevis som kunde verifiera deras berättelser, som till exempel identitetsdokument, arresteringsorder eller häktningsbevis (Gyulai, 2013; Kagan, 2002; Thomas, 2006; Goodman, 2013; Noll, 2005; Herlihy och Turner, 2009; UNHCR, 2013). Därav behöver sökanden endast kunna bestyrka sitt anspråk till en rimlig grad av sannolikhet, istället för bortom allt rimligt tvivel, som i många andra rättsprocesser (t.ex. brotts- eller skattemål; van Veldhuizen, 2017; Thomas, 2006; FN:s flyktingkommissariat [UNHCR], 1998). På grund av det lägre kravet av bestyrkande bevis måste asylhandläggare ofta basera sin slutsats på en bedömning av asylanspråkets tillförlitlighet (Goodman, 2013; Kagan, 2003; Gyulai, 2013; Herlihy et al., 2010; UNHCR 2013). Rådande bästa praxis för hur asylfall bedöms lämnar utrymme för subjektiva tolkningar (Herlihy et al., 2010; Macklin, 1998; Coffey, 2003; Granhag, Landström, & Nordin, 2017). Tillförlitlighetsbedömningen är därmed sårbar för antaganden och förväntningar som beslutsfattare har om exempelvis mänskligt minne, beteende och individers kommunikationsförmågor. Synliggörandet av dessa antaganden är viktigt, eftersom integriteten av asylprocesser kan påverkas negativt ifall antaganden baseras på grunder som saknar stöd i empirisk forskning. Detta är något denna studie strävar efter att göra.

Med avseende på minnesprocesser är det av yttersta vikt att asylhandläggare beaktar att forskningen tyder på att den individuella variationen av beteenden och minnesprocesser är så stor att det inte går att applicera en viss norm på alla individer (Cohen, 2001). Beslutsfattare kan främst förvänta sig att en person kan komma ihåg de mest väsentliga delarna av sina upplevelser, eftersom perifera detaljer ofta glöms bort, som till exempel tidsinformation som datum och tider, samt namn eller vanligt förekommande objekt

(Cameron, 2010). Motstridigheter verkar även förekomma i alla individers återberättelser av händelser, varav få och ändrade detaljer i en utsaga inte nödvändigtvis kan användas som tecken på att någon ljuger (Vredeveltdt, van Koppen och Granhag, 2014). Utöver detta behöver asylhandläggare beakta att asylsökande ofta varit med om traumatiska upplevelser och att de i högre grad lider av psykisk ohälsa än normalpopulationen, vilket har bevisats påverka minnet (för forskning om trauma, se Herlihy och Turner, 2009; Herlihy et al., 2012; Cohen, 2001; för forskning om psykisk ohälsa, se Cohen, 2001; Fazel, Wheeler och Danesh, 2005).

Antaganden om mänskligt beteende och kommunikationsförmågor verkar påverkas av exempelvis kulturella faktorer, stereotyper och fördomar (Gyulai, 2013; Granhag, Landström och Nordin, 2017). En individs kulturella bakgrund påverkar exempelvis kommunikationsstil, konceptualisering av begrepp och tidsuppfattning, vilket i sin tur även påverkar hur individen i fråga överlag kommunicerar och betar sig (Granhag, Landström och Nordin, 2017). Därutöver kan maktobalanser även påverka hur information presenteras, speciellt om asylsökanden kommer från en kultur där konsensus är att auktoriteter inte ska ifrågasättas (Granhag, Landström och Nordin, 2017). Stereotyper och fördomar, som är starkt bundna till sociokulturell uppfostran, har bevisats påverka beslutfattningsprocesserna (Gyulai, 2013). Asylhandläggare behöver vara medvetna om vilka förutfattade meningar de har om specifika grupper av människor, eftersom dessa kan basera sig på ogrundade antaganden (Gyulai, 2013).

Några tidigare studier har undersökt tillförlitlighetsbedömningar i asylfall. I en av dessa studier utfördes en kvalitativ analys av brittiska migrationsdomares antaganden i 30 asylbeslut (Herlihy, Gleeson och Turner, 2010). Tre huvudteman med underkategorier identifierades: antaganden om människors beteende i farosituationer eller efter att ha upplevt trauma, antaganden om asylsökandes förmåga att förstå asylsystemet och kunna navigera genom asylprocesserna samt antaganden om kännetecknande faktorer för sanningsenliga berättelser. Beslutsfattare använde sig av dessa antaganden när de underbyggde sina beslut i tillförlitlighetsbedömningen. Forskarna avslutar med att uttrycka ett behov av tvärvetenskaplig forskning för att få en tydligare bild av, för det första, hur ofta ogrundade antaganden förekommer inom asylförfarandet och, för det andra, hur väl dessa stämmer överens med evidensbaserad kunskap.

En interdisciplinär grupp av australienska forskare i psykologi och juridik strävade år

2018 efter att replikera och vidareutveckla Herlihy och kollegers (2010) studie (Dowd et al., 2018). I denna studie identifierades antaganden i 50 offentligt tillgängliga asylfall som överklagats till den australienska flyktingdomstolen år 2015, för att kunna bedöma hur ofta ogrundade antaganden användes i asylhandläggares beslutfattningsprocesser. De identifierade antagandena reflekterade exempelvis hur en sökande med ett genuint behov av skydd betar sig och hur denna presenterar sin berättelse, vad genuina hot karaktäriseras av, hur statliga och icke-statliga aktörer betar sig mot sina medlemmar och mot personer utanför sin grupp, samt hur asylsökande och deras familjer betar sig. Resultaten tydde på att beslutsfattarna använde sig inkonsekvent av olika närmandesätt i sina bedömningar av tillförlitlighet. Antagandena stred även delvis mot resultat från empirisk forskning. Forskarna hävdar att beslutsfattare inom asylprocesser borde sträva efter mer förutsägbarhet och enhetlighet i sina bedömningsprocesser.

Syfte

Eftersom riktlinjerna för bedömning av tillförlitlighet lämnar utrymme för subjektiv tolkning, vore det viktigt att analysera hurdana antaganden beslutsfattare använder sig av för att bestyrka sina slutsatser och hur väl dessa stämmer överens med psykologisk kunskap. Denna studie strävade efter att göra detta genom att analysera officiella asylfall från Migrationsverket i Finland. Dowd och kollegers (2018) studie replikerades till en viss grad genom att samma metodologi och tematiska analys användes.

Metod

Studien erhöll etiskt tillstånd från den forskningsetiska nämnden vid fakulteten för humaniora, psykologi och teologi vid Åbo Akademi. Samplet bestod av 200 officiella asylfall från 2017 och 2018 som erhöles av migrationsverket i Finland. Av dessa inkluderades endast fall som explicit nämnde något om sökandens tillförlitlighet i asylbeslutet. Det slutliga samplet bestod av 56 asylfall med en fördelning av 83,9 % nekade, 1,8 % beviljade asylbeslut och 14,2 % fall som getts någon annan form av uppehållstillstånd, antingen alternativt skydd eller uppehållstillstånd på andra grunder.

Kodningsprocessen började med att den första kodaren (VS) definierade kodningsprinciper baserat på Dowd och kollegers (2018) tematiska analys. Till näst identifierades alla antaganden i samplet, varefter de omskrevs i en datafil och till sist tilldelades ett tema och en underkategori. En analys av interbedömarreliabilitet gjordes med en annan kodare (JS), där VS och JS kodade individuellt 20 % av samplet ($n = 11$). Resultatet av analysen nådde en liknande nivå av interbedömarreliabilitet som Herlihy och kolleger

(2010). Till sist omdöptes och justerades Dowd och kollegers (2018) teman och underkategorier för att vara lämpligare för det ifrågavarandet samplet.

Resultat

Sammanlagt upptäcktes 449 påståenden och slutsatser kring tillförlitlighetsaspekter, där de enskilda asylbesluten kunde innehålla allt mellan 1–22 påståenden om tillförlitlighet. Slutsatser om att sökandens påståenden inte var tillförlitliga förekom mest (72,4 %), och de slutsatser om positiv tillförlitlighet som fanns förekom endast i tre underkategorier:

följdriktighet, detaljriktighet och specificitet och principen om att hellre fria än att fälla.

Generellt hade asylsökandena inte bestyrkande bevis till sina anspråk (70,4 %), men ungefär hälften (48,3 %) av de påståendena som ansågs vara tillförlitliga hade bestyrkande bevis. De slutliga temana och underkategorierna var följande:

1. Nu: sökanden som ett sanningsenligt vittne
 - detaljriktighet och specificitet
 - följdriktighet
 - förmåga att avslöja känslig information
 - ett antagandes påverkan på hela anspråket
2. Där: utsagans rimlighet
 - antaganden om statliga och icke-statliga aktörers rationella beteenden
 - antaganden om asylsökandens rationella beteenden
 - antaganden om andra aktörers rationella beteenden
 - hotet anses inte vara personligt
 - hotet anses inte vara varaktigt
3. Här: asylsystemet
 - antaganden om uppskjutning av avslöjanden
 - principen om att hellre fria än att fälla (*eng. the benefit of the doubt*)

Det första huvudtemat innehöll antaganden om hur asylanspråk presenteras under asylprocesserna. Antaganden tillhörande de två första underkategorierna förekom mest av alla i samplet, eftersom antaganden om *följdriktighet* utgjorde 30,7 % och antaganden om *detaljriktighet och specificitet* 22,7 % av samplet. Kategorin *följdriktighet* reflekterade asylhandläggares förväntningar på att asylsökandes utsagor är följdriktiga genom hela asylprocessen, såväl inom den egna utsagan som med andra personers utsagor och externt tillhandahållen information, som till exempel landinformation. I ett fall där sökandena var man och hustru ansågs tillförlitligheten försämrats för att mannen sagt att han varit inne i sin

kafeteria när en attack ägt rum, medan kvinnan sagt att han varit utanför. Kategorin *detaljrikedom och specificitet* reflekterade beslutsfattarens förväntningar på hur en asylsökande skulle presentera sitt asylanspråk. Odetaljerade eller vaga berättelser kunde bedömas som otillförlitliga, speciellt i situationer där sökanden hade blivit ombedd att berätta mer om händelser men inte gjort det.

Kategorin *förmåga om att avslöja känslig information* utgjorde 2,0 % av samplet, och reflekterade beslutsfattarens förväntningar om att asylsökande är både kapabla och villiga till att dela med sig av personlig information om, exempelvis, traumatiska upplevelser, personliga relationer, sexuell läggning eller religiös tro. I ett fall ansågs sökandens trovärdighet försämrats för att hen inte kunnat presentera subjektiva tankar och känslor kopplat till sitt beslut om att omvända sig till kristendomen. Den sista kategorin i detta huvudtema, *ett antagandes påverkan på hela anspråket* utgjorde 2,2% av samplet. Kategorin reflekterade beslutsfattarens antaganden om att något som en asylsökande sagt eller gjort kunde påverka den allmänna tillförlitligheten av sökandens anspråk, alternativt, att ett påstående som bedömts otillförlitligt kunde påverka andra påståendens tillförlitlighet negativt. I ett fall accepterade beslutsfattaren inte att sökanden var genuint hotad av en extremistgrupp, eftersom sökandens trovärdighet generellt försämrats av att han gett felaktig information om sitt hemområde.

Det andra huvudtemat handlade om asylsökandens tillförlitlighet med avseende på hur rimligt ett asylanspråk verkade vara ur en beslutsfattarens synvinkel. I 5,1 % av samplet förekom antaganden om statliga och icke-statliga aktörers, exempelvis paramilitära grupper, beteenden. Exempelvis förväntades det att en paramilitär grupp inte borde vara intresserad av individer som är väldigt unga, och/eller inte besitter specifik kunskap som krävs i beväpnade grupper. Vidare bestod 3,8 % av samplet av antaganden om asylsökandens beteenden. I ett fall ansågs det att en kvinnlig sökande inte kunde ha varit medvetlös medan hon blev våldtagen, bara för att vakna upp då våldtäktsmannen sade sitt namn till henne. Därutöver bestod 1,6 % av samplet av antaganden om familjemedlemmars, släktingars och andra bekantas beteenden. Exempelvis antogs det att dokument med mycket grammatiska fel inte kunde komma från en rättsbyrå, och att en välkänd jurists stab inte endast kunde utgöras av en oerfaren arbetstagare.

Kategorin *hotet anses inte vara personligt* utgjorde 22,5 % av samplet, och *hotet anses inte vara varaktigt* av 4,2 %. Dessa innehöll antaganden om vad reella hot karaktäriseras av, och vilka tidsramar dessa hot har för att vara varaktiga. Exempelvis kunde beslutsfattare anse

att ett hot inte var personligt om det verkade vara mer riktat mot det allmänna säkerhetsläget i ett land, samt att ett hot inte var varaktigt längre om en sökande inte blivit hotad på ett och ett halvt år.

Det sista huvudtemat handlade om vad asylsökande borde veta om asylprocesser, och hur de borde kunna navigera genom de olika stadierna av dessa processer. Exempelvis förväntades det att en asylsökande förstår hur och när en asylansökan görs, och att sökanden vet vilken information som ska presenteras under processen. Underkategorin *antaganden om uppskjutning av avslöjanden* bestod av 2,7 % av samplet, och handlade om att asylsökande förväntades söka asyl och avslöja all relevant information för sina asylanspråk direkt då det är möjligt. Underkategorin *principen om att hellre fria än att fälla* bestod av de återstående 1,8 % av samplet. Denna baserade sig på en av de distinkta principerna för asylprocesser, där asylsökandes berättelser hellre ska accepteras än avvisas om de innehåller oklarheter, förutsatt att sökanden försökt sitt bästa med att presentera ett tillförlitligt asylanspråk. Ett exempel av användandet av denna princip var att en beslutsfattare bestämde sig för att tro på en kvinnlig asylsökandes berättelse om en våldtäkt trots att berättelsen var odetaljerad, eftersom kvinnan ändå kunnat berätta om denna traumatiska händelse på ett sammanhängande sätt.

Diskussion

Denna studie byggde på två tidigare studier som analyserat asylhandläggares antaganden i deras beslutfattningsprocesser (Herlihy et al., 2010; Dowd et al., 2018). Resultaten ur studien motsvarar de tidigare två studierna, med undantag för några skillnader. En viktig skillnad var att inga antaganden som reflekterade asylsökandens uppförande identifierades i vårt sampel. Detta tyder på att bedömningar av tillförlitlighet inte baserades på eller motiverades av asylsökandens uppförande i intervjusituationer, vilket är förenligt med de nuvarande rekommendationerna som påminner beslutsfattare om att den individuella normalvariationen i uppförande är stor och därmed inte användbar som en indikator för lögnaktighet (Kagan, 2003; UNHCR, 2013; Dowd et al., 2018).

De teman och underkategorier som identifierades reflekterade finska asylhandläggares antaganden om normativt mänskligt beteende både i individers hemländer och i asylprocesser, och vad som karaktäriserar normativa minnesfunktioner och sanningsenliga utsagor. Finska asylhandläggare verkade delvis vara medvetna om hur variationer i minne och kulturella faktorer kan försvåra tillförlitlighetsbedömningen. Handläggarna verkade ändå använda sig av antaganden som saknade empiriskt stöd. I slutsatser som behandlade en brist på detaljer, specificitet eller följdriktighet fattades det ofta överväganden av alternativa förklaringar i

asylbesluten, vilket indikerar att alternativ möjligtvis inte tagits i beaktande innan formandet av en slutsats. Alternativa förklaringar skulle exempelvis ha kunnat basera sig på en beslutsfattares beaktande av eventuell påverkan av kulturella och individuella variationer i kommunikationsstilar och vokabulärer, traumatiska upplevelser, psykiska störningar, eller andra individuella omständigheter som upplevelse av skam eller stigma. Genom att ge en större inblick i vilka aspekter som beaktats i beslutsfattandet, skulle asylbesluten bli mer transparenta. Detta gäller speciellt beslut där tillförlitlighetsbedömningen baserat sig på en asylsökandes sexuella läggning eller religiösa tro, eftersom dessa har funnits vara svåra aspekter att bedöma i asylkontexterna (UNHCR, 2012; Heller, 2009).

Med avseende på bedömningen av vad som är ett rationellt, normativt beteende i hotande eller traumatiska omständigheter vore det viktigt att beslutsfattare tar i beaktande sina eventuella underliggande kognitiva felslut, stereotyper och fördomar i slutledningsprocesserna. Psykologisk forskning borde även beaktas. Exempelvis tyder forskningsresultat på att det inte finns något typiskt "offerbeteende" hos människor (Steimer, 2002), vilket tyder på att det är ytterst utmanande att avgöra rimligheten i en individs beteende i farosituationer och trauma. Utöver detta borde asylhandläggare vara försiktiga med att inte automatiskt prioritera landinformation som erhålls av UNHCR över asylsökandenas påståenden, eftersom landinformationen inte kan ta i beaktande den stora variationen av individuella omständigheter som påverkar asylsökandens situation. Det globala asylsystemet borde överlag utveckla principerna för hur man bedömer rimlighet i asylsökandes utsagor. Finländska, och förmodligen även andra västerländska, asylhandläggare kunde dock även dra nytta av mer utbildning i att förstå hur olika kulturer påverkar minne och kommunikation, samt hur trauma kan påverka beteende och minne.

Slutligen borde lagen och riktlinjerna för användandet av principen om att hellre fria än att fälla asylsökandes utsaga om den saknar bestyrkande bevis (*eng.* the principle of the benefit of the doubt) tydligare klargöra i vilka situationer principen kunde användas och hur den ska refereras till i asylbeslut. UNHCR har noterat i sin handbok (2013) att asylhandläggare inte nödvändigtvis alltid nämner i asylbesluten när de använt sig av principen. Därmed kunde de få exemplen av principen i vårt sampel bero på att de tillämpats i bakgrunden av bedömningen men inte refererats till i asylbesluten.

Denna studies sampel av officiella asylbeslut erbjuder värdefull information till forskningen inom asylkontexten, eftersom den reflekterar verklighetstroget de utmaningar som asylhandläggare behöver ta sig an i sin vardag. En nackdel av användandet av skriftliga

asylbeslut var att de eventuellt inte ger en fullständig bild av de kontextuella omständigheterna i asylfallen. Asylhandläggare kan ha beaktat ett flertal olika faktorer i sina bedömningsprocesser även om det inte har inkluderats i det skriftliga asylbeslutet. Att koda samplet var även utmanande för denna studies forskare VS och JS, eftersom formateringen av asylbesluten varierade beroende på de individuella asylhandläggarnas sätt att framföra sina slutsatser. Därmed kan missuppfattningar ha skett då antaganden identifierats och tilldelats till olika teman och kategorier.

Samplet på 56 asylfall motsvarar inte alla asylprocesser som genomförs i Finland i dagens läge. Dessutom motsvarade en del av de identifierade underkategorierna en försumbar del av hela samplet, vilket ska beaktas i tolkningen av resultaten. Inkluderandet av även små underkategorier motiverades med att även dessa ger en viktig inblick i ett ännu okänt psykologiskt forskningsområde. Framtida forskning kunde fortsätta att analysera antaganden i asylhandläggares beslutfattande samt att jämföra dessa med vetenskaplig litteratur, för att skapa en mer omfattande översikt över hur vanligt förekommande dessa är i olika länders asylprocesser.

Bedömningen av asylsökandes anspråk är enligt många förmenande en av de mest komplexa rättsfrågorna i dagens samhälle. Denna studies, liksom de två tidigare studiernas, resultat tyder på att asylhandläggare finner det utmanande att bedöma tillförlitlighet i praktiken, trots handböcker och riktlinjer för hur dessa ska göras. Finska asylhandläggare verkar emellanåt använda sig av antaganden i sitt beslutsfattande som inte är förenliga med psykologisk litteratur. Därmed skulle det vara av yttersta vikt att asylmyndigheter samt institutioner som UNHCR skulle ta i beaktande den nuvarande kunskapsnivån på fältet, och sedan vidareutveckla den med avseende på hur individers beteende, minne och kommunikationsförmågor påverkar asylprocesser. Det skulle även vara viktigt att generella, omfattande riktlinjer för strukturen av asylbeslut skulle utarbetas, så att besluten kunde bli mer transparenta och förståeliga. I detta samspel nämndes tillförlitlighet sällan i accepterade asylbeslut, vilket försvårar jämförandet av accepterade beslut med nekade beslut. Relevanta referenser exempelvis från riktlinjer, regelverk och empirisk forskning borde alltid inkluderas för att bestyrka asylhandläggares slutsatser. Tids- och andra resursbrister påverkar ofrånkomligen hur omfattande asylbesluten kan vara, men oavsett detta borde tillförlitlighetsaspekter nämnas i både nekade och accepterade asylbeslut. Genom att underbygga alla beslut kan möjliga missförstånd och kognitiva felslut minskas, vilket torde vara i alla involverade parter intresse.

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PRESSMEDDELANDE

Finska asylhandläggare använder sig av delvis ogrundade antaganden i sina bedömningsprocesser

Pro gradu-avhandling i psykologi

Fakulteten för humaniora, psykologi och teologi vid Åbo Akademi

Resultaten från en pro gradu-avhandling vid Åbo Akademi tyder på att asylhandläggare använder sig av antaganden i sina bedömningsprocesser som inte funnit stöd i psykologisk litteratur kring, exempelvis, mänskligt beteende och minnesfunktioner. Studien undersökte vilka sorters antaganden asylhandläggare använder sig av i sitt beslutsfattande, samt hur väl dessa antaganden stämmer överens med kunskap härlett från psykologi. Resultaten visar att asylhandläggare använder sig av delvis felaktiga förväntningar på hur individer i allmänhet, men även specifikt asylsökande, borde bete sig i olika situationer, samt vilka indikatorer som kan användas för att skilja mellan uppriktiga och lögnaktiga asylanspråk.

Avhandlingen av Veronica Sui utfördes under handledning av docent i rättspsykologi Julia Korkman, postdoktoral forskare Jan Antfolk, och doktorand Jenny Skrifvars. Datat för studien bestod av 56 äkta asylfall som tillhandahölls av Migrationsverket. Asylsökande anländer oftast till ett mottagande land med endast sin berättelse som bestyrkning för sitt behov av internationellt skydd. Beslutsfattare i asylprocesserna står inför en ytterst komplex uppgift då de utgående från dessa premisser måste avgöra vilka asylberättelser som är tillräckligt tillförlitliga för att accepteras. Lagstiftningen kräver att asylprocesser bedöms objektivt och opartiskt, men trots detta verkar processerna påverkas av asylhandläggares subjektiva åsikter, som exempelvis stereotypier och fördomar.

Resultaten tyder på att asylhandläggare vid Migrationsverket, liksom handläggare vid andra asylmyndigheter, behöver mer kunskap kring faktorer som kan påverka en asylsökandes förmåga till att presentera sitt asylanspråk på ett ”korrekt” sätt. Speciellt fokus borde ligga på att erbjuda asylhandläggare mer utbildning i hur människans minne och beteende påverkas av traumatiska upplevelser och psykisk ohälsa. Asylhandläggare kunde även erbjudas utbildning som strävar efter att förstärka interkulturella kommunikationsförmågor, eftersom asylsökande oftast kommer från en annan kulturell bakgrund än asylhandläggarna. Studien bygger vidare på två tidigare studier inom samma ämne, och utvidgar generaliserbarheten för resultaten till såväl finska, brittiska som australienska asylkontexter.

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