



EMN Ad-Hoc Query on Asylum claims based on conversion from Islam to another religion

Requested by Jutta SAASTAMOINEN on 7th March 2017

Protection

Responses from Austria, Belgium, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovak Republic, Spain, Sweden, United Kingdom, Norway (22 in total)

Disclaimer:

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

Background information:

An increasing number of asylum seekers in Finland have presented an asylum claim according to which they converted from Islam to Christianity. The phenomenon seems to be on the rise, especially with regard to asylum seekers from Iraq, Afghanistan and Iran. In most situations question is of a sur place refugee claim, i.e. the asylum seeker has converted to Christianity in Finland. It is difficult to establish whether someone's faith is genuine. Therefore the Asylum Unit of the Finnish Immigration Service would likely to request information from other Member States concerning the practices they use.

Summary

Responses were received from 22 Member States (AU, BE, CY, CZ, DE, EE, ES, FI, FR, HR, HU, IE, LT, LU, LV, MT, NL, PL, SE, SK, UK, NO).

13 Member States (CY, DE, EE, ES, HR, HU, LT, LU, MT, PL, SE, SK, UK) indicated that their answers were for wider dissemination. The summary is based on the answers of those 13 countries whose answers are for public dissemination.

1. Around two-thirds of the reporting countries (CY, ES, HR, HU, LU, MT, PL, SE) indicated that conversion from Islam to Christianity is a common motive for asylum applicants from Iran but it is not a very significant motive for those from Iraq or Afghanistan. Also Germany reported that conversion to Christianity is most commonly cited by asylum applicants from Iran. A few states (EE, LT, SK) reported that numbers are low for all three countries and they are individual cases rather than a mass phenomenon. The UK had no exact information available.
 - **Croatia** explains that a considerable number of claims are sur place claims.
 - **Germany** reports that conversion to Christianity is most common among asylum applicants from Iran, but asylum applicants from Afghanistan, Iraq, Pakistan and other countries also submit such claims.
 - **Poland** and **Sweden** report that there has been an increase in the numbers among those from Afghanistan and Iraq.
 - **Spain** has never had any asylum seekers from Afghanistan who claimed to be converted to Christianity. A few from Iraq have claimed to be atheist.
2. All of the reporting countries indicated that the credibility of the conversion is assessed through personal interview and questions about various topics including motivation, process, religious life and practice, knowledge, inner feelings and previously happened persecution. The certificate of baptism and other related documents are been taken into account in some level but generally have a limited value as such.
 - **Croatia** explains there is no assessment of the permanence of the conversion at this stage. Biblical knowledge is usually required during the interview.

- **Estonia** examined the content of the applicant's mobile phone and profile of social media which provided controversial information.
 - **Germany** notes that a certificate of baptism alone is not sufficient to verify a need for protection. More emphasis is placed on assessing or predicting the behaviour of the applicant upon return to the country of origin, and the possible risk of persecution that may result.
 - **Hungary** gives a lot of weight to a certificate.
 - **Malta** explains that certificates on their own are not considered as enough of an evidence but they need to be corroborated by the applicant's personal statement.
 - **Poland** does not regard certificates as an absolute proof of actual conversion because some documents have turned out to be fake and some churches issue certificates for people with no knowledge of Christianity.
 - **Slovak Republic** assesses any certifications individually and examines what kind of preparation preceded the conversion because some churches baptize people without any preparation.
 - **Spain** has started to interview most of the Iranian converts a second time and has found out major problems with credibility.
 - **Sweden** assesses the depth and permanence of the conversion but considers it to be very difficult.
3. Almost all reporting countries indicated that there are no cases where asylum seekers from Afghanistan, Iran or Iraq have genuinely converted from Islam to another religion, but do not appear to be particularly active and outward oriented practitioners of the new religion.
- **Germany** reports that a return decision can be made if it is assessed that the behaviour of the returnee upon return does not constitute a risk of persecution.
 - **Spain** explains that Iranians may return without encountering problems unless they have drawn the attention of the authorities or are openly evangelizing.
 - **The UK** decides on a case by case basis.
4. Most of the reporting countries indicated that if the conversion is considered to be credible and it is known that officials in the country of origin actively persecute religious groups in question, there is no additional requirement for the applicant to demonstrate that the authorities are aware of it.
- **Cyprus** explains it to be one of the reasons for granting a refugee status and is very much taken into consideration.
 - **Germany** notes that, on the other hand, countries of origin are also aware that conversion may have been claimed as a reason for seeking asylum with the intention of increasing the applicant's prospects of being able to stay in Germany.
 - **Spain** reports that if people remain discreet and do not become active in the public sphere, there is no reason for them to fear persecution by the Iranian authorities.

- **Sweden** emphasizes that in some cases the state is not the agent of persecution and the applicant should not need to hide his religion or refrain from religious activity or ceremonies in public for fear of persecution.
5. Only a few countries reported to have national jurisprudence relating to asylum seekers from Afghanistan, Iran or Iraq who have converted from Islam to another religion.
- **Germany** reports that there are numerous court rulings about the matter.
 - **Slovak Republic** has some national jurisprudence by the Supreme Court. There is experience that panels of the Supreme Court might have different decisions on certain cases.
 - **Sweden** has one case which has been decided by the Swedish Migration Court of Appeal.
6. All Member States indicated that asylum seekers most commonly convert to Christianity. The following communities were mentioned by name: Protestant (CY, DE, HR, PL, SE), Lutheran (HU), Baptist (HU, SE), Catholic (PL, SK), Jehovah's Witnesses (SK), Church of Brethren (SK), and Pentecostal (SE). Among Iranians, Baha'i was also mentioned by Luxembourg.