Basics of Asylum Law and Beyond What you need to know when preparing affirmative and defensive asylum cases Presenters: Benicio Diaz, American Gateways Cori Hash, Lincoln Goldfinch Law

Overview of Training

- Overview of Elements of Asylum,
- Bars to Asylum
- Eligibility for Related Relief
- Changes in Procedure and Practice
- Migrant Protection Protocols
- Credible & reasonable fear interviews
- Case law updates

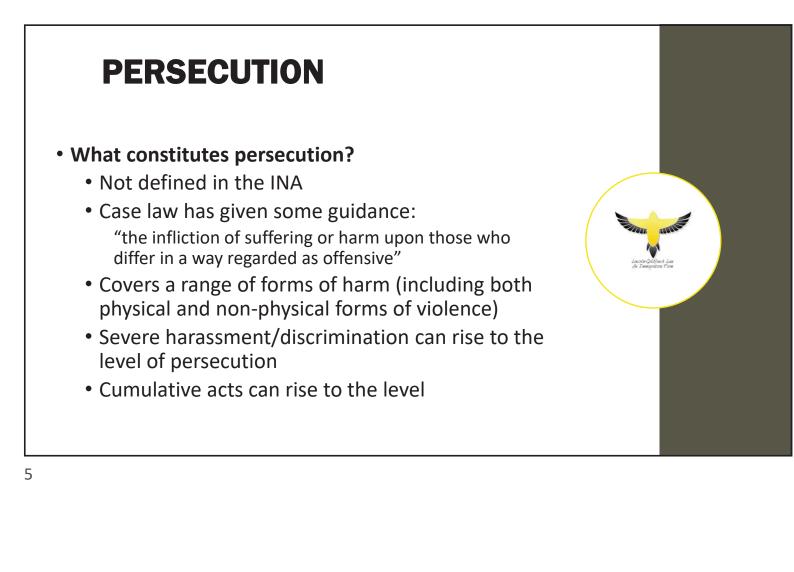


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<section-header> SOURCES OF LAW Defines who is a refugee Provides for non-refoulement, prohibition on return of refugees to countries of persecution Refuge Act of 1980 Incorporates international definition of refugee (INA \$ 101(a)(43)) Incorporates and adds additional bars to asylum Creates statutory and regulatory system for seeking asylum (INA § 208; 8 C.F.R. § 208)

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WELL-FOUNDED FEAR

PAST = rebuttable presumption of future persecution

FUTURE = well-founded fear of future persecution

- Applicant must show a "reasonable possibility of persecution"
 - Subjective requirement (credibility is at issue)
 - Objective requirement (corroboration with objective evidence)
- Applicant must show fear of persecution is nationwide.
 - Rebuttable presumption where persecutor is government actor or where the applicant has established past persecution.



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Title search: The Basics of Asylum and Beyond: What You Need to Know When Preparing Affirmative and Defensive Asylum Cases

Also available as part of the eCourse <u>Detention, Removal Proceedings, Asylum, and other Defenses</u>

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