
Self Help Kit

How to Write Your Statement for Your Refugee Status Determination (“**RSD**”) Interview with UNHCR

Table of Contents

YOUR RSD INTERVIEW WITH UNHCR	2
WHAT IS THE PURPOSE OF YOUR STATEMENT?	3
WHAT IS THE PURPOSE OF THIS SELF HELP KIT?	3
THINGS TO REMEMBER WHEN WRITING YOUR STATEMENT	3
WHAT TO INCLUDE IN YOUR STATEMENT	5
Section 1: UNHCR Address and Personal Information	5
Section 2: Background Information	5
Section 3: What Happened to Make You Leave Your Country?	5
Section 4: Why Did You Have to Leave Your Country and How Did You Leave?	7
Section 5: Why Can't You Go Back to Your Country?	7
Section 6: Conditions in Malaysia	8
Section 7: Documents	8
Section 8: Signature	8
SAMPLE STATEMENT	9
BEFORE YOU GIVE YOUR STATEMENT TO UNHCR	10
WHEN YOU GIVE YOUR STATEMENT TO UNHCR	11
ANNEX 1: UNHCR RSD PROCESS	11

Self Help Kit

How to Write Your Statement for Your RSD Interview with UNHCR

YOUR RSD INTERVIEW WITH UNHCR

The purpose of your RSD interview with UNHCR is for UNHCR to determine whether you meet the definition of a refugee under the 1951 Convention Relating to the Status of Refugees.¹ To meet this definition you must meet all of the following criteria²:

1. You must be outside the country you are from; and
2. You must be unable or unwilling to return to the country you are from;
3. You have a well-founded fear, which means that:
 - a. You must be afraid; and
 - b. There must be objective evidence from your country (e.g. newspaper articles, NGO reports, UN reports) that shows you have a good reason to be afraid;
4. That if you return to your country, you will be persecuted (e.g. there is a threat to your life, freedom, or other serious violations of human rights);
5. Based on one or more of the following reasons:
 - a. Your race;
 - b. Your religion;
 - c. Your nationality;
 - d. Your political opinion; or
 - e. Your membership of a particular social group (this could be persons with similar backgrounds, habits or social status, often with a characteristic which is innate, unchangeable or fundamental).

¹ Note: There is also another definition of a refugee normally referred to as the “extended mandate” or “broader mandate” definition.

² Even if you meet all of the 5 criteria set out above, under certain circumstances, such as if you have committed a serious crime outside Malaysia for a non-political reason or if you have committed a crime against peace, a war crime or a crime against humanity, you may not be recognized as a refugee.

At your RSD interview, a UNHCR officer will ask you to talk about your background, what happened to you in your country to make you leave and why you can't go back to your country, so that UNHCR can determine whether you meet all of the criteria in the refugee definition.

WHAT IS THE PURPOSE OF YOUR STATEMENT?

The purpose of your statement is to tell UNHCR what happened to you in your country to make you leave and why you can't go back to your country, and by doing that, show UNHCR how you meet each of the criteria in the refugee definition.

UNHCR will use the information in your statement to ask you questions at your RSD interview and then will use your statement, the answers that you give at your Registration and RSD interviews and information from your country to decide whether you meet the criteria in the refugee definition.

So, before writing your statement make sure you understand the definition of a refugee because understanding the definition will help you to decide what information you need to include in your statement. You should also have a look at Annex 1 of this Self Help Kit, which explains the UNHCR RSD process, and read the 'Information for Asylum Seekers in Malaysia' booklet that was given to you by UNHCR because it has a lot of important information about the refugee definition and your interview.

WHEN DO YOU SUBMIT YOUR STATEMENT TO UNHCR?

Try to give your statement to UNHCR at least one month before the scheduled date of your RSD interview with UNHCR.

If the documents that you have listed in your statement have not previously been given to UNHCR, then also give UNHCR copies of these documents at the same time that you give the statement to UNHCR. Do not give any original documents to UNHCR.

If you have previously submitted a statement to UNHCR, which does not cover all the information listed in this Self Help Kit, then it is fine to submit another more detailed statement covering the additional information you want UNHCR to know. WHAT IS THE PURPOSE OF THIS SELF HELP KIT?

This Self Help Kit will help you understand what information you should try to include in your statement and will give you an example of how to set out that information so you can make it easier for UNHCR to understand how you meet the definition of a refugee.

THINGS TO REMEMBER WHEN WRITING YOUR STATEMENT

When you write your statement, remember that it should:

- Include complete and truthful information about:
 - All the things that happened to you to make you leave your country;
 - Why those things happened to you and who did them;
 - How you left your country;
-

- Why you can't go back to your country and what you think will happen to you if you go back.
- Explain the things that happened to you in the order they happened.
- Include as much detail as you can remember about the important things that happened and generally include the following:
 - **Dates and Times:** When things happened. For example, "On 16 June 2005 at about 6pm...". If you don't remember exact dates and times, then you should try to remember approximate dates and times or things that happened around the same time. For example, you could say something like, "One day in March 2006, late at night...", "One day, about two weeks before New Year in 2007, early in the morning...", "Soon after my 30th birthday...", "When I was about 20 years old...", or "During the summer of 2006...". You can also say things like "Soon after the [last event]..." or "Around the same time as the [last event]...".
 - **Places:** Where things happened. If you can't remember the exact place, then you should try to give as much detail as possible or try to describe what the place was like. For example, you could say, "I was kidnapped when I was walking from Town A to Town B", "I went to a large brick house which was about 5 minutes walk from my house" or "I was taken to a small village about 30km south of my village".
 - **People:** If you can remember the names of people, you should always include this information. If you don't know people's names or you can't remember them, then try to describe the people, especially if you're scared of them, they're people who hurt you, they're the reason why you left your country or if you think they're important to what happened to you. When describing people, you can explain what they were wearing, whether they had weapons, what language they spoke, etc. You should also explain who you think the people were and why you think that.
 - **Duration:** When you're describing things that happened to you, include how long these things lasted. For example, you could say, "I was kept in prison for two days" or "I was in the hospital for two weeks".

Some other things you need to remember when writing your statement:

- Your statement should be in your own words and must only include information that is true and that is not exaggerated.
 - If you can write in your own language then you should write your statement.
 - If you cannot write in your own language, make sure that the person who writes the statement for you only includes information you have told them to include.
 - Don't let anyone tell you what to include in your statement or let anyone add anything to your statement that you disagree with or is untrue.
 - You should try to keep your statement to less than 8 pages especially if your statement is not in English because if it is longer it will take UNHCR more time to translate it.
 - If there are things you don't remember, don't make something up. It is fine to say that you don't remember.
-

- If there is something you are not sure about then you should say something like, “I believe that ...” or “I think that ...” but don’t say, “I know that...” Also explain why you are not sure.
- Your statement should be consistent with all information that you have previously told or given to UNHCR. If you plan to include information in your statement that is not consistent with information that you have previously told or given to UNHCR, then explain the inconsistencies in your statement.
- If you plan to include new information in your statement, explain why you did not previously tell UNHCR about this information.

WHAT TO INCLUDE IN YOUR STATEMENT

One way you can organize your statement is set out in sections 1 to 8 below.³ Remember this is only an example and you don’t have to set out your statement in the same way. What is important is that you tell UNHCR the truth about what happened to you in your country to make you leave and why you can’t go back so that UNHCR can work out whether you meet the definition of a refugee.

Section 1: UNHCR Address and Personal Information

Write the date, UNHCR’s address and address the letter to UNHCR. Then, introduce yourself and say that this is your statement for your RSD interview with UNHCR.

Then, write your UNHCR ID, gender, nationality, ethnicity, date of birth, place of birth, the languages that you speak fluently, passport country and number (if you have one), marital status, the date you arrived in Malaysia, the date you registered with your refugee community-based organization (CBO) and/or UNHCR, the date of your RSD interview with UNHCR and your current contact information.⁴

Section 2: Background Information

In a section called “Background Information” give UNHCR some brief information about you and your family. This section should not be longer than 5 to 10 lines. You should include very brief information about who is in your family, where you grew up and where you and your family lived before you came to Malaysia. You should also tell UNHCR whether your family is with you in Malaysia and if not, where they’re now living. If any of your family members are currently in detention in Malaysia, you should also mention this along with the location he/she is detained in.

Section 3: What Happened to Make You Leave Your Country?

In a section called “What Happened to Make Me Leave My Country” write about all of the problems you had that made you leave your country. Remember what you’re trying to do in this section is show UNHCR how you meet the refugee definition and specifically, why you have a ‘well founded fear of persecution’ because of one or more of the following: your race, religion, nationality, political opinion or membership of a social group.

Make sure you:

³ Have a look at the full Sample Statement on page 9.

⁴ Have a look at the full Sample Statement on page 9 to see how this information is set out.

- Write about the problems you had in the order they happened. If other people in your family had similar problems before your problems started, then first write about their problems. End this section with the last problem that happened to make you leave your country.
- Include details of when and where you had the problems, who was involved (or who you think was involved and why you think that) and what they said and did.
- Explain how the problems made you feel and what you were worried or scared about.
- Explain why you think these problems happened to you. Look at the table below and see if the problems happened because of some of reasons included in the table and if so, answer the questions that are relevant to you. You don't need to answer all the questions in the table. The questions have only been included to make you think about why the problems might have happened to you.

Was it because of your race? Was it because of your nationality? Was it because of the language that you spoke? Was it because of your ethnicity? Was it because of your culture or cultural things that you did? Was it because of your clan? If it was for one of these reasons, explain why you think that.

Was it because of your religion? Was it because of the way you practiced your religion? Was it because of something that you believed in? Was it because other people thought you had a certain religion or supported a certain religion? What made these other people think that you had this religion or supported it? If it was for one of these reasons, explain why you think that.

Was it because of your opinions or political views? What were your opinions or political views? What did you do to show your opinions or political views? How did other people find out about your opinions or political views? Was it because other people thought you had certain opinions or political views? What made these other people think you had such opinions or political views? If it was for one of these reasons, explain why you think that.

Was it because of a group/organisation that you were part of? Was it because you supported a group/organisation? What was the name of the group/organisation? Who was in the group/organisation? What did you do with the group/organisation? Why did you join or support the group/organisation? Was it because other people thought that you were part of or supported a group/organisation? What made these other people think that you were part of or supported the group/organisation? If it was for one of these reasons, explain why you think that.

Was it because of problems that other people had? What problems did they have and how did their problems cause you problems? Were these people part of your family or a group that you belonged to? What was the relationship between you and these people? How did it impact you? If it was for one of these reasons, explain why you think that.

Was it because you were different to other people? What was different about you? Was it because other people thought that you were different? Was it because of something that you had done in the past? Was it because of what people thought you had done in the past? Was it because of a job you had? Was it because of your sexual orientation? What made these other

- If you know of other people who have also had similar problems to yours, include brief information about those other people and what happened to them. Explain how you know this information.
- If you have committed a serious crime in a country other than Malaysia, explain what you did, where and when you did it and why you did it.

Section 4: Why Did You Have to Leave Your Country and How Did You Leave?

In a section called "Why I Had to Leave My Country and How I Left":

- Explain why you thought you had to leave your country and what you thought would happen to you if you stayed any longer in your country.
- If you left your country in the past but had to come back to your country then explain what happened. Also explain if you tried to leave your country but couldn't and what stopped you.
- Explain what you did to leave your country and who helped you.

If you came straight to Malaysia from your country and registered with the UNHCR quite soon after, then include a paragraph similar to the following:

I left [*insert city, your country*] on [*date, month, year*] and came to Malaysia on [*date, month, year*]. I traveled by [*insert the type(s) of transport you took to get to Malaysia.*]. I registered with UNHCR on [*date, month, year*].

If you passed through other countries before coming to Malaysia, then explain which countries you went to, how long you stayed and whether you tried to get help in those countries. Similarly, if you waited for a while after arriving in Malaysia to register with UNHCR, explain why.

Section 5: Why Can't You Go Back to Your Country?

In a section called "Why I Can't Go Back to My Country" explain:

- Whether you did anything to stop the problems that happened to you in your country and whether what you did helped. Did you try to get help from your government, the police or anyone else? When? What did they say and do? Did they help? Did you try to move to another part of your country to avoid your problems? Where did you move to and when? Did that help?
 - What you think will happen to you if you return to your country and what you're scared about. Include information about who you think will hurt you and what you think they will do to you and also explain why you think those things will happen to you.
 - If anyone in your country has received threats about you or had problems because of you after you left your country include this information as well.
-

Section 6: Conditions in Malaysia

If there is any information about your security or your medical, physical or psychological situation that you have not already told UNHCR, then you can include that information in a section called "My Situation in Malaysia". Make sure this section is no longer than about 5 lines.

Section 7: Documents

Do you have documents that support the things that you have said in your statement? For example, do you have a passport, ID cards, medical records, membership cards for groups/organisations that you belonged to, threatening letters, letters that you have written asking for help, responses to your letters, police reports etc.? If so, then list the names of each of these documents in a section called "Documents" at the end of your statement.

Section 8: Signature

Finally, sign your statement. You can also thank UNHCR for considering your application and say that the information you have included is the truth.

SAMPLE STATEMENT

Your final statement could look something like the example below.

Date: *[insert the date that you're writing the letter]*

United Nations High Commissioner for Refugees
[Insert UNHCR ADDRESS]

Attention: RSD Unit

Dear Sir/Madam,

My name is *[insert your name]* and this is my statement for my RSD interview with UNHCR.

NI Number: *[insert NI number]*
Gender: *[insert whether you're male or female]*
Nationality: *[insert your nationality]*
Ethnicity: *[insert your ethnicity]*
Languages: *[insert the languages that you can speak and understand fluently]*
Date of Birth: *[insert your date of birth]*
Place of Birth: *[insert the city and the country where you were born]*
Passport Country and Number: *[include your passport country ID number]*
Marital status: *[state whether your married, single or widowed]*
Date arrived in Malaysia: *[insert date]*
Date registered with UNHCR: *[insert date]*
Date of RSD interview with UNHCR: *[insert date]*
Current contact information: *[insert your mobile number if you have one, otherwise your address]*

Background Information
[Insert your information]

What Happened to Make Me Leave My Country
[Insert your information]

Why I Had to Leave My Country and How I Left My Country
[Insert your information]

Why I Can't Go Back to My Country
[Insert your information]

My Situation in Malaysia
[Insert your information]

My Documents
[Insert your information]

All the information that I have included in this statement is true. Thank you for considering my application for refugee status.

[Sign your name here]

[Write your name here]

BEFORE YOU GIVE YOUR STATEMENT TO UNHCR

Before you give your statement to UNHCR:

- Reread the statement to make sure that you have included everything you wanted to include in the statement to help UNHCR decide whether you meet the definition of a refugee.
 - Make sure that everything you have included is the truth and has not been exaggerated.
 - Make sure your statement is written in the order that things happened and makes sense.
 - Check whether anything in the statement is different to what you have said in your registration interview with UNHCR or any other information that you have given or told to UNHCR. If there is anything that is different, then explain why it's different.
 - Make sure you take a copy of the statement for yourself so that you can use it to prepare for your interview. Remember that UNCHR will likely use your statement to ask you questions at your RSD interview.
-

ANNEX 1: UNHCR RSD PROCESS

