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To cite this article: Ilona Blumgrund née Silvola (2023): Credibility assessment of religious conversion in the asylum process *A theological analysis*, Studia Theologica - Nordic Journal of Theology, DOI: [10.1080/0039338X.2022.2157479](https://doi.org/10.1080/0039338X.2022.2157479)

To link to this article: <https://doi.org/10.1080/0039338X.2022.2157479>



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Published online: 05 Jan 2023.



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# Credibility assessment of religious conversion in the asylum process

## *A theological analysis*

Ilona Blumgrund née Silvola

In Finland a rising number of asylum seekers from Islamic countries are converting to Christianity. As religious persecution is a ground for refugee status, the Finnish Immigration Service (Migri) must determine whether a change of religion poses a threat to the asylum seeker in their home country. But how can the conversion of an asylum seeker be, in fact, verified? In this article, I analyse – from a theological perspective – the view of Christianity that guides Migri’s credibility assessment of conversion in the asylum process. The focus lies in persons from Islamic countries converting to Christianity during their asylum process. The material consists of 48 application rulings, concentrating on the 20 negative decisions. The analysis focuses on the concepts of faith and the Church, as these central concepts of Christianity are highly relevant for the credibility assessment. I contrast Migri’s understanding of these concepts with illustrations of how they have been understood in theology. Thus, a clearer picture of Migri’s view on the Christian religion emerges, showing that Migri views it primarily as an inward orientation. As Migri does not acknowledge other manifestations of religious identity as authentic, it is possible that not all those in need of protection are identified.

### *Introduction*

The 1951 Convention and Protocol Relating to the Status of Refugees (the Refugee Convention) lists persecution based on religion as one of the criterion for refugee status.<sup>1</sup> Consequently, national asylum authorities’ understanding of religion plays a central role when assessing applications for refuge based on religion, especially when examining the

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authenticity of an asylum seeker's religious identity when that is used as the grounds for asylum. Particularly challenging are those cases where an asylum application is based on a conversion to a new religion which occurs after leaving the home country (*sur place*<sup>2</sup> conversion) – the focus of this article. The challenge in assessing the right to asylum in such cases is the lack of any external evidence of past persecution. Instead, the application for asylum is mainly based on the seekers' testimony of their religious conversion and their fear of future persecution if returned to their home country.

In Finland, asylum applications based on *sur place* conversion have been particularly prevalent in recent years. Between 2016 and August 2019 over 1000 asylum seekers referred to religious conversion to Christianity in their asylum applications. Often they referred to conversion either in the appeal stage of the process or when making a renewed application.<sup>3</sup> However, in Finland, only one academic article has been written so far concerning asylum seekers' conversion to Christianity and the outcome of the application process for the converts.<sup>4</sup> Moreover, this sole article merely analyses the public debate on the asylum process of the Christian converts and does not focus on the adequacy of how the asylum applications are handled. Several other researchers are currently studying the theme in Finland, but they are in the beginning of their research projects.

The aim of this article is to shed light on Migri's assessment of asylum applications based on religious conversion. Asylum claims based on conversion are a subgroup within a larger group of religion-based refugee claims. However, due to the limited space within one article, Migri's handling of other types of religion-based refugee claims are left for future research. Conversion to Christianity was chosen as the focus of this article due to the timely nature of this specific question in Finland, since many of the asylum seekers who arrived during the exceptional year of 2015 have converted to Christianity during their asylum process.<sup>5</sup> Thus, it is a new and controversial phenomenon that has generated public interest and even heated debate. However, there is almost no research on it yet in the Finnish context.

Specifically, this article focuses on Migri's understanding of the Christian religion as indicated in the asylum decision documents concerning Christian converts. The research question is thus: How does Migri understand the Christian religion? I approach the question of religion by analysing two theological concepts present in the asylum decisions: Church and faith. Migri's application of the concepts of Church and faith is contrasted with how faith and Church have been understood in Christian theology. These concepts are the main themes of the

article because they are important dimensions of the Christian religion and are prominent in the material, even though often implicitly. Primarily, the view of these concepts in the asylum decisions clearly illustrates the shortcomings of Migri's understanding of the nature of the Christian religion as a phenomenon. How generalizable this view on religion is to other religions remains a topic for future research.

In this article, I first present the asylum determination process, focusing on the role of religion in particular, as well as on the practice of credibility assessment. I concentrate on these aspects of the asylum determination process, as I argue that they are often the most central aspects in the asylum process of *sur place* converts, who have often not experienced persecution or its threat, as their conversion happened only after leaving their country of origin.<sup>6</sup> Thus, the risk assessment is connected to assessing the credibility of the conversion and its possible grave consequences in the country of origin. I then present materials and methods of study. The main thrust of the article, an analysis of Migri's credibility assessment using the themes of Church and faith, then follows. Migri's implicit understanding of these two dimensions of Christian religion illustrate what kind of manifestations of religious identity Migri sees as authentic. Finally, in the last section, I discuss Migri's shortcomings in their understanding of the Christian religion and suggest a possible panacea.

### *Asylum process, religion and credibility assessment*

The importance of studying the understanding of the Christian religion by the asylum authorities derives from the fact that religious persecution is grounds for refuge. Protection from religious persecution arises from the wide recognition of the right to religious freedom in the UN and regional human rights conventions.<sup>7</sup> Being subjected to serious harm due to one's religion is, however, often not recognized as persecution.<sup>8</sup> Gunn argues that the failure to recognize religious persecution is often due to misunderstanding the concept of religion and deficiencies in the legal definitions of it. Gunn proposes a model in which religion is understood as beliefs, identity and a way of life. This model of religion is adopted in the UNHCR guidelines for religion-based refugee claims. Even though seen as a step in the right direction, these guidelines have been criticized by scholars.<sup>9</sup> Thus, the understanding of the concept of religion is a major question which affects the granting of protection based on religion.

Due to the recognition of religious freedom as a human right, international law poses an obligation on the state to offer protection to

non-citizens fleeing from religious persecution, or where it is likely that the asylum seeker will be persecuted if deported back to their country of origin or habitual residency. This obligation is, however, often seen as standing in contrast to national sovereignty, particularly a state's right to rule over its territory and its legal membership.<sup>10</sup> Consequently, states have created asylum determination processes to define who deserves their protection and to give grounds for denying invalid applications. The asylum determination process consists of three stages prior to an asylum decision: gathering information, credibility assessment and risk assessment.<sup>11</sup> In all stages of the asylum process, asylum officials need to take into consideration two sources of information: relevant information about an asylum seeker's country of origin as well their individual circumstances.<sup>12</sup> The most important stage of the process is often the credibility assessment, which is generally understood to involve the assessment of the "internal consistency, external consistency (congruence with known facts), and plausibility" of the asylum seeker's narrative.<sup>13</sup>

In the research literature, credibility assessment is often seen as a necessary evil: crucial for the asylum process, yet problematic.<sup>14</sup> It poses a huge risk to the asylum seeker and is also extremely difficult for the asylum officials to undertake.<sup>15</sup> This is due to the complexity of judging whether or not an asylum seeker's testimony is reliable. Due to these difficulties, among others, it has been argued that the primary focus of the asylum process should be on providing protection for all those in need, rather than meticulously hunting for wrongdoers.<sup>16</sup> This focus is also visible in the international legal principle of *benefit of the doubt*, according to which the asylum seeker should be granted asylum in situations where, even though s/he may be unable to prove every part of their case, his/her general credibility has been ascertained. The focus of protection is also seen in the international legal principle of *non-refoulement*, which forbids returning a person to their country of origin if his or her life or security is at risk, even if s/he is not eligible for refugee status.

An important legal aspect of credibility is the question of whether *sur place* –converts' credibility has been weakened due to a new asylum ground which is often brought up in the middle of the asylum process. In the Finnish legislation, there is no difference between assessing *sur place* –asylum applications and assessing other asylum applications, which also Migri emphasizes in its rapport to the Minister of the Interior.<sup>17</sup> However, there seems to be a discrepancy between legislation and practice, because in several asylum decisions, Migri explicitly

questions the authenticity of a conversion based on its occurring in the middle of the asylum process. A legitimate reason for a weakened authenticity would be if an asylum seeker delays giving information about the conversion to the asylum officials. But in most of the asylum decisions, this is not the case.<sup>18</sup>

However, especially in the cases of *sur place* converts, assessing the risk of future persecution is challenging and becomes intertwined with the question of the credibility of the conversion. In the following, I shall delve into the role of credibility assessment of *sur place* converts.

Despite its risks, the role of credibility assessment seems to be increasing in the processing of all religion-based refugee claims.<sup>19</sup> Moreover, several scholars argue that the credibility assessment of such claims includes an additional focus on authenticity, which is not included in the common understanding of credibility assessment.<sup>20</sup> A credibility assessment of religious identity not only strives to establish whether a person's narrative is credible, but also whether their religious identity is authentic.<sup>21</sup> In other words, the aim of the credibility assessment of a conversion is not merely to establish whether the events claimed by asylum seeker really happened, but also to assess whether the identity that the asylum seeker claims to have is genuine. The UNHCR guidelines explicitly direct asylum officials to focus on authenticity, especially in cases of *sur place* conversion.<sup>22</sup> To remind the reader of this specific characteristic of the credibility assessment of religious identity, I henceforth use the word *authenticity* when referring to the feature that is the object of this assessment.

Authenticity becomes the centre tenet of the credibility assessment of religion-based refugee claims because the objective truth of religious beliefs cannot be ascertained.<sup>23</sup> Instead, according to several researchers, the assessment of authenticity is based on asylum officials' assumptions concerning, in the case of Christian converts, the Christian religion, stemming from the officials' own cultural background and religious socialization.<sup>24</sup> These assumptions may be based on inadequate knowledge of the religion or even on "common sense," for example, on how most people think a genuine member of the Christian religion would act or talk.<sup>25</sup>

These assumptions are seldom explicit, but indeed have a substantial impact on the process and can be termed *social credibility*, referring to "the sociocultural perspective used to read the applicant's narrative. This implies that the authorities use their own normative angles in asylum assessment, even though they may not consciously acknowledge this."<sup>26</sup> Research shows that sometimes the normative angle is even

explicit, though expressed unofficially and rarely mentioned in decision documents. For example, Hoellerer and Gill observed rumours circulating among German court participants about certain churches baptizing asylum seekers for money, causing scepticism among judges towards asylum appellants from these churches.<sup>27</sup> According to several scholars, this normative basis of the asylum official's assessment of authenticity is an inadequate foundation for the asylum process.<sup>28</sup>

By basing the credibility assessment of conversion on authenticity, there is a risk that the decision-makers in fact "construct" religious orthodoxy.<sup>29</sup> Constructing religious orthodoxy means in this case that, to be considered an authentic Christian, there is a risk that the asylum seeker is forced to submit to an asylum official's conception of what it means to be a Christian. If the asylum seeker's views about this do not coincide with the asylum official's ideal, the asylum official could find the asylum seeker inauthentic and thus deny him/her asylum.<sup>30</sup> An example of asylum officials' problematic construction of religious orthodoxy can be seen in connection with Thebault and Rose's criticism toward the European Court of Human Rights and the Swiss asylum authorities. According to Thebault and Rose, these authorities have "a cultural bias towards a traditional Western form of Christianity" when assessing the authenticity of conversion.<sup>31</sup> It has been argued that the credibility assessment should focus on examining the objectively observable religious actions of the applicant instead of the authenticity of belief, as suggested by, among others, Kagan.<sup>32</sup> This approach has been called the "eye-of-the-persecutor-test" and assesses whether the persecutors in the country of origin would see the person as an apostate. The merits of the eye-of-the-persecutor-test are that it directs the assessment towards, firstly, "the critical question of whether an asylum seeker is at genuine risk of persecution"<sup>33</sup> and secondly, "observable and objective factors," as Kagan puts it.<sup>34</sup> However, Samahon has criticized this approach for providing imposters with a "cook book" for how to behave in order to acquire asylum based on conversion.<sup>35</sup> However, I would counter Samahon's critique by stressing the importance of the principle of *non-refoulement*, even in cases where the motives of the asylum seeker remain unclear, as s/he has nevertheless shown clear unconformity with the norms of the country of origin. The current situation is clearly more problematic ethically, as I shall show during the course of this article.

One of the most recent empirical studies of asylum decisions regarding Christian converts was conducted in Sweden. There, the churches have undertaken a thorough study which shows that the

focus of officials' assessment of a conversion's credibility is indeed the authenticity of faith, and moreover, the understanding of authenticity is based on the asylum officials' own understanding of how faith should be expressed.<sup>36</sup> The study shows unreasonable differences in negative decision frequency based on factors such as which of the Swedish Migration Board's offices handled the case, as well as which political leanings the Swedish Migration Court's lay judges had.<sup>37</sup> The overall – and alarming – conclusion of the study is that in Sweden, the asylum process for converts is not in accordance with the rule of law.<sup>38</sup>

In the aforementioned sole Finnish article concerning asylum seekers' conversion, Hartikainen analyses public debate on the topic. As she shows, the Evangelical Lutheran Church argues that Migri needs to include more religious expertise on Christianity in the assessment of asylum claims of Christian converts. However, Migri's unwillingness to employ the arguments of church officials derives from a suspicion towards their authority and objectivity of knowledge.<sup>39</sup>

While religious communities as well as legal scholars have already engaged with the issue of asylum determination for Christian converts, the topic has not been studied from an academic theological perspective. Hence, the current article contributes to the existing research with its novel theological approach. In the following section, I present the material and methods of this study.

### *Material and methods*

In this article, I analyse asylum decisions made by Migri, which is the decision-making organization in matters of international protection in Finland. International protection refers to either refugee status or subsidiary protection in the current Finnish Aliens Act (2004). Finland is committed by international agreements to providing international protection on the basis of EU legislation, the 1951 Refugee Convention, and other international human rights treaties.

Forty-eight asylum decisions made by Migri between 2017 and 2019 in which conversion to Christianity is one or the only ground for the asylum application are used.<sup>40</sup> Of the 48 decisions, 20 are negative and 28 positive.<sup>41</sup> They involve asylum seekers from Afghanistan, Iran, Iraq and Somalia.<sup>42</sup> Migri anonymised the documents by blackening out personal details before making them available, thus securing the anonymity of the asylum seekers. Migri's asylum decisions can be appealed to an Administrative Court and, if granted a leave to appeal,

to the Supreme Administrative Court.<sup>43</sup> However, only Migri has the power to grant asylum, the courts can only recommend this to Migri in their rulings. Some of the decisions comprising the material of this article were at the time of releasing in the appeal process, not having the force of *res judicata*. The asylum interview transcripts are not included in the decisions, so knowledge of asylum seekers' narratives is based on summaries provided in the decision documents.

The focus of the analysis is on the 20 negative decisions due to the documents' sparse argumentation of the grounds for the positive decisions.<sup>44</sup> In the positive decisions, the length of the section handling conversion is short, on average less than ten sentences. The decisions typically state that the person claims to have converted, clarify when this has come to the knowledge of the asylum officials, and refer to the asylum seeker's claim of fear of persecution. Finally, they conclude that the asylum seeker has a well-founded fear of persecution on religious grounds. The credibility assessment process remains in most positive decisions largely invisible, with only one exception.<sup>45</sup> On occasion I use this one positive decision to contextualize the negative decisions. Due to this limitation of the material, the focus of this article lies on the negative decisions. As comparative study of the positive and negative decisions is not possible based on the material at hand, the possible internal differences within Migri's credibility assessments remain invisible. This is an important topic for future research.

In this article, I concentrate on the credibility assessment, as it appears in my material to be a crucial stage of the asylum process of converts. Based on the negative decisions, it seems that the conclusion of well-founded fear of persecution typically requires that the authenticity of the new religious identity be ascertained first. The connection can be seen in numerous decisions that state that the asylum seeker's Christian conviction is not significant, permanent, or firmly held, and thus the person would not practice, or would not need to practise Christianity in the home country.<sup>46</sup> As a consequence, Migri concludes that there is no risk of persecution. In these cases, I argue that the conclusion of the risk assessment could be different if the outcome of the credibility assessment had been the opposite. As credibility assessment has a central role in the risk assessment and subsequently in the adherence of the principle of *non-refoulement*, it is the focus of this article. Migri's focus on authenticity can be explained by the UNHCR guidelines that advise the asylum officials to concentrate on the "in depth examination of the circumstances and genuineness of the conversion."<sup>47</sup> Migri refers to this guideline regularly in its asylum decisions.<sup>48</sup> How the

genuineness is practically understood remains to be decided by the asylum officials.

The asylum documents are analysed by using qualitative content analysis, which is “a method for systematically describing the meaning of qualitative data,”<sup>49</sup> and which “is done by assigning successive parts of the material to the categories of a coding frame.”<sup>50</sup> The material of this article was coded with three codes: church, the act of faith, and the content of faith (the two latter ones representing the theme of *faith*). The themes of *church* and *faith* represent two dimensions of the Christian religion relevant for Migri’s credibility assessment of religious conversion. In credibility assessment, Migri creates the authoritative discourse of what an authentic religious identity is according to Finnish and international law on refugee status. I argue that there is nevertheless room for interpretation within the legal framework, which leads to the concrete practices of Migri and their assessment of the credibility of religious conversions.

As a theoretical basis for the qualitative content analysis, I use a variety of theological sources, both academic and confessional. The role of these sources is to provide theological commentary on the view of church and faith present in the asylum decisions. The theological sources used represent various Christian traditions as information pertaining to the asylum seekers’ church membership was concealed and thus membership could not function as a criterion for choosing the theological material. I utilize widely used theological textbooks, primarily McGrath’s *Christian Theology*<sup>51</sup> and several ecumenical documents representing theology shared by a broad spectrum of churches, including *The Church: Towards a Common Mission* and *Confessing the One Faith*. Of the confessional documents, Luther’s *Large Catechism*, *The Augsburg Confession*, and *Lumen Gentium*, the dogmatic constitution on the Roman Catholic Church, are used to shed light on how a few particular denominations view the themes in question. The aim of the article, however, is not to present a comprehensive picture of the theology of church and faith.

### *Church, a sociological or spiritual entity?*

Due to its contentious role in Migri’s understanding of the Christian religion, I start by analysing the concept of Church. I start by presenting examples of how Church has been understood in theology, after which I analyse examples of how asylum seekers understand the role of Church for their conversion and religious identity, and how Migri

responds to this. As presented in this chapter, the importance of church as a legitimate dimension of Christianity is not equivalently present in Migri's understanding of this religion.

The nature and structure of the Christian Church are topics in countless discussions, even schisms in the history of theology. Selected examples of the theological body of thought focusing firstly on the role of the Church for the salvation of humankind, are presented. The Church as a community has a crucial role in the salvation of individuals, as expressed, among others, by Luther in *The Large Catechism*: "[T]he Holy Ghost first leads us into His holy congregation, and places us in the bosom of the Church, whereby He preaches to us and brings us to Christ."<sup>52</sup> According to this view, the Church is an instrument of salvation. In the Church, both the peoples of the world and the people and God are brought together to be the family of God.<sup>53</sup> Thus, God does not save humans primarily as individuals, but as members of the Church.

The Church as a community is thus seen as crucial for the salvation of individuals, which is one of the beliefs that illustrates the constitutive role that Church as a community has for Christianity. This constitutive role of the Church is also visible in two of the three ecumenical creeds.<sup>54</sup> In the creeds, the Church is confessed to be, among other characteristics, one and holy. The Church's unity is contrary to the empiric reality in which we know there to be many Christian groups. However, as Alister E. McGrath writes: "The church already possesses a unity through its common calling from God — Unity must not be understood *sociologically* or *organizationally*, but *theologically*."<sup>55</sup> There are different opinions on the theological importance of the social organization of the Church.<sup>56</sup> Despite these differences, the widely accepted view is that the Church is not only a sociological, but also a spiritual entity, and the unity of the Church is true despite the existence of different denominations.

Another vital characteristic of the Church is its holiness.<sup>57</sup> Holiness means that the Church is separated from the world for God.<sup>58</sup> Holiness is usually thought to be independent of the ethical perfection of its members. This has, however, been a significant point of contention at several times in Church history: some groups have wanted to purify the Church of those members who were understood to have been betraying the Church and failing to meet expectations of the Christian life.<sup>59</sup>

Despite these views, mainstream Christianity has held onto the view that in this world, true believers cannot be separated from non-believers, as this is something that only God can and will do on the day of

judgment.<sup>60</sup> Augustine, among others, emphasizes that the Church is not a “pure body” but a “mixed body” of both sinners and saints.<sup>61</sup> Consequently, the Church accepts all baptized people who wish to live as Christians into the church community, despite their ethical shortcomings.<sup>62</sup>

Despite the theological view that “true believers” cannot be identified by other human beings, it is nevertheless the goal of the asylum authorities to assess the authenticity of conversion. In the asylum documents there are multiple references to the relationship between the asylum seeker and the Church: it is mentioned in 19 of the 20 negative decisions. The content varies: in some decisions, the church community seems to play a central role in the asylum seeker’s life, in others, its role is trivial. I now present examples of references to the Church in asylum decisions where the role of the Church is highlighted. I pay special attention to one decision concerning an Iraqi national.<sup>63</sup> I also offer comment on the decision concerning another Iraqi national and a Somali national.<sup>64</sup> The first example of a reference to the Church is from the latter decision:

When you have been asked what else you have learned about Christianity than that it is a religion of peace, you have not been able to say anything else than that in the church, everyone is one family and [one] community — Migri believes, based on what you have told, that you have gone to church to experience a sense of community.<sup>65</sup>

The asylum seeker stated that s/he has learned that Christianity is a religion of peace, and within the Church everyone is one family and one community. Migri criticizes the person, however, for not being able to tell “anything else” about Christianity but this. Migri seems to read the statement as a purely psychological need for community and thus implicitly regard it as a non-religious motive. An understanding of belonging as non-religious and disconnected from what are considered to be relevant dimensions of religion, is evident in a decision made on an Iraqi national:

According to your narrative, your interest in Christianity is much more connected to your experience of how Christians act as a community, than to the spiritual or theological sides of Christianity. — Migri does not accept as a fact that for you, Christianity is a spiritual conviction or a life-change that would reconstitute your identity to

the extent that you have left Islam or that you would need to live against your conviction if returned to Iraq.<sup>66</sup>

Migri's statement is in discrepancy with the fundamental Christian belief according to which church is essentially a spiritual and theological phenomenon. It shows how Migri understands the Christian religion as an inward orientation that should be only minimally influenced by other people.

Also for another Iraqi national (below), Migri is explicit in its requirements of an authentic conversion, by which the personal meaning of belonging to a community is precluded:

The central matters whereby you validate the authenticity of your conversion are connected to the friends you have made, as well as feelings of peace and security. Your interest in Christianity can be considered to be connected with your perception of the different security situations of Christian and Muslim countries, and your need for a sense of community. — A profound reflection considering the conversion, its reasons, or generally about religion does not come through by your narrative.

Taking into consideration all the things mentioned before, Migri does not accept as a fact that you would have converted to Christianity on conscientious grounds.<sup>67</sup>

The asylum seeker has, according to Migri, justified the authenticity of the conversion through references to the community (making friends), certain emotions (peace and security), as well as societal differences (security situations). Migri does not see these aspects as authentic and expects "profound reflection" of religion in general and conversion in particular instead. As seen, Migri explicitly uses the word "authenticity",<sup>68</sup> which confirms that that is indeed the object of assessment in the credibility assessment of conversions. In this case, other reasons also caused Migri to doubt the authenticity of the conversion. These were that baptism occurred only after the applicant received a negative decision and that s/he was suspected of committing a crime. I analyse the role of the crime later in this article.

In some asylum decisions, one can see that Migri requires a considered choice of congregation. Where a specific congregation was chosen due to practical, social or coincidental reasons, this was seen in some cases as weakening the authenticity of the conversion. Such was

the case in the decision against the aforementioned asylum seeker from Iraq.:

You said that you have joined [the name of the church hidden]. According to your narrative, you did not choose this church by yourself; instead, a friend of yours chose it for you. You heard that there is also another church in addition to [the name of the church hidden], but your friends advised you to join this church because there you could receive baptism.<sup>69</sup>

Migri subsequently presents its view on the asylum seeker's choice of church: "You have not acquainted yourself with Christianity on your own initiative, instead, your friend has chosen your congregation for you."<sup>70</sup> As is apparent, Migri indirectly suggests that an independent choice of a parish would have been a sign of interest in Christianity. As the asylum seeker was influenced by another person (possibly motivated by the possibility to be baptized), their interest in Christianity was deemed inauthentic.

Based on the asylum decisions presented above, the Church is not seen by Migri as integral to the Christian religion. Migri does not see active membership in a church, or an emphasis on the personal meaning of belonging to a church, as strengthening the authenticity of conversion. For example, descriptions of the Church as one community and one family are understood from a strictly non-religious perspective.<sup>71</sup> The Church seems to be understood merely as a social community of like-minded people. Participating in church activities thus represents a minimum level of interest in the new religion, and conversely, not participating in church activities is seen as weakening the authenticity of the asylum seeker's claim.<sup>72</sup>

One of the few meaningful aspects of church participation for Migri is the teaching that one can receive. Migri's requirement of a mindful and independent choice of a congregation can be understood as an attempt to see whether the choice reflects only a psychological need for community or also the "religious" need of learning more about "the religion itself." For Migri, the asylum seeker's choice reflects their motivation for learning about Christianity and this motivation must also guide their choice of congregation.

When placing Migri's implicit view of Church in the context of a theological understanding of Church, the differences are starkly evident. Firstly, seeing church membership as irrelevant to the authenticity of conversion seems to be based on a different view of the role of the

Church than that favoured in theological sources, which emphasize that the Church should not be seen merely as a sociological community of like-minded people, but as a theologically meaningful community, membership of which has value in itself.

Secondly, I argue that references to the Church as one community or family, as in the case of the Somali asylum seeker, express a doctrine that is elementary in many Christian theological views of the Church. These references might be based on the asylum seeker's personal experience or indeed on the teaching received in the Church. Regardless of how theologically-informed these references are, they express a theologically elementary understanding of the Church as a family of God. Migri, on the other hand, seems to interpret these statements from a strictly non-religious perspective. Thirdly, Migri's requirement of an independent choice of a particular church or parish contradicts the prevalent theological view of the aforementioned oneness of the Church.

I have shown that Migri's view of the Church is in apparent contrast with theological views of the Church. Migri's discourse invalidates the role of the religious community as a relevant dimension of the Christian religion, and does not acknowledge membership in a community as a possible main component of an authentic religious identity.<sup>73</sup> Instead, Migri's understanding of the Christian religion, and an authentic religious identity, seems to emphasize knowledge of Christianity and a "profound reflection" over it. These formulations refer to the beliefs of Christianity and to the act of believing. I now address how these concepts are understood in Christian theology as well as what their role is in the asylum decisions.

### *Faith: its content, its act, and its communication*

Both the Nicene-Constantinopolitan Creed and the Apostolic Creed begin with the phrase "I/we believe in (one) God." The English word, *to believe*, to hold something as truth, does not fully explain the relationship between the believer and the Christian doctrines. In Christian theology, the more commonly used term is faith. Faith has been defined in multiple ways. *Confessing the One Faith* describes faith as submission, confidence, trust, waiting for God's help, and relying on his testimonies.<sup>74</sup> The *Dictionary of Fundamental Theology* describes faith as a holistic phenomenon involving the whole person and affecting "the understanding, the heart, behaviour, and action."<sup>75</sup>

In order to analyse Migri's understanding of faith, I utilize a traditional way of defining faith by dividing it into two dimensions: its

content, *fides quae creditur* (the faith which is believed) and the act of faith, *fides qua creditur* (the faith by which it is believed). There is a broad consensus that both aspects should be part of a correct understanding of faith.<sup>76</sup> The content of faith is foundational for the Christian faith because faith is not an abstract concept, with neither direction nor content. On the contrary, it is directed and attached to the historical events of salvation history.<sup>77</sup> Of the act of faith, Pannenberg writes: “the act of faith — finds expression in the distinction between believing trust and knowledge of God and his revelation”.<sup>78</sup> Thus, the act of faith requires knowledge of the content of faith, but exceeds simply knowing, it is also believing and trusting in what is known.

In the credibility assessment of religious conversions, Migri requires knowledge of Christian doctrines and therefore aims at assessing the asylum seeker’s familiarity with the content of faith. The requirement to describe one’s emotions and personal relationship towards these doctrines, as well as the reasons for conversion, can be interpreted as a means of assessing the authenticity of an asylum seeker’s act of faith. In 16 and 13 of the 20 negative decisions respectively, references to the content of faith and to the act of faith are made.

Turning to Migri’s decisions, I start by analysing the decisions using the division of content and act of faith, and conclude by examining cases where the asylum seeker is suspected of a crime. A summary of what an Iraqi national stated about the content of his/her faith, and which touches on both dimensions of faith, follows.<sup>79</sup>

You have said that God has died for you and he is present and helps you — You related that the most important thing in the Bible is the Ten Commandments and following them. The most important thing for you is to follow Jesus Christ and obey his teaching and commandments. — You said that there is nothing in the Bible that you could not understand because in there is only God’s word, and it is understandable.<sup>80</sup>

As can be seen, the asylum seeker mentioned several essential Christian doctrines and concepts. Migri acknowledged their good level of knowledge and stated elsewhere in the decision: “You have been able to tell in enough detail of the doctrines and holidays of Christianity. [Migri] accepts as a fact that you have participated in instruction in Christianity, in other activities of the parish, and that you have been baptised.” Thus, according to Migri, familiarity with the content of faith

strengthens the credibility of the asylum seeker's record of participation in the church, but not the authenticity of their Christian identity.

Migri regards the narrative quoted above as insufficient when it comes to an asylum seeker's personal engagement with the Christian religion: "Your description of what is especially important for you in Christianity and the Bible is narrow." I interpret Migri as commenting on the asylum seeker's act of faith here. It remains unclear, however, whether the narrowness refers to the testimony being too short or its substance being too simple. It is impossible to assess the length of the narrative based on the documentation available.<sup>81</sup>

There is a second section in the decision-document which hints at Migri's line of reasoning:

What you have told about why you have converted to Christianity and how it has changed you is superficial and non-specific. — [After starting to attend classes in Christianity] you said that you had read the gospels and noticed that in there were beautiful words of love and peace. You said that Jesus Christ talks only about love, and there is nothing like this in other religions. You also said that there is nothing else than killing in Islam. You said that you continued reading and then you felt that something was happening inside you. You said that your life has changed after you converted to Christianity, because before you were full of sin, but now you are a disciple of the Lord and he erased your sins. You told that you could not describe your feelings with words because now you know where you are going after you die.<sup>82</sup>

The asylum seeker owns an inner feeling which s/he cannot fully describe, but which could be interpreted as a certainty of salvation, of knowing that God forgives one's sins. These statements clearly refer to the asylum seeker's act of faith, and Migri deems them as "superficial and non-specific." It is crucial to understand why Migri does this because it is a major reason why the asylum application was denied. To do so, however, is challenging because Migri's statement is generic and does not refer to a specific section of the asylum seeker's narrative or state explicitly what in the narrative made Migri deem it superficial.

I argue that the notion of superficiality may arise from cultural and religious differences. As described earlier, implicit normative assumptions can impact the credibility assessment process significantly. One possible assumption I propose here, is that the forgiveness of sins, love and peace, emphasized, among others, by the asylum seeker

above, are fundamental concepts of the Christian religion to the extent that they are deeply internalized in Christian majority-cultures. As a consequence, they may sound naive when presented as the primary motivation for conversion. This may be one reason why, as presented above, Migri described the asylum seeker's narrative as superficial. In line with Duane A. Miller, I argue that these statements can, in fact, differ profoundly from the theological views previously held as a Muslim and thus could indicate a profound change in the religious worldview of the individual in question.<sup>83</sup>

To sum up, Migri seems to require proof of both the content and the act of faith as signs of someone being an authentic Christian; the emphasis being on the act of faith. Interestingly, there is also an exception to this rule in the material: in one positive asylum decision, even though the person's faith does not seem to be authentic, Migri granted asylum because they deemed that the person would, nevertheless, be viewed as a Christian in their home country, as Migri deemed the asylum seeker's story about received threats as credible.<sup>84</sup> Nevertheless, inauthenticity of faith remains a crucial reason for Migri to deny asylum.

Lastly, I offer comment on the two cases in which Migri questions the authenticity of conversion partly based on a suspicion of a criminal offence.<sup>85</sup> The first is the case of the aforementioned Iraqi asylum seeker. In their decision, Migri comments on the relationship between the authenticity of the conversion and the crime:

You have said that love, peace, forgiveness and helping others are important values in Christianity. However, you are suspected of serious crimes during the short time you have spent in Finland. Your suspected behaviour is thus incompatible with the values that you have said have changed your behaviour in a better direction, and according to which you say that you now live. Migri regards this discrepancy as weakening the credibility of your story.<sup>86</sup>

Migri states that being suspected of several serious crimes is at odds with the asylum seeker's narrative of treating other people better after conversion. Based on this discrepancy, Migri questions the truthfulness of the conversion narrative. Details of the crimes are not mentioned. However, in the asylum decision of an Iranian national, the crime is detailed:

Your story of how you treat other people better and consider respect as the most important thing in Christianity conflicts with you being suspected of a crime after punching another asylum seeker with a fist to the face on [the date]. Your story of what is most important in Christianity is non-specific, and a personal dimension of faith, or that you would have internalised what you have learnt, does not come through. — A profound adoption of Christianity and living according to its doctrines does not come through in what you have told.<sup>87</sup>

In this case, punching another person in the face weakens the authenticity of conversion. Migri claims that “a personal dimension of faith,” and “living according to [Christian] doctrines” does not come through in the asylum seeker’s narrative, arguably due to the asylum seeker’s violent act. The “personal dimension of faith” can be understood to refer to the act of faith, the authenticity of which is questioned by Migri based on the asylum seeker’s behaviour.

Migri seems to expect almost moral perfection from authentic Christian converts. In light of the theological ideas about the nature of the church as a “mixed body” of both sinners and saints, and the nature of faith as a phenomenon impossible to verify by others, Migri’s expectation seems problematic. However, according to the Refugee Convention, committing severe crimes can hinder being granted international protection.<sup>88</sup> In some cases, a suspected criminal offence can even be grounds for deportation.<sup>89</sup>

The theological analysis of Migri’s understanding of the concept of faith shows that their requirement of proof of both the content and the act of faith is not entirely unproblematic. The crucial issue is how accurately questions about the act and the content of faith gauge a person’s religious identity. Firstly, assessing the authenticity of conversion through questions directed at the content of faith assumes that there is a certain body of knowledge that an authentic Christian would know, but what that entails is decided by Migri, not by the religious communities. Secondly, Migri’s emphasis on the act of faith in the credibility assessment is problematic if the theological understanding of both the nature of faith (believing and trusting in God) and church (where true believers exist side by side with non-believers) is taken into consideration. From a theological perspective, one can question whether it is at all possible to ascertain the act of faith in an interview. Thirdly, narratives of the act of faith can be impacted by several other factors, such as translation, cultural ways of narrating or an asylum seeker’s overgeneral memory due to trauma or depression.<sup>90</sup> These other factors can

significantly impact particularly the narratives about the act of faith that seem to be viewed as insufficient by Migri. Finally, the international legal principle of *non-refoulement* forbids deporting a person if the person's life is endangered even though the credibility or the sincere motives of the asylum seeker's conversion remain unclear.<sup>91</sup> In light of this principle, authenticity should not be the most important or decisive factor in asylum determination.

*Discussion: what is Migri's conception of the Christian religion?*

In this article, I have sought answers to the question "How does Migri understand the Christian religion?" through an analysis of a sample of Migri's asylum decisions, focusing on negative decisions. The focus of the analysis has been the concepts of Church and the act and content of faith, which are understood as central dimensions of the Christian religion. By contrasting Migri's understanding of these concepts with theological examples, I argue that we can acquire a clearer picture of Migri's understanding of the concept of Christianity as religion.

The analysis shows that Migri understands the Church as a place where people fulfil their need for a sense of community, and where one can acquire more knowledge of Christianity. Participation in the life of the Church is seen as an expression of a minimal level of interest in Christianity and, thus, is generally not seen as strengthening the asylum seeker's authenticity. I argue that Migri understands the Church as a sociological entity, a group of like-minded people, a view which differs significantly from that presented in theological sources, where the Church as a community is seen as constitutive for Christianity and, as such, an integral part of the religion. Consequently, it is problematic that Migri bypasses this dimension of religion and does not consider emphasis on the meaning of belonging to a church to be a sign of authentic religious identity, even though it is clearly important for many asylum seekers.

Migri seems to require proof of both the content and the act of faith as characteristic of an authentic Christian convert. Especially important are narratives of profound thoughts and emotions concerning the reasons for one's conversion and new religious identity, which I understand as references to the act of faith. From a theological perspective, the profound question is whether it is indeed possible to assess the act of faith in an interview.

The analysis concludes that the Christian religion is seen by Migri primarily as an inward orientation, meaning that Christianity is seen as an individual matter; and the primary manifestations of this religion are the thoughts and emotions of a person, rather than a social phenomenon manifested through belonging and associated religious rituals. This normative understanding of the Christian religion forms the basis of the credibility assessment of religious conversion.

It is important to understand that while emphasizing authenticity in the credibility assessment of converts, UNHCR's guidelines regarding religion-based refugee claims do not support the view of religion as primarily an inward orientation present in Migri's documents. To understand where the emphasis of religion as an inward orientation originates, I refer to the term *social credibility*, meaning the asylum official's implicit and normative assumptions arising from their cultural background. I have studied the background of Migri's understanding of the Christian religion in another article.<sup>92</sup> However, how consistent this view of the Christian religion is in the positive asylum decisions remains a topic for future research.

I argue that Migri's discourse controls what kind of manifestations of religious identity are seen as authentic in the asylum process and does not acknowledge all manifestations of religious identity as relevant. Consequently, it is possible that the asylum system does not identify all those in need of protection.

One possible remedy would be a stronger focus on assessing whether the asylum seeker would be perceived as an apostate in their country of origin and thus be in danger. In order to address this aspect better, scholars, such as Kagan, have already proposed the so-called eye-of-the-persecutor-test, which concentrates credibility assessment on observable religious behaviour instead of the authenticity of identity. This too, however, includes ethical risks, for example that of converts failing to meet the criteria of a "true" convert due to their inability to "perform" the religious behaviour expected of them by the asylum authorities. Thus, more research is needed.

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### *Acknowledgments*

I would like to thank my supervisors, Anni Maria Laato and Eveliina Lyytinen, for all the support during the research process. I am also grateful for my colleagues at the research seminar in systematic theology at Åbo Akademi University for commenting on several drafts of this article. I would also like to thank the anonymous reviewers and the editors for valuable comments and suggestions. Thank you, Talvikki Ahonen for sharing the asylum decisions with me. Finally, I would like to thank Elina Pirjatanniemi, Jaana Palander, and Jari Vuorijoki for sharing your expertise regarding the legal aspects of the credibility assessment process.

### *Disclosure statement*

No potential conflict of interest was reported by the author(s).

### *Funding*

This work was supported by Inez and Julius Polin Institute for Theological Research (Inez och Julius Polin institut för teologisk forskning); Svenska Litteratursällskapet i Finland.

### *Notes*

1. UNHCR, "The 1951 Convention," art. 1 A.
2. "A well-founded fear of persecution may arise after an applicant has left her or his country of origin, — as a result of her or his own actions after s/he has left the country of origin, making the applicant a refugee sur place." UNHCR, "Guidelines No 12," art. 31.
3. Migri, "Migri vastaa."
4. Hartikainen, "Evaluating Faith after Conversion."
5. Migri, "Migri vastaa."
6. In many negative decisions, the asylum seeker has referred to their assumptions or second-hand information about a possible threat in their country-of-origin. However, they have seldom had any concrete evidence to support their fear of persecution.
7. See, e.g., UN, "ICCPR" art. 18; European Court of Human Rights, "ECHR," art. 9.
8. Musalo, "Claims for Protection," 226.
9. Gunn, "The Complexity of Religion," 189; UNHCR, "Guidelines No 6," par. 5–8; Aarshheim, "Sincere and Reflected?" 94–5.
10. Hansen, "State Controls: Borders, Refugees," 254–5.
11. EASO "Practical Guide: Evidence Assessment," 1.
12. UNHCR, "Guidelines No 12," par. 89.
13. Kagan, "Is Truth in," 367; Sweeney, "Credibility, Proof and Refugee," 700–1.

14. Kagan, "Is Truth in," 367; McDonald, "Escaping the Lions," 152.
15. Kagan, "Is Truth in," 414.
16. *Ibid.*, 414–5.
17. Migri, "Maahanmuuttoviraston selvitys sisäministerille," 63–4.
18. Credibility was questioned in two decisions based on the delay in giving this information to the asylum officials. In the first case, the person either converted or showed interest in Christianity in the home country (it is unclear which one is the case), but only told about this late in the asylum process (Iraq 9/2017). In the second case, the asylum seeker converted in Finland, but did not tell about it immediately to the asylum officials (Iraq 10/2018).  
In three cases, the person had showed interest in Christianity in their country of origin, but converted only after departure (Iraq, 3/2017; Iraq, 6/2018; and Iraq, 11/2018). In the last decision, the applicant's credibility was considered to be weakened by the person only going to church after staying in Finland for one year, even though s/he claimed to have been interested in Christianity already in Iraq.
19. Thornburn Stern and Wikström, *Migrationsrätt: skyddsbehov och trovärdighet*, 15.
20. *Ibid.*, 12–13, 130–1.
21. *Ibid.*, 12–13.
22. UNHCR, "Guidelines No 6," par. 34.
23. Kagan, "Refugee Credibility Assessment," 1189.
24. Hoellerer and Gill, "Assembly-Line Baptism," 19. Samahon, "The Religion Clauses," 2232.
25. Kagan, "Refugee Credibility Assessment," 1219–20. For other implicit assumptions of human behaviour in asylum determination processes, see Herlihy, Gleeson, and Turner, "What Assumptions about Human."
26. Bodström, "'Because Migri Says So'," 4. Bodström refers here to Wikström and Johansson, "Credibility Assessment."
27. Hoellerer and Gill, "Assembly-Line Baptism," 12, 19. There are examples of questioning the legitimacy of certain churches even in written sources. For example, in a precedent on the Finnish Supreme Administrative Court, Migri deems the baptism certificate of a Pentecostal Church to have lesser weight as evidence than a certificate of a Lutheran church, and a Pentecostal pastor's expertise as a witness merely an opinion of a private person. Supreme Administrative Court of Finland, "KHO:2017:63."
28. Thornburn Stern and Wikström, *Migrationsrätt: skyddsbehov och trovärdighet*, 223–4. Rose and Given-Wilson recommend that asylum judges undergo training in cultural differences as well as trauma and memory which includes perspectives from scholars such as theologians, anthropologists, psychologists, and sociolegal scholars. The goal would be a reflexive experience that would heighten awareness "and loosen decision-makers from their own customs and habits, which will allow for a fuller evaluation of the facts and hopefully a fairer trial." Rose and Given-Wilson, "What is Truth?" 233.
29. McDonald, "Escaping the Lions," 135; Samahon, "The Religion Clauses," 2232.
30. Samahon, "The Religion Clauses," 2233.
31. Thebault and Rose, "What Kind of Christianity?" 543–50.
32. Kagan, "Refugee Credibility Assessment," 1221–3.
33. *Ibid.*, 1222.
34. *Ibid.*
35. Samahon, "The Religion Clauses," 2234.
36. Bergström et al., *Konvertituredningen*, 32.

37. Ibid., 18–20.
38. Ibid., 45.
39. Hartikainen, “Evaluating Faith after Conversion,” 54.
40. The documents were obtained from Migri through a material request made by D.Soc.Sc. Talvikki Ahonen and shared by Ahonen with permission from Migri.  
 In a news article from the Finnish Broadcasting Company on August 8, 2020, Migri’s representative Anu Karppi states that Migri changed some of its practices concerning the credibility assessment of religious conversion in winter 2019–2020, and an asylum seeker’s individual circumstances are now taken into account to a greater extent. The significance of these changes remains to be seen and cannot be analysed based on the material presented here.
41. Of the 28 positive decisions, 11 were granted directly, and 17 only after an appeal procedure. Of the 20 negative decisions, 6 were made after an appeal procedure where the administrative court returned the case to Migri after new information concerning the conversion had come forth in the appeal phase. The rest of the negative decisions were first-instance decisions, of which 6 were cases of renewed asylum application, meaning that the asylum seeker had applied for asylum again after the first negative decision had the force of *res judicata*. In the decision Iraq 10/2018, Migri granted the asylum seeker subsidiary protection on another ground than religion, despite deeming the conversion inauthentic. This decision is classified as negative.
42. The asylum seeker’s country of origin affects the risk-assessment, as the actors of persecution differ from country to country. In its decisions, Migri refers to country-of-origin –information from various sources. However, due to limited space in this article, it is impossible to analyse in detail how Migri understands the situation of converts in each above-mentioned country. This remains a topic for future research.
43. Processing of asylum appeals is decentralised to four Administrative Courts in Finland.
44. The sparse information on the grounds for positive decisions has been observed also by Bodström and Saarikkomäki et al. Saarikkomäki states that this makes it is hard to assess the equality of Migri’s decision-making. (Saarikkomäki et al. 2018, “Kansainvälistä suojelua koskevat” 12; Bodström, “Asylum Decisions as Performances,” 631.)
45. Afghanistan, 9/2017.
46. Iraq, 3/2017; Iraq, 5/2017; Somalia, 12/2017; Iraq, 12/2017a; Iraq, 12/2017b; Afghanistan, 5/2018; Iraq, 6/2018; Iraq, 10/2018; Iraq, 11/2018.
47. UNHCR, “Guidelines No 6,” par. 34.
48. Other sources that Migri frequently refers to are different sources of country-of-origin information and the Finnish Aliens Act. However, Migri does not refer to international decisions or government-issued guidelines in the negative decisions comprising the material of this article. In addition, Migri does not refer to any internal guidelines concerning credibility assessment of Christian converts.
49. Schreier, “Qualitative Content Analysis,” 170.
50. Ibid.
51. Occasionally, also other theological works are cited, such as Pannenberg, *Systematic Theology*. Vol. 3; Fisichella, and Latourelle, *Dictionary of Fundamental Theology*; Hägglund, *Trons mönster*; and Catholic *Engagement with World Religions*.
52. Luther, *The Large Catechism*, part II, art. III. See also *Lumen Gentium*, art. 9; and World Council of Churches, *The Church*, art. 3.

53. Baldi, "The Mission of the Church," 280–1. See also Ephesians 2:19; the opening statement of *Lumen Gentium* emphasises the role of the Church as a sign and an instrument of God's plan of universal reunification. (*Lumen Gentium*, art. 1.)
54. The Apostolic Creed; the Nicene-Constantinopolitan Creed.
55. McGrath, *Christian Theology: An Introduction*, 372.
56. According to Hägglund, organisations and structures exist only to secure the continuity of the Church as a spiritual community. Hägglund, *Trons mönster*, 90. Within Catholic theology, the Church is understood to include both the social organisation and the spiritual reality. (*Lumen Gentium*, art. 8.)
57. See Ephesians 1:4-5, 10.
58. Hägglund, *Trons mönster*, 90.
59. The will to separate "true" Christians emerged, among other eras, in a time of persecution of Christians in the Roman Empire, when some leaders of the church publicly renounced their faith, and the question was whether these people could be allowed to re-join the Christian community after the persecutions. McGrath, *Christian Theology: an Introduction*, 358–9.
60. A conventional biblical reference to this effect is Matthew 13:47–52.
61. McGrath, *Christian Theology: An Introduction*, 359. See also World Council of Churches, *The Church*, art. 22; and *The Augsburg Confession*, art. VIII.
62. McGrath, *Christian Theology: An Introduction*, 359.
63. Iraq, 9/2018.
64. Somalia, 12/2017; Iran, 10/2017.
65. Somalia, 12/2017.
66. Iraq, 3/2017.
67. Iraq, 9/2018.
68. The Finnish word used is *aitous*. Iraq 9/2018.
69. Iraq, 9/2018.
70. Iraq, 9/2018.
71. Somalia, 12/2017.
72. Afghanistan 10/2017b; Afghanistan 10/2017c.
73. Also Rose and Given-Wilson came to a similar conclusion that asylum judges differentiated between socially motivated conversion and "real" conversion in their study of German asylum proceedings. (Rose and Given-Wilson, "What is Truth?," 230–1.) Even Hoellerer and Gill's article mentions a German judge making a distinction between a "social" and "spiritual" conversion. (Hoellerer and Gill, "Assembly-Line Baptism," 10.)
74. *Confessing the One Faith*, art. 5.
75. Fisichella, and Latourelle, *Dictionary of Fundamental Theology*, 312–3.
76. McGrath, *Christian Theology: An Introduction*, 83.
77. Pannenberg, *Systematic Theology. Volume 3*, 153.
78. *Ibid.*
79. Iraq, 11/2017.
80. Iraq, 11/2017.
81. It is noteworthy that this interview took place after Migri restricted the length of the asylum interviews. Thus, the amount of time spent on each aspect of the asylum seeker's story is limited in the asylum interview. (*Helsingin Sanomat*, September 4, 2016.) The restriction has been criticised, among others, by Amnesty International. (Amnesty, "Suomen osaston ehdotukset hallitusohjelmakirjauksiksi," par. 2.2.)
82. Iraq, 11/2017.

83. Miller, *Living Among the Breakage*, 203.
84. Afghanistan, 9/2017. This decision was already made in 2017 (the earliest year the material encompasses). However, the negative decisions made later include no comments on the possibility of persecution based on the asylum seeker being viewed as a Christian in their home country.
85. Iraq, 9/2018; Iran, 10/2017.
86. Iraq, 9/2018.
87. Iran, 10/2017.
88. UNHCR, "The 1951 Convention," art. 1 F.
89. Könönen, "Legal Geographies," 5.
90. On the active role and power of interpreters in asylum determination process, see Dahlvik, "Why Handling Power Responsibly." On the incorrect assumptions of memory in the asylum process, see Herlihy and Turner, "Untested Assumptions."
91. OHCHR, "The principle of *non-refoulement*."
92. Blumgrund, Lydén and Leminen, "Migrin teologia."

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