

█	█ 762	█
Asylum Office Code	A File Number	Noncitizen's Last/ Family Name
█	ZCH243	India
Asylum Officer's Last Name	Asylum Officer's First Name	Noncitizen's Nationality

*All statements in italics must be read to the applicant*

**SECTION I:**

**INTERVIEW PREPARATION**

- 1.1 Date of arrival [MM/DD/YY]: 08/15/22
- 1.2 Port of arrival: Unknown
- 1.3 Detention status at interview:
  - Detained
  - Non-detained
- 1.4 If detained, date of detention [MM/DD/YY]: 08/15/22
- 1.5 If detained, place of detention: IAH Secure Adult Detention Facility, 3400 FM 350 S, Livingston, TX 77351
- 1.6 Non-detained address (applicant's residence in the US if non-detained/intended destination upon release from detention):

377 Jackson Ave, Tulare, CA 93274

- 1.7 Date of interview [MM/DD/YY]: 08/30/22
- 1.8 Interview site (applicant's location): Livingston, TX (Telephonic)
- 1.9 Interview mode:
  - In person
  - Telephonic
  - Video
- 1.10 Applicant received and signed **Form M-444** and relevant *pro bono* list  Yes  No
- Date signed [MM/DD/YY]: 08/21/22
- 1.11 If orientation more than one week from date of detention, explain delay: N/A
- 1.12 Does applicant have consultant(s)/representative?  Yes  No

If yes, consultant(s)/representative name, address, telephone number and relationship to applicant:  
N/A

- 1.13 Persons present at the interview (check which apply and indicate if in person or by telephone or video conference)
  - Consultant \_\_\_\_\_
  - Representative \_\_\_\_\_
  - Other(s), list: \_\_\_\_\_
  - No one other than applicant, asylum officer, and the interpreter (if applicable).

- 1.14 Language used by applicant in interview: Hindi
- 1.15 Interpreter used in interview?  Yes  No

If interpreter used in interview, was the interpreter a contractor or provided by the applicant?

- Contractor
- Applicant provided



**A File Number:** [REDACTED]

2.17 Children:  Yes  No

2.18 List any children (*Use the continuation section to list any additional children*):

Date of birth (MM/DD/YY)	Name	Citizenship	Present location (if w/PA, list A-Numbers)	Did child arrive with PA?		Is child included in PA's claim?	
				<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No

2.19 Does applicant claim to have a medical condition (physical or mental), or has the officer observed any indication(s) that a medical condition exists? If YES, answer questions 2.20 and 2.21 and explain below.  Yes  No

2.20 Has applicant notified the facility of medical condition?  Yes  No

2.21 Does applicant claim that the medical condition relates to torture?  Yes  No

2.22 Does applicant have an email address?  Yes  No

2.23 If yes, please list all email addresses for the applicant:  
N/A

2.24 If yes, can the applicant receive confidential information related to their asylum case at the above email address(es)?  
 Yes  No

2.25 Does applicant have a US phone number?  Yes  No

2.26 If yes, please list phone number and type (mobile/landline):  
N/A

2.27 What is the highest level of education the applicant has completed?  
 None  Primary  Secondary  
 Post-secondary  Other

**SECTION III: CREDIBLE FEAR INTERVIEW**

**The attached notes are not a verbatim transcript of this interview. These notes are recorded to assist the individual officer in making a credible fear determination and the supervisory asylum officer in reviewing the determination. There may be areas of the individuals claim that were not explored or documented for the purposes of this threshold screening.**

The asylum officer shall elicit all relevant and useful information bearing on whether the applicant has a credible fear of persecution or torture. Typed Question and Answer (Q&A) interview notes and a summary of material facts as stated by the applicant, any additional facts relied upon by the officer, and analysis of the claim must be attached to this form for all credible fear decisions. These Q&A notes must reflect that the applicant was asked to explain any inconsistencies or lack of detail on material issues and that the applicant was given every opportunity to establish a credible fear of persecution or torture

3.1  At the conclusion of the interview, the asylum officer must read a summary of the claim to the applicant.

**SECTION IV: CREDIBLE FEAR FINDINGS**

A File Number: [REDACTED]

**A. Credible Fear Determination:**

Credibility

- 4.1  Applicant found credible.  
 4.2  Applicant found **not** credible.

Nexus

- 4.3  Race    4.4  Religion    4.5  Nationality    4.6  Membership in a Particular Social Group

(Define the social group): \_\_\_\_\_

- 4.7  Political Opinion    4.8  Coercive Family Planning [CFP]    4.9  No Nexus

Credible Fear Finding

- 4.10  Credible fear of **persecution** established.  
**OR**  
 4.11  Credible fear of **torture** established.  
**OR**  
 4.12  Credible fear of persecution NOT established and credible fear of torture NOT established.

**B. Possible Bars:**

- 4.13  There are reasonable grounds to believe that the applicant may be subject to a bar(s) to asylum or withholding of removal (check the box(es) that applies):
- 4.14  Particularly Serious Crime    4.15  Security Risk    4.16  Aggravated Felon  
 4.17  Persecutor    4.18  Terrorist    4.19  Firmly Resettled  
 4.20  Serious Non-Political Crime Outside the United States
- 4.21  Applicant does **not** appear to be subject to a bar(s) to asylum or withholding of removal.

**C. Identity:**

- 4.22  Applicant's identity was determined with a reasonable degree of certainty (check the box(es) that applies):
- 4.23  Applicant's own credible statements. (If testimony is credible overall, this will suffice to establish the applicant's identity with a reasonable degree of certainty).  
 4.24  Passport which appears to be authentic.  
 4.25  Other evidence presented by applicant or in applicant's file (List): \_\_\_\_\_
- 4.26  Applicant's identity was **not** determined with a reasonable degree of certainty. (Explain on the continuation sheet.)

**SECTION V: ASYLUM OFFICER / SUPERVISOR NAMES AND SIGNATURES**

5.1 <span style="background-color: black; color: black;">[REDACTED]</span> Asylum officer name and ID CODE (print)	5.2 <u><i>E Peck</i></u> Asylum officer's signature	5.3 <u>08/30/22</u> Asylum officer decision date
5.4 <span style="background-color: black; color: black;">[REDACTED]</span> Supervisory asylum officer name	5.5 <u><i>Christa J. [Signature]</i></u> Supervisor's signature	5.6 <u>09 / 06 / 22</u> Date supervisor approved decision

**A File Number:**

A241 707 762

**ADDITIONAL INFORMATION/CONTINUATION**

**See Q&A**

Individual did not establish that it is more likely than not that he meets the class definition in *Al Otro Lado v. Wolf*.

Alien Number: [REDACTED] 2  
Name: [REDACTED]  
Country: India  
Asylum Office: Houston (ZHN)

Date: 30-Aug-2022  
Asylum Officer: [REDACTED], (ZCH243)  
Interpreter: Language Line: 201976

### Credible Fear Interview: Questions & Answers

Note: the following notes are not a verbatim transcript of this interview.

Location of Applicant: IAH Secure Adult Detention Facility, 3400 FM 350 S, Livingston, TX 77351

Was Attorney Present During Interview? Yes  No

Location of Interview: Telephonic

Interview initiated at 10:45 AM CST. Language Line 201976

A#: [REDACTED] (DOB [REDACTED]) ([REDACTED] 762)

Language: Hindi

Interviewing Officer: [REDACTED] ZCH243, Houston (ZHN)

#### Introduction

Officer	Interpreter
<p>Do you affirm that you will truthfully, literally and fully interpret the questions asked by the asylum officer and the answers given by the applicant; that you will not add to, delete from, comment on, or otherwise change the matter to be interpreted; and that you will immediately notify the officer in this case if you become aware of your inability to interpret in a neutral manner on account of a bias against the applicant or the applicant’s race, religion, nationality, membership in a particular social group, or political opinion? Additionally, do you affirm that you understand that the matters discussed during this interview are confidential?</p>	<p>Yes</p>

Officer	Applicant
<p>My name is Officer Peck, and I will be conducting your interview today through an interpreter, who has been placed under oath to completely interpret everything you say and to keep everything you say confidential. We are having this interview today because you have expressed a fear of returning to India at some point after you were detained, and today we will discuss what those fears may be.</p> <p>First, I want to place you under oath. This is a legal obligation to tell the truth. Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth?</p>	<p>Yes</p>

Alien Number: [REDACTED]  
 Name: [REDACTED]  
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 Interpreter: Language Line: 201976

Officer	Applicant
Can you please verify your name?	[REDACTED]
What is your native language?	Hindi
Do you speak any other languages?	Haryanvi
In which language do you prefer to proceed for this interview?	Hindi
Are you able to hear and understand the interpreter?	Yes
Interpreter – are you able to hear and understand the applicant?	Yes
I am going to ask the interpreter to read something to you now to explain the purpose of this interview. <b>Interpreter read Section 1.16 (Form I-870) to applicant (1.28 old form)</b> Do you understand everything the interpreter read?	Yes
Are you willing to answer all of my questions?	Yes
Do you still fear return to India?	Yes
Do you have an attorney or consultant?	No
Did you receive a list of legal service providers who may be able to represent you for free or a low cost? It may have been on the wall, next to the phone in the area you are being held in.	No
Would you like a copy of this list?	No
You have the right to have an attorney or consultant present for the interview, but the presence of an attorney or consultant is not required for this interview. Do you wish to proceed without an attorney or consultant?	Yes

Alien Number: [REDACTED]  
 Country: India  
 Asylum Office: Houston (ZHN)

Date: [REDACTED] (ZCH243)  
 Interpreter: Language Line: 201976

On 08/21/22 you signed the form M-444 Information about the Credible Fear Interview. Did you have any questions about this document?

I never received this

You signed a 4 page document that was written in Hindi, do you remember this?	No
(AO reads M-444) Do you have any questions about this?	No
Are you comfortable speaking with a male asylum officer today and through a female interpreter?	Yes
Records indicate you last entered the United States on 8/15/2022, at or near Calexico, CA, and were apprehended on 8/15/2022. Is that correct?	Yes
Was this the first time you entered the U.S.?	Yes
How are you being treated in detention?	Good

**Medical Issues**

Officer	Applicant
Do you have any medical or health problems I should be aware of?	No
Are you on any medication?	No
Is there anything that may affect your ability to testify today?	No

**Background Info (Biographic Info on the Form I-870)**

Officer	Applicant
When is your birthday?	8/21/2022



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Other than the name and birthday you gave me earlier, have you ever been known by any other names or birthdays? No

Are you married, single, living with a partner? (Full name, DOB, citizenship, and current location) Single

Do you have any children? (full name, DOB, citizenship, location) No

Did any family members travel with you to the United States (even those housed elsewhere)? No

Where were you born? Yes

What country are you a citizen of? Yes

Are you a citizen of any other country? No

Have you lived in any other countries? No

Have you ever had legal permission to live in any other country? No

What is your race or ethnicity, for example, do you identify as Hispanic, Indigenous, Latin, Mixed, white, black, etc.? Asian

What is your religion? Hindu

What was your last address before coming to the U.S.? Gudha, Haryana, India

What is the highest level of school that you have completed? 12th grade

Do you have an email address? No

Do you have any family, friends, or relatives in the US with whom would stay, if released? (Name / Address / Relationship / Telephone / Status?) [REDACTED]  
 CA 93274 / 7 [REDACTED] 32 / LPR

Alien Number: [REDACTED]  
 Name: [REDACTED]  
 Country: India  
 Asylum Office: Houston (ZHN)

Date: 30-Aug-2022  
 Asylum Officer: P [REDACTED] (ZCH243)  
 Interpreter: Language Line: 201976

**AOL Questions**

When did you leave your country to come to the US?	
On what date did you leave India?	06/03/2022
What countries did you travel through to get to the U.S.?	Uzbekistan, Bolivia, Peru, Ecuador, Colombia, Panama, Costa Rica, Nicaragua, Honduras, Guatemala, and Mexico
What day did you cross the border from Mexico into the US?	08/15/2022
Did you ever seek to enter the United States before that time?	No
Did you ever put your name on any sort of list in Mexico that you believed would get you a place in line to get into the United States?	No
Did you ever try to put your name on a list in Mexico to get into the United States but were unable to put your name on the list?	No
Were you ever asked to put your name on a list but decided not to do so?	No
Did you know of a list that might get you a place in line to enter the United States?	No
Do you have any documentary evidence that you would like to submit, that you have not already submitted?	No

I'm now going to summarize what you told me about your entry into the US

You testified that you left your home country on 06/03/2022 and you entered the United States on 08/15/2022. You traveled through Uzbekistan, Bolivia, Peru, Ecuador, Colombia, Panama, Costa Rica, Nicaragua, Honduras, Guatemala, and Mexico to get to the United States. You DID NOT

Alien Number: [REDACTED]  
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attempt to enter the United States before 8/15/2022. You did not put your name on a list that you believed would get you a place in line to enter the US, nor did you attempt to. You do not know about such a list.

Is this summary correct?

Is there anything you want to change about the summary?	No
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## Applicant's Claim

**Officer:** We are about to begin discussing what happened to you in India and why you fear returning to India. Please listen to my questions carefully and answer directly. If what you say is too long for the interpreter to interpret, s/he will pause you before continuing.

### Past Harm

Officer	Applicant
Can you tell me why you fear returning to India.	My life is in danger
Have you ever been physically harmed in India?	Yes
How many times?	2 times
Have you ever been threatened in India?	Yes
How many times?	I do not remember exactly, but many times
Who harmed and threatened you?	The people of the BJP party
Why would they want to harm you?	Because in the rivals, the opposition party
What party is that?	Indian National Lok Dal (INLD)
When was the first time you were physically harmed?	24 March, 2022
Last time?	06 May, 2022

Alien Number: A241707762  
Name: [REDACTED]  
Country: India  
Asylum Office: Houston (ZHN)

Date: 30-Aug-2022  
Asylum Officer: [REDACTED] (ZCH243)  
Interpreter: Language Line: 201976

Can you tell me about the worst harm you experienced?	That was the second time when I was attacked, they hit me with sticks, and they threatened to take my life
Who did this to you?	They were the BJP
Can you tell me everything that happened?	I was coming home from an eye check up camp, which was organized by my party. They stopped me on the way, and they beat me up with sticks
How many people were there?	4
Did they say anything to you when they stopped you?	They said, why haven't you quit the INDL? No, nothing else, they beat me
When you say they beat you, what exactly did they do to you?	They hit me with a stick on my legs, on my arms
Did they do anything else?	They threatened to kill me
When you say they threatened to kill you, what exactly did they say?	They said if you do not quit the INDL, we will kill you
Can you describe the sticks they were hitting you with	They were hockey sticks
Can you tell me what they were made out of, how big they were, other details like that?	I do not know
Did all four of them have sticks or was it just one or two?	Only one or two
How long did this attack last?	About 30 seconds
Can you tell me why you can't give me any more details about what they were attacking you with?	No, I don't know
Why did they attack you?	They offered for me to join their party, and I refused
When did this happen?	March 24, 2022, when I was attacked for the first time

Alien Number: [REDACTED]  
 Name: [REDACTED]  
 Country: [REDACTED] (ZHN)

Date: 30-Aug-2022  
 Asylum Officer: Peck, (ZCH243)  
 [REDACTED]

During this second attack, did they say or do anything else to you? No

Did you require any medical attention after this attack? Yes, I was treated by the village doctor

What sort of injuries did you have? Blunt injuries

What do you mean by blunt injuries? In my legs I had bruises

Can you tell me what happened the first time you were attacked? I was coming back from a wedding and because the wedding was in a neighboring village, and they stopped me on the way, and they asked me to quit my own party and to join their party. I refused and when I said now, they slapped me, and they punched me

How many people were there? 3 of them

Who were these people? BJP members

How do you know they were from the BJP? Because they were wearing the pin of the BJP on their chest, and they had the flag of the BJP

Can you describe the pin of the BJP? What do you mean?

What does this pin look like? It has the symbol of a lotus, printed on the pin

Can you tell me exactly what they said to you? They asked me to quit my party and I refused

How did they know that you weren't a member of the BJP? I was wearing a pin from my own party on my chest

What did that pin look like? Mine had a symbol of eyeglasses on it

Why do you think they targeted you? I had recruited a lot of youth to my party

How did you recruit youth to your party? By promoting my party, explaining the purpose of our party

How would you promote your party? By explaining to them all the good works they are doing

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Can you give an example of what you would say to young people when you were trying to recruit them?

I would tell them about the work that our party was doing like helping the poor families, about the blood donation camps, eye check up camps, helping the farmers, explain a lot of these things to bring them over to my party

How exactly would you go to meet these young people to promote your party

I would go to the neighboring villages

How often would you do this?

Just once or twice

Do you know about how many people were you able to recruit?

No

What would happen after they were recruited, would they have to go and sign up to become full members?

I do not know, because I would just go to the villages and tell them about my party

When did you go out to the neighboring villages to recruit people?

Sometime when I got the message from the party

Can you give me any of the dates when you got the message from the party?

That I do not know

You said that you were targeted by the BJP because you had recruited a lot of young people to the INLD, however, you said you only went out once or twice, you don't know when you did this, you don't know how many people you recruited, and you don't know what happened after you recruited them, can you explain to me why you cant give me any more details?

I was a party worker, so I don't know about these thing

Were you a member of the INLD, or a sympathizer/supporter?

I was a worker

How long had you been working for the INLD

I do not remember since when exactly

Can you tell me why you can't remember when you started to support the party?

I joined the party on April 14, 2021

Why did you join the INLD?

Because this party works for the welfare of the people

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How do they work for the welfare of the people? They help poor families, free eye check ups, free blood donation camps, and it works for the betterment of the people

Can you give me any other examples of how they help the people? They educate for the rights of the farmers, they try to get the loans of the farmers waived

Did you ever report any of these attacks to the police? Yes, once, after the first attack

Can you tell me exactly what you said to them? The BJP beat me up

Can you tell me exactly what they said? They refused to write my report because the ruling party belongs to the BJP, therefore they can not take a report against them

Did you try to go above the police and try to file a report with any gov agency? No

Why not? I didn't know how to do that

Aside from what we've discussed, were you ever harmed or threatened by anyone else in your home country for any reason? No

**WFF**

Officer	Applicant
What do you fear will happen to you if you are returned to India?	They will kill me
Who would do that to you?	The BJP
What makes you think the BJP would still want to harm you now?	After the attacks, they threatened me over the phone
When did this happen?	That, I do not know
Can you tell me why you cant tell me when they threatened you over the phone?	Because I don't remember

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What reason would the BJP have for wanting to harm you now?

I have already told you before

You have been out of India for over 2 months now, why would they want to harm you now?

The same reason, I refused to join the BJP

How would they know if you returned to India?

In order for me to live in India, I would have to buy a SIM for my phone, which is connected to the BJP, and on this basis, they would find me and kill me

Is there anywhere you could move to and be safe?

No

There are many states that are not controlled by the BJP

No

Why not?

Because the central gov belongs to the BJP and they can find out about my location anywhere and kill me

Aside from what we already discussed, do you fear being harmed by anyone else in India for any reason?

No

**CAT**

Officer	Applicant
Have you ever had any problems with the police or any public official in India?	Yes, I was threatened by the police
When did this happen?	When I went to file the report
Why didn't you tell me about this when I asked you what they police said to you?	I forgot
What did they say when they threatened you?	They told me that if tried to file a suit against the BJP they will frame me in a false case and lock me up in the jail



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Besides what we've talked about, has anyone who works for the police or the government of ever threatened or harmed you?	No
Besides what we've talked about, do you fear harm from a public official, or anyone affiliated with the government in India?	No, just the BJP
Would the police in your area protect you from the BJP if they knew that you were going to be harmed?	No, they work for the BJP. The BJP is in power and they give the police money

**Nexus Questions**

Officer	Applicant
Have you ever been harmed or threatened, or do you fear being harmed because of your race, religion, nationality, or political opinion?	No
Have you ever been harmed or threatened, or do you fear being harmed because of you some characteristic that you have that makes you different from many or most other people?	No
Have you ever been harmed or threatened, or do you fear being harmed by a family member, such as a partner, spouse, parents, grandparent, aunt, or uncle?	No
Have you ever been harmed or threatened, or do you fear being harmed by anyone else for any other reason we did not talk about yet?	No

**Mandatory Bars**

Officer	Applicant
Have you ever harmed anyone for any reason?	No
Have you ever committed a crime in any country?	No

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Have you ever been arrested or detained for any reason in any country?	No
Have you ever been convicted of a crime in any country?	No
Have you ever committed an armed act or an act that could be considered a terrorist act?	No
Have you ever been a member of an armed group or a group that could be considered a terrorist group?	No
Have you ever been a member of a criminal group, such as a gang, cartel, or any other criminal organization?	No
Have you ever been in the military or received any weapons training?	No
Have you ever used weapons against others?	No
Have you ever provided any type of support, like food, housing, money, weapons, or transportation, to any person or group that uses weapons?	No
Do you intend to do anything illegal in the U.S.?	No

**Last Check for Understanding**

Officer	Applicant
Is there anything else that is important to your claim that we have not yet discussed?	No
Did you understand the questions that I asked?	Yes
Did you understand the interpreter?	Yes

Please give me a moment to review my notes and summarize what we discussed.

Alien Number: A [REDACTED]  
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Interpreter: Language Line: 201976

### Summary of Testimony

APSO SUMMARIZED THE CASE TO THE APPLICANT AS REQUIRED BY SECTION 3.2, FORM I-870

Summary of testimony
<p>You were punched, slapped, hit with stick, and threatened with death by members of the BJP party in India. You believe you were targeted because you refused to join the BJP. You did make a police report. You are afraid to return to India because you believe you will be killed.</p> <p>You do not believe the police or government could protect you because they are the ones who want to kill you. You do not believe you could live elsewhere in India because the BJP can find you anywhere.</p>

Officer	Applicant
Is this summary correct?	Yes
Are there any changes or additions you would like to make?	No

Interview Closing	
Interpreter Read Section 3.2 (I-870) to applicant	No
Did you have any questions about what I just read?	
Thank you for speaking with me today, we are now at the end of the interview. Thank you for talking to me and sharing your story with me.	

INTERVIEW CONCLUDED: 12:35

NOTES END

**CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS**

	COUNTRY: India	APSO: █████, ZCH243	DATE: 8/30/2022
<ul style="list-style-type: none"> <li>If there is a significant possibility of establishing eligibility for asylum or withholding of removal under 241(b)(3), complete A., B., and C only.</li> <li>If there is a significant possibility of establishing eligibility for protection under the Convention Against Torture, complete A., B., and D only.</li> <li>If there is not a significant possibility of establishing eligibility for asylum or withholding of removal under 241(b)(3) or for withholding or deferral of removal under the CAT pursuant to 8 CFR 208.16(c) or 208.17, complete Sections A., B., C., and D. as needed.</li> </ul>			
<b>A. Harm</b> (If yes to A.1. and/or A.2., move to Part B. If no to A.1. and A.2., STOP, and complete Form I-870.)			
<p>1. Has the applicant testified that he or she has experienced <u>past</u> harm in his or her country?  <i>If yes, identify any past harm or mistreatment suffered, and identify all relevant entit(ies).</i></p> <p><b>Harm:</b> Slapped and hit with sticks  <b>Entities:</b> BJP</p>			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<p>2. Has the applicant testified that he or she fears <u>future</u> harm if returned to his or her country?  <i>If yes, identify any harm or mistreatment feared, and identify all relevant entit(ies).</i></p> <p><b>Harm:</b> Death  <b>Entities:</b> BJP</p>			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>B. Credibility</b> (Select the appropriate box.)			
<ul style="list-style-type: none"> <li>If testimony was credible and the overall CF determination is positive, check box B.1. and briefly explain what evidence supports this determination including addressing any credibility concerns and why in the totality of circumstances the applicant's testimony is credible despite these concerns. If testimony was credible but the overall CF determination is negative, check box B.1. and proceed to section C.</li> <li>If testimony was not credible, (1) check box B.2., (2) identify the credibility concern(s), (3) provide the applicant's explanation(s), and (4) address if the explanation is reasonable for each concern. After analyzing all relevant credibility factors, consider them in the totality of the circumstances)</li> </ul>			
<p><b>1. Applicant's testimony was credible:</b> Considering the totality of the circumstances and all relevant factors, the applicant's testimony was consistent, detailed, and plausible. Therefore, it is found credible.</p>			<input type="checkbox"/>
<p><b>2. Applicant's testimony was not credible:</b> Considering the identified credibility concern(s), the absence of reasonable explanations for those concerns, and taking into consideration the applicant's individual circumstances, the applicant's testimony is found not credible under the totality of the circumstances and all relevant factors, and, considering any relevant evidence including the types of evidence set out in 208.16(c)(3), there is no non-testimonial evidence that establishes a credible fear of persecution or torture.</p> <p>The applicant's testimony regarding the harm he suffered lacked detail.</p> <p>The applicant's testimony regarding his work with the India National Lok Dal (INLD) party lacked detail. The applicant testified that he was targeted by the BJP party because he had successfully recruited a large number of young people to the INLD party. However, when asked how many times he went out to recruit, he said a one or two times, when asked when he went to recruit, how many people he recruited, and what happened after he recruited these people, he was unable to give any further details. When asked why we was unable to give details about his recruitment efforts, he stated he was only a party worker and didn't have any details. This explanation is not sufficient, as it does not explain why the applicant was unable to give any details about his work with the INLD. This lack of detail is relevant as it casts doubt on the work he did for the INLD and his actual affiliation/membership with the party, and it calls into question the overall veracity of his claim.</p> <p>The applicant's testimony regarding the harm he suffered lacked detail. The applicant stated he was attacked by two men with sticks. When asked to give further details on the sticks, such as the size and material it was made out of, the applicant was unable to give further details. When asked why he was unable to describe the</p>			<input checked="" type="checkbox"/>

**CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS**

sticks he was attacked with, he stated he didn't know. This explanation is not sufficient, as it does not explain why the applicant was unable to describe the weapons he was being attacked with. This lack of detail is relevant, as it calls into question the harm he suffered, on which this claim is based, and casts doubt on the overall veracity of his claim.

Considered individually and cumulatively, the applicant's testimony regarding the harm he suffered, and the harm he fears, is found to be not credible.

**C. Persecution** (If yes to C.1. or C.2., complete C.3. If no to C.1. and C.2., complete C.3.)

1. Past Persecution: There is a **significant possibility** the applicant can establish in a full hearing that:

- The harm experienced was sufficiently serious to amount to persecution;
- The entity that harmed the applicant was motivated to harm the applicant on account of his or her race, religion, nationality, membership in a particular social group, or political opinion; *and*
- The entity that harmed the applicant was an agent of the government or an entity that the government was unable or unwilling to control.

If the applicant has established a significant possibility of establishing eligibility for asylum based on past persecution, he or she has established a credible fear of persecution. Stop and complete C.3.

Yes   
No

2. Future Persecution: There is a significant possibility that the applicant can establish in a full hearing that:

- The applicant fears harm that is sufficiently serious to amount to persecution;
- The applicant either:
  - 1) possesses a protected characteristic,
  - 2) of which the feared entity is or could become aware or the feared entity believes that the applicant possesses a protected characteristic,
  - 3) the feared entity has the capability to persecute the applicant, *and*
  - 4) the feared entity has the inclination to persecute the applicant;
 OR  
 there is a pattern or practice of persecution of a group of persons similarly situated to the applicant on account of a protected ground;
- The entity would be motivated to harm the applicant on account of his or her race, religion, nationality, membership in a particular social group, or political opinion;
- The entity that would harm the applicant would be an agent of the government or an entity that the government would be unable or unwilling to control; *and*
- *If feared entity is government or government sponsored*, the applicant's internal relocation is presumed unreasonable. Consider whether that presumption is rebutted by a preponderance of the evidence that the applicant would be able to avoid future persecution in another part of the country and that the applicant's relocation within the country would be reasonable; *or*
- *If feared entity is not a government or government sponsored*, the applicant has the burden to show a significant possibility that he/she would be unable to avoid future persecution in another part of the country and that the applicant's relocation within the country would be unreasonable.

Yes   
No

3. Written Analysis:

Race  Religion  Nationality  Membership in a Particular Social Group  Political Opinion

*If credible fear of persecution established, identify the protected ground and specify:*

*As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the significant possibility standard to the facts.*

**D. Torture** (Make a selection in D.1. and, as needed, complete D.2.)

### CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS

<p><b>D.1.</b> There is a <b>significant possibility</b> the applicant can establish in a full hearing that:</p> <ul style="list-style-type: none"><li>• The feared harm would be specifically intended to inflict severe pain or suffering on the applicant;</li><li>• The feared harm would constitute severe physical or mental pain or suffering;</li><li>• The feared harm would be inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity;</li><li>• The applicant would be in the offender’s custody or physical control; <i>and</i></li><li>• The harm would not arise only from or be inherent in or incidental to lawful sanctions.</li></ul> <p>In making this determination, the following evidence relating to the possibility of future torture must be considered:</p> <ul style="list-style-type: none"><li>• Evidence of past torture inflicted upon the applicant;</li><li>• Evidence that the applicant could relocate to a part of the country of removal where he or she is not likely to be tortured;</li><li>• Evidence of gross, flagrant or mass violations of human rights within the country of removal; <i>and</i></li><li>• Other relevant information regarding conditions in the country of removal.</li></ul>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
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**D.2. Written Analysis:** *As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the significant possibility standard to the facts.*