



## Evidence and Credibility Assessment in Sexual Orientation and Gender Identity/Expression (SOGIE) - based claims

Wednesday 12 October 2022 (14:00 – 16:00 CET)

### WHAT ARE THE EUAA EXPERT PANELS?

The Expert Panels are aimed at members of courts and tribunals who wish to deepen their expert knowledge in specific areas of the CEAS covered by the [EUAA Judicial Publications](#). The panels facilitate the exchange of views and best practices in a specialized topic and related developments in the case law of the CJEU and ECtHR. This Expert Panel is going to tackle the challenges faced by both the claimant and the decision-maker in the examination of SOGIE claims and, in particular, the implications of the issues arising with regard to evidence and credibility assessment.

### WHAT IS THE FORMAT AND WHO CAN JOIN?

- Webinar. Participants ask their questions to the panel when registering.
- Background note with applicable legal framework and *indicative* list of relevant case law available upon registration.
- Members of courts and tribunals from EU Member States and Associated Countries who register for the event.

### WHAT IS THIS PANEL ABOUT?

- A practical analysis of the situation regarding SOGIE-based claims and tools available.
- The norms and standards as developed by relevant case law of the two European courts.
- Member State case law and practices that stand out.
- How the SOGIE applicant differs and how it affects the international protection determination procedure.
- An overview of the Difference Stigma Shame Harm (DSSH) model.
- New/alternative approaches with regard to evidence and credibility assessment in SOGIE claims.

### EUAA MATERIAL

- EUAA (2018) [Evidence and credibility Assessment in the context of the Common European Asylum System](#)
- EUAA (2018), [Compilation of jurisprudence on Evidence and credibility assessment in the context of the Common European Asylum System](#)
- EUAA (2022) [Survey on Sexual Orientation and Gender Identity - Key Findings Report](#)

### OTHER MATERIAL

Migrant Law Clinic: the DSSH Model and LGBT+ Asylum: The Emotional Journey” (15 September 2020) ▶ From 1 hours 7 minutes 40 seconds via YouTube



## THE PANEL EXPERTS



**Marie de Hemricourt**  
*Judge at the Council for  
Alien Law and Litigation,  
Belgium*

Marie de Hemricourt has been working in the field of asylum since September 1995, first as a jurist at the Belgian General Commission for Refugees and Stateless (Commissariat Général aux Réfugiés et aux Apatrides - CGRA), the Belgian administrative authority in charge of examining asylum applications, and then, since January 2005, as an assessor at the Permanent Refugee Appeals Board (Commission Permanente de Recours pour les Réfugiés - CPRR), an appeal body for refugees which was replaced on 1 June 2007 by the Aliens Law and Litigation Council (CCE). She has participated in several EUAA activities in the past, including the relevant to the present panel roundtable held in Paris in March 2022, which focused on assessing the credibility of claims based on sexual orientation.

John is an experienced barrister, with expertise in international protection law, immigration law, EU law, citizenship law, human rights law, and public administrative law. He has advised the Irish State and individual applicants in many cases involving international protection and human rights. As Deputy Chairperson of the International Protection Appeals Tribunal, he was part of the Tribunal's senior management team, heard and decided appeals, and trained, coached and mentored other decision makers. He was also previously Chairperson of the Irish Refugee Council. As Advisory Counsel at the Office of the Attorney General, he directs State litigation in asylum law as well as other areas and advises on legislation and policy. He is the writer of Immigration and Citizenship Law (Round Hall, Dublin, 2017), the leading Irish legal text on immigration law, and has written widely on related matters. He has worked for the International Association of Refugee and Migration Law Judges and provides training on international protection law on behalf of the European Asylum Support Office. He lectures at both Dublin's Honourable Society of Kings Inns and the Law Society of Ireland.



**John Stanley**  
*Barrister, former Deputy  
Chairperson of the  
International Protection  
Appeals Tribunal, Ireland*



**Dr. S. Chelvan**  
*Barrister of the Inner  
Temple, PhD Law (KCL);  
LLM (Harvard) - Head of  
Immigration and Public Law  
at 33 Bedford Row  
Chambers, London, and  
Visiting Adjunct Professor  
at the University of  
Southampton, Research  
Centre for International  
Law and Globalisation, UK*

Chelvan is a UK-based barrister with expertise in international protection claims and LGBT+ rights. He has provided training to Judges, lawyers, NGOs, activists and those seeking-asylum. He litigates from First-instance Tribunals to the Supreme Court, and the European Court of Human Rights. Chelvan has been instructed as sole or leading Counsel on various cases dealing with LGBT+ protection claims since 2001, including the Country Guidance cases of DW (Jamaica) in 2005, JM (Uganda) in 2008, SW (Jamaica) in 2011 and BF (Albania) in 2019. He joined 33 Bedford Row Chambers in November 2020 as Head of Immigration and Public Law. From September 2022, Chelvan joined the University of Southampton as a Visiting Adjunct Professor at the Law School's Research Centre for International Law and Globalisation. In 2011, Chelvan created the Difference, Stigma, Shame and Harm model ("the DSSH model") as a positive tool in the credibility assessment of LGBTQ+ refugee claims. UNHCR and EASO endorsed and have used the model in fieldwork training since 2012, the UK Home Office since 2015, and the International Association for Refugee Law Judges included the model in their 2018 Handbook. Chelvan has provided training on the model to various European and global refugee status determination bodies. He has received multiple awards in recognition of his extensive work in SOGIE international protection claims.

## REGISTRATION AND OTHER INFO

Please complete your registration of interest [here](#).

In order to attend, interested participants should demonstrate that they are a serving member of a court or tribunal and/or a current judicial trainer, working in the field of international protection. Participants are required to register by 30 September 2022 and submit their question(s) to the panel of experts upon registration.

Should you need any further information, please contact us at [judicialsupport@euaa.europa.eu](mailto:judicialsupport@euaa.europa.eu)