

## **Guideline on Reapplication for Asylum**

### **1. Background**

Few years ago, some refugee interviews in Arabic included wrong information. Some statements not made by refugee applicants were written in the interview reports.

Related Article : [http://www.koreaherald.com/view.php?ud=20190619000778&ACE\\_SEARCH=1](http://www.koreaherald.com/view.php?ud=20190619000778&ACE_SEARCH=1)  
<https://nancen.org/1948>

Before July 2018, most refugee interviews were not videotaped. So it is unclear whether someone is a victim or not.

Therefore, refugee applicants who did refugee interviews in Arabic between September 1, 2015 and June 30, 2018 will be given another chance for a re-application, because their previous interview reports may be wrong.

Details from Ministry of Justice are attached to the following page.

### **2. How do you fill out refugee applications?**

If your reason for refugee status is not changed, you can re-write what you wrote in the first refugee application, and submit it. You can ask to the immigration office for a copy of the refugee application paper, refugee interview report, and any documents that you have submitted for your first refugee case.

If you have any new reason to apply for refugee, please add them to your new refugee application.

### **3. How can get legal assistance?**

If you are a refugee applicant who did refugee interviews in Arabic between September 1, 2015 and June 30, 2018, and need help, please call 010-5125-0217 or send email to [refugeecase@gmail.com](mailto:refugeecase@gmail.com). (the organization in charge TFC)

A basic guideline for filling out the application will be provided. Whether you can receive a more detailed assistance and legal aid will be determined after consultation.

NGOs working for refugees will provide counseling and legal assistance, free of charge.

## Guideline on Reapplication for Asylum

Who can apply again?

---

*(a) A foreign national who attended (b) an interview for refugee status determination (c) conducted within a specific time period (d) in a particular language.*

---

(a) Which foreign nationals?

When an individual, irrespective of their residence permit, legal status and work permit status, satisfies the requirements set forth in the paragraphs below, s/he is eligible to apply for refugee status recognition again.

(b) Which RSD interviews?

Remember not all interviewees are eligible to apply again; only those who appeared in an interview conducted during the designated period below are able to make refugee claims again for this program. When an applicant had two more interviews, and one of the interviews was conducted during the following period, s/he qualifies for reapplication.

(c) Which period?

Sep 1, 2015 - June 30, 2018

\*The reason for having chosen this period is relevant to two government approaches: the expedited screening program in Sep 4, 2015 and the decision to videotape interviews of asylum seekers in July 1, 2018.

(d) Which language?

Arabic only.

How the application process will look like?

- Process: The reapplication procedure is the same as the initial application.
- Residence permit: A re-applicant will be considered a new applicant and allowed to obtain or adjust his/her stay status to G-1-5.

\*Regardless of an applicant's then-residence status, s/he will be permitted to apply for a different residence permit.

- Work permit: Without the waiting period of six months, a refugee claimant can immediately apply for a work visa.
- Other: The evaluation procedures, pertaining to request for living expenses support, the Immigration Reception Center accommodation and other benefits, will be no different from the assessments for a first-time applicant.

Criteria for evaluating an applicant's criminal history

- Residence and work related offences: Without regard to how long ago violation occurred, an applicant who files refugee status recognition will be immune from a notice disposition by the Ministry of Justice on illegal residence and working.
- Other offences: An applicant will be arrested or prosecuted for any crime or civil case. The immunity is solely accorded to offences regarding visa violations, illegal entry and work activities only.
- Applicants who are detained: A detainee, without other requirements, will be on the priority list for assessment.
- Note: The aforementioned immunity from a noticed disposition is strictly a one-off measure. A claimant must abide by law and do not violate residence work laws.

How to apply?

- Dates and deadlines: **Feb 00, 2020** (opens) - until all applications are processed.
- Competent authority: In order to facilitate processing and operation, we highly recommend that an individual (a) submits an asylum application at one of the designated local immigration offices\* and (b) lodges an application for a residence permit to a local immigration office having jurisdiction over where s/he stays.
- Even though an individual files an application for refugee status, s/he must apply for a residence

permit to adjust his/her stay status or to extend the length of stay.

\* Designated immigration offices are located in Seoul, Incheon, Daegu, Busan, Gwangju, and Jeju. Since a vast majority of assistance delivery agency or support groups for asylum seekers are situated in the Seoul metropolitan area, it would be more convenient for an asylee seeking their support to submit his/her application to a Seoul or Incheon immigration office.

#### Other

- Copy of documents: A refugee applicant may peruse or copy documents that s/he filed in the application package and an interview report.
- Response to request for outside help: When an applicant seeks for outside assistance while filing documents, such as a refugee application, the Ministry of Justice will provide the list of available support groups.\*

\*The list includes group names, their operation hours & dates, available language services and the gender of each assistant.