



IMMIGRANT LEGAL ADVOCACY PROJECT

WHAT TYPES OF EVIDENCE WILL HELP SUPPORT MY ASYLUM APPLICATION?

The following are only examples of what types of evidence you can include. Every case is different, and it is rare for one person to have all of these documents or evidence.

Documents that prove you or your family members' identity:

- Passport
- Birth certificates
- Marriage Certificates
- Identification Cards
- Membership Cards (proving membership in a religious, political, or other organization if it relates to your claim for asylum)
- Other documents or photos that show you belong to a certain religion or show that you participated in a certain group or protest if it is relevant to your case. These documents or photos could include baptism certificates or photos of you participating in a special religious event.

Documents that may support the facts in your Declaration and application:

These are documents that can help prove that the details of your story are true.

- Letters or statements from witnesses

Witnesses are people who know what happened to you or know why you cannot go back to your home country. These people may have actually seen the harm you suffered or know about it in other ways. Witnesses can be family members and friends who are still in danger, or people who have experienced similar harm or who understand the harm you would face if you return to your home country. Witnesses might be able to tell just one part of your story. They do not need to know your entire story.

- Written threats
- Medical reports
- Summons, Police reports and records
- Photographs, What's App messages, You Tube videos, Facebook posts, and/or similar documentation

- Character evidence: These can be documents that show you are following the laws of the United States and you are doing good things to make your life in the United States better

For example: Letters from an employer or teacher, letters from a religious leader, proof of volunteer work, significant awards, letters from mental health or social service providers, etc.

- Country conditions and human rights reports
- Newspaper & Magazine Articles (these can be from anywhere in the world including from your own country or region that prove that what you say happened or is happening is true)

NOTE: If you mail any documents other than your asylum application, **do NOT submit the original documents.** Instead, make a copy and submit that. Make sure you bring the original versions with you to your Asylum Interview, as the Asylum Officer may want to see them.

WARNING: NEVER SUBMIT A FALSE DOCUMENT

Original documents are often tested to see if they are true documents. **If you submit a false document to support your case, the U.S. government will likely discover this, and you will be denied asylum.** There can be penalties for submitting false documents. It is always better to explain why you could not get a certain document than to make up a false document.

ALL documents that are not in English MUST BE TRANSLATED INTO ENGLISH before they are mailed, and they must have a Certificate of Translation signed by the person who translated the document.

Always review translated documents carefully to be sure they are accurate! To review, have the translator read the translated document back to you in your native language so you can check it for errors.

When you mail any document you have translated, you must include:

1. A copy of the document
2. The English translation
3. A Certificate of Translation

REMEMBER:

- Do NOT put yourself or others in danger in order to get evidence for your case.
- NEVER submit a false document.
- Make sure your documents are translated into English accurately.
- Compare dates and facts in different documents, such as birth certificates, marriage certificates, witness statements, police reports, medical reports, etc., to make sure that they are the same throughout the application. If they are not, be prepared to explain this to the Asylum Officer.
- Save all originals.
 - You should **save the originals** of every document that you mail with your application, including any original stamped envelopes sent to you with the document(s).
 - **Why?**

You need to bring the originals with you to your Asylum Interview or Court.

Saving originals and the envelopes in which they were mailed will help you prove where a document came from and from where it was sent. If you mail a letter from a witness still living in your home country, the Asylum Officer may need proof that the letter is real. One way to show this is to show the Asylum Officer during your Asylum Interview the original letter in the original stamped envelope.

Evidence for your asylum case can be documents or items that help convince the Asylum Officer that the facts in your Declaration are true. Providing supporting documents may help your case, but it is not required. **You should never use fake or forged documents.** If you cannot get certain evidence or getting it will put you or someone else in danger, then you should explain to the Asylum Officer why it was impossible or difficult for you to get that evidence.

WHAT DOCUMENTS ARE COUNTRY CONDITION DOCUMENTS?

Country Conditions Documents and Human Rights Reports:

Country condition documents are news articles, stories, or reports that teach the Asylum Officer or Immigration Judge about your country and the problems you face there. The Asylum Officer or Immigration Judge who reviews your application may not know anything about your country. Therefore, it is important to teach them about your country and why you believe you cannot live there. Country Condition Reports are generally available on the Internet. If you have access to the Internet, some places to access country condition documents and reports include (but are not limited to) the following:

- U.S. Department of State: <https://www.state.gov/reports-bureau-of-democracyhuman-rights-and-labor/country-reports-on-human-rights-practices/>
- RefWorld: <http://www.refworld.org>
- Executive Office of Immigration Review (EOIR) Law Library and Immigration Research Center (LLIRC): <https://justice.gov/eoir/country-conditions-research>

You may also find country conditions reports relevant to your home country from the following organizations:

- Human Rights Watch: <http://www.hrw.org/>
- Amnesty International: <https://www.amnesty.org/en/countries/>
- Hastings Center for Gender and Refugee Studies: <https://cgrs.uchastings.edu/>

Newspaper & Magazine Articles, Books:

It may be useful to submit copies of articles from respected news publications, including those from your own country or region. News sources often cover human rights abuses around the world. Sometimes these stories can be found on the Internet.

NOTE: Always review the articles carefully, and only include them if they specifically support your claim.

WHAT IS A DECLARATION?

- A Declaration is a typed or handwritten statement that explains in detail why you fled your home country and why you now fear returning to your home country.
- A written Declaration lets you tell the story of what happened to you in your home country and why you fear returning.
- A Declaration should be specific to you and your case.

Why should I write one?

- The Asylum Officer or Immigration Judge who will read your application knows nothing about you and might not know a lot about your home country. Your Declaration tells the Asylum Officer or Immigration Judge your story and teaches the Officer who you are, where you are from, what harm you experienced, and why you cannot safely return to your home country.

What should I include in my Declaration?

You should include the following information in your Declaration:

- Begin with your personal background, and the conditions in your country. Only include information that is related to the reason why you are seeking asylum.
- Explain the harm you suffered in your home country or the harm you fear you will suffer if you are forced to return. You do not have to include every detail as you may be asked to provide more detail when testifying. You just want to give a general idea of what happened. If you cannot remember something because it is so traumatic, you can explain why.
- Explain WHY you believe you were harmed or will be harmed, and by WHOM. This is very important to include.

What should my declaration look like?

You may handwrite your Declaration on paper or you can type and print it. Remember to number each paragraph.

There is no page limit, but your Declaration should be long enough to include all the important information about the harm you faced or fear, why you experienced or fear that harm, who is harming you or has threatened to harm you and so on. Usually, Declarations are about 5-8 pages.

How to Organize Your Declaration:

There is no “right” or “wrong” way to structure your Declaration. You should try to be sure that your Declaration is clear and easy for the Asylum Officer or Immigration Judge to understand.

Here are a few tips for organizing your Declaration:

- Write your Declaration in chronological order—the order in which things happened.
- Begin with a summary paragraph. It should be a short, one-paragraph summary explaining what happened to you and why. Then you can go into detail in the following paragraphs.
- Number your paragraphs.
- Consider writing your Declaration so that it has a beginning, a middle, and an end.
 - The beginning is your personal background relevant to why you are applying for asylum
 - The middle is an explanation of the harm you suffered or fear suffering in the future, **why** you suffered or will suffer that harm, and **who** caused or will cause the harm
 - The end is your escape from your home country and your arrival in the United States
- Write as if the Asylum Officer or Immigration Judge knows very little about you or your country, and your job is to educate them in your Declaration.
- **Be honest!**
- NEVER guess about important details! If you do not remember something, say so.

Your Declaration must be written in English. If you do not read and write English, you should write it in your own language and have it translated by someone who is completely fluent in both English and your language. This person does not have to be a professional. They do not need to charge you money. But they **MUST** be able to **SPEAK AND READ** fluently in your language **AND** in English. The translator should not be any spouse or children included on your asylum application or anyone who will be testifying for you. The translator should **NOT** be a member of your family.

- Once you get your Declaration translated, **carefully go over the translation word for word with the person who translated your Declaration to make certain everything is correct.** It’s important to ensure that the person who translated your declaration translated correctly everything you said.
- If your Declaration is translated, you need to attach a Certificate of Translation to the copy of your Declaration in English.

While writing your Declaration follow these rules:

- Do not copy or use someone else's Declaration to help you in your case. It is important that your Declaration be your own.
- If you cannot remember a detail, do not guess. You must tell the truth. If you cannot remember a detail, explain that you cannot remember.
- You are the expert on your story, and if you do not tell the Asylum Officer or Immigration Judge your story, then no one else will.
- Try to think about where your story may be difficult to understand and explain your story carefully and truthfully.
- If you work with a translator, review all translations carefully and make sure that the translator signs the Certificate of Translation.

CERTIFICATE OF TRANSLATION OR INTERPRETATION

Your asylum application and copies of all accompanying documents must be submitted in English. If you have a document (such as a birth certificate, medical records, etc.) that is in another language, it must be translated into English by a competent translator. The person who translates your documents does NOT need to be a professional, nor have a stamp of translation. However, the translator must be someone other than yourself or anyone else that is included on your asylum application. The translator should speak both English and the language he or she is translating fluently.

When translating a document, you should submit a copy of the document in the foreign language (NEVER mail the originals of any document), the translation into English, and a Certificate of Translation, signed and dated by the person who did the translation. A Certificate of Translation signed by the translator must be provided for EACH document that has been translated.

Following are two example certificates of interpretation/translation. You can choose the version that works best for you and make as many copies as you need of that version for every document that you have translated that accompanies your asylum application.

CERTIFICATE OF TRANSLATION

I, _____, hereby certify that I am competent to translate the foregoing document into English from the original _____, and that the translation is true and accurate to the best of my abilities.

[Name]

[Date]

[Address]

CERTIFICATE OF INTERPRETATION

I, _____, hereby certify that I orally translated the attached affidavit into _____ from _____ and read it to the affiant who indicated that he understood it and agreed with its contents. I further certify that I am competent in both _____ and _____ to render and certify such translation.

[Name]

[Date]

[Address]