

WRITING YOUR DECLARATION

What the declaration is?

While the application form asks you to answer questions about your fear of returning to your home country, a written statement will allow you to tell your story about what happened in your home country and why you are afraid to return. It wants to give the judge detailed information about your claim so that he/she can make a good decision about whether to give your protection in the United States.

A Good Declaration will be:

- Specific and detailed so you can “paint a picture” of your story for the Judge
- Well organized and easy to understand
- Explains how it meets the legal definition of Asylum, Withholding of Removal, or Convention Against Torture
- Contains facts of which you are certain so that you will not contradict the facts in your hearing statement

What should the Declaration contain?

A statement is only a detailed story explaining certain events that happened during your life. Your duty is to make the Judge understand why you are afraid to return to your country of origin. Your words should paint a picture for the Judge. He/she must be able to imagine through your words the torture, violence, and fear that you suffered. When you write a statement you should be as detailed and specific as possible. Try to use descriptive words.

Your statement should be like a book or movie that tells the story of your life. Just like a book or a movie, it starts at the beginning with when and where you were born. After that, the story continues in a logical order, moving from one important event in your life to the next, showing experiences you had. It should continue like this until you reach the present.

You need to talk about your whole life, but you also need to choose the most important events and describe them in great detail. The Judge, to whom you are going to read your story, knows nothing about you and probably has never been to your country and knows little or nothing about your country. When you describe an important event in your life – for example, a time when you were threatened, detained, tortured, hurt or someone made you feel afraid – you want to make the Judge feel, see, smell, and hear what you felt, saw, smell and listen.

For example, suppose you lived in a small village in the mountains, in an area where there is a lot of fighting. One night a group of men arrived. They entered the houses and ordered everyone to come out. They mistreated people and told all the men that they would have to join their group, or they would come back to kill them.

Before you describe this event in your statement, you should talk about your village and what started all this trouble, to begin with. Who was involved in the fighting? What is it about? How has it affected your town before this event? How did it affect you? Did it affect your relatives? Your neighbors? Which members of your family did it affect and in what way?

When you talk about the event, you should describe it in detail.

When did it happen? What time? What were you doing when these men arrived? How were the men dressed? How many were there? Have you seen them before? When and where? Were they armed? What kind of weapons did they have? Who were they? Soldiers? Warfare? How do you know? How did they look? What did the men do when they arrived? What exactly did they tell you? How did they mistreat people? Did they threaten

you? What were the threats? Did they touch or talk to you, your relatives, or your neighbors? How? How long did the incident last? What did happen after? How did it affect you and other people in the village?

Describe everything you saw, everything that happened, and everything you felt.

The purpose of Asylum and Withholding of Removal is to protect those who have been or are in danger of being threatened or harmed because of their political opinion, race, nationality, religion, or social group. You must show that the damage was inflicted by the government, or groups that the government cannot and will not control. When writing your statement, remember that you need to explain who will harm you and why.

For example, if you were beaten up by armed men dressed as soldiers, it is most likely politically related. If you don't mention that the men were wearing uniforms or explain how you knew they were soldiers, the judge may think it was a beating by common criminals and had nothing to do with politics or persecution. You should also mention anything you said or did that would draw or may draw attention to people you are afraid of. For example, if you have participated in a group that is considered against the government, it is important that you explain in detail the activities in which you participated. It is also important for you to explain why the government believes that this group is against them.

In addition, you must include the facts that show that someone in the government knows that you participated in this group or is likely to know about it. Without these facts, the judge may decide that the persecution you fear is not for one of the reasons listed above and you may lose your case.

Try to answer the following questions in writing your statement:

What are the previous damages that you or others like you have suffered? Be specific and detailed.

Why was it harmed in the past or why fear being harmed in the future? What was the persecution based on? Was it because of your race, religion, nationality, membership in a certain social group, or political opinion?

When and how were you threatened, harmed, or tortured? What specifically happened to you? Who specifically was doing this to you? Are they part of the government or another group? How did you know it was them? Did they wear a uniform, did they identify themselves, did they tell you?

Why are you afraid to return to your country now? Is there a threat of future harm to you? How do you know this? Remember to be detailed.

If you are applying for the Convention Against Torture:

The purpose of protection under the Convention Against Torture is to protect those who fear that they will be tortured by a government official, or with the permission of the government. Torture is when someone deliberately causes you severe pain or suffering. This may include physical or mental pain or suffering. Torture can include such things as rape, electric shocks, physical beatings, and threats of harm, such as an imminent threat of death. When writing your statement, remember that you need to explain who you fear is going to torture you, how they are going to do it and why.

How can I describe the damage or torture I suffered?

If you have been a victim of threats, harm, or torture, it is important to describe this in as much detail as possible. This can be very difficult to do, but it will help the judge understand exactly what you fear will happen to you if you must return to your home country. For example, if you were tortured, instead of writing "I was detained and beaten for three days," consider including the following details: How long were you beaten or tortured? How often? Where? When? For how long? What did the person who tortured you say? What were your feelings?

Describe all the events in this kind of detail—even the ones that aren't as dramatic as the torture.

Including details about events that you may think of as "normal" life, for example, constantly living in fear, sleeping elsewhere to avoid detention, having conversations about whether to leave the country and feelings

upon learning of the death or disappearance of friends or family, it will help the judge understand why you cannot return to your country of origin.

Try to answer the following questions when writing your statement:

When and how were you tortured? Is it physical or mental? Did I cause or was it intended to cause you pain or suffering? Who tortured you? Was it a government official or someone acting with the permission of the government? How did you know who was torturing you? Why are you afraid to return to your country now? Is there a threat in the future that he will be tortured and how does he know this?