# Writing Your Asylum Story

Amir Rasoulpour www.legalease.us

### What is Your Story?

In reality, your story is complicated, not necessarily chronological or in order, and things are not black and white.

Your asylum story is not your full story. It is a story that focuses on the elements of asylum and presents them chronologically and clearly.

## What Must You Prove For Asylum?

- 1. You belong to a certain race, religion, nationality, political affiliation, or other social group.
- 2. You were harmed and/or you will be harmed because of that.
- 3. Your government will not or cannot protect people who belong to your group OR the government itself harms you.

## What Else Will Asylum Officers Ask About?

- 4. Any past travel to the U.S. or other countries
- 5. If you entered with a visa, what you said to get your visa and what you said when you entered the U.S.
- 6. If you are filing after one year, why?

## Suggestions for Writing Your Story

Don't write it all in one day

Break it up into the different things that the Officer will ask

Try your best to then put it together chronologically

If you don't remember something exactly, say so

#### Areas to Focus On

- A. Entry/Travel/Applying for Asylum
- B. Your Protected Ground
- C. Every harm related to that ground that happened in the past
- D. Every harm related to that ground that might happen in the future
- E. Your future in the U.S.
- F. Corroborating Evidence

### Entry

- When did you apply for a visa at the Consulate?
- What did you say in your visa application and does any of it conflict with your story?
- What happened at the border? What were you asked and what did you say? Does any of it conflict with your story?

### Applying for Asylum

- How and when did you learn about applying for asylum in the United States?
- Did you enter with the intention to apply for asylum, or did you learn about in the U.S.?
- Did anyone help you in applying for asylum?
- What were you doing between your entry and your asylum application? Why did it take time between your entry and applying for asylum?

## Past Travel/ Safe 3<sup>rd</sup> Countries

- Did you live or travel anywhere else before coming to the U.S.?
- Why didn't you apply for asylum there? Were the country conditions there also dangerous? Did the persecution happen after you returned to your country?
- Have you ever had permanent residence in any other country?
- Are you a dual citizen, or can you be a dual citizen? Check your parent's place of birth!

#### **Your Protected Ground**

You must explain in detail your protected ground, why you belong in it, and how this protected ground is viewed in your country

### Example 1: Religion

Let's say you are applying for asylum because you belong to a religious minority that is being persecuted in your country. You want to demonstrated that you hold this belief, that you are perceived to hold this belief, and that your country regards this religious group differently from those in the majority.

## Protected Ground Question - Religion

- Were you born in this religion or did you convert?
- What are the main tenents/beliefs of this religion?
- How is this religion different from the majority in your country?
- How do you practice your religion? Do you go to a place of worship? Did you go to classes? Were there celebrations that you go to? Why is this religions important to you?
- How are you identified as being part of this religion? Does your name identify you? Does your manner of dress identify you? Are there other ways that society would identify you?

### **Political Opinion**

What is the political view you hold? Why do you hold it? Why is it so important to your identity?

Is there a political party or a group that you belong to? When did you join? How did you join? What did you do there? Who specifically do you interact with there? Did you have a position there?

Have you ever signed any petition holding your opinion?

Have you ever protested expressing your opinion?

Have you ever voted expressing your opinion?

Are you not permitted or excluded from anything because of your political opinion?

### Particular Social Group

A particular social group can be many things, and it explains why you are being targeted and harmed in your country. For example, if you had a health condition or a disability, that may be a particular social group. If you have a sexual orientation or identity that has put your life in danger, that also can be a particular social group.

As for all of these, you need to show that you are part of it. If it is something visible or medically documented, your story will not have to be so long. If it is something that is not visible such as your sexuality, you will need to go into detail to be able to describe why you belong to that group.

#### **Past Harm**

List EVERYTHING that has happened to you because of your protected ground. EVERYTHING! This may take a long time to remember everything. For now, just have a list. Think about the following:

- 1. What was the harm (words, feelings, physical harm, imprisonment, etc.)
- 2. Who did it and what did the person say, or what was the situation, the made you know it was being done because of your protected ground?
- 3. Did you seek any protection after (from the police, from your teachers, from your parents, etc). Why or why not?
- 4. How did this harm affect you afterwards?

#### **Past Harm**

Put the list aside and go back to it after a few days:

Are there any other details that you can remember?

Are some of the details wrong?

Did anything else happen, even if it seems insignificant, that happened because of your protected ground? Remember that persecution can become so normalized that something may not seem like a big deal when it actually is. For example, if you are harassed by police, even if just verbally, because of your sexuality every time you go to a certain neighborhood, that is important to include.

#### **Past Harm**

Begin putting the harm into chronological order

Think about what happened between those events of harm, and whether any of that information is important to include to give what happened to you more context

If any details are hard to remember, just say so. If you can't remember the exact year or the exact name of somebody, just "I think it was", "approximately", "It's hard for me to remember because..."

#### Past Harm - Others

Now, it is also important to think about the harm that other people faced who belong to the same social group as you. Think about your family, your classmates, your colleagues, your friends... Did others also face harm?

What happened? Why did they face it? How do you know? What happened to them?

How did this happening to others make you more scared about your own life?

## Past Harm – Country Conditions

Look up country conditions about your protected ground on the internet. Find as many articles as you can.

Now look back at what happened to you- was any of the harm that you faced connected to what was going on in your country at that time? Were there others who experienced similar harms in your country that are documented? If there are similarities, you can add information in the section about past harm about what you have read in these articles.

## Don't Forget to Write About The Police/Government

It's important always to say whether you went to get official protection.

If you did not, why not? Would it be more dangerous? Would it be ineffective? Please be very specific.

If you did go to the police, explain in detail what happened, whether they took a complaint, whether they followed up with you, whether you followed up with them, how you know that they are no longer pursuing the matter, etc.

Are there country conditions that support the fact that the police/government is unwilling to help you?

#### Can You Relocate?

Now that you have written out all of your past harm, and it is in chronological detail, you have to think whether you could relocate to another part of your country to avoid being harmed.

If you are being harmed by the Government, it is dangerous everywhere in the country and that is presumed.

If you are not being harmed specifically by the government, you have to explain why it would be unreasonable for you to avoid harm anywhere else in your country.

## Why is Relocation Unreasonable?

- Your Age
- Your Health
- Evidence that Persecution Happens Throughout the Country
- Inability to fit in/blend anywhere else in the country
- Ability for your persecutor to find you based on various factors (size of country, resources of your persecutor, etc.)

## Put together the first few sections

- I. Your Social Group
- II. Past Harm (including information about the police not protecting you & it not being possible to relocate)
- III. Information about your entry to the U.S., how you learned about applying for asylum, and how you went about doing it

## Now, think about the future

How will you continue to be harmed because of your protected ground?

Have threats continued?

Has anything happened to your family members/friends since you have left?

Has the situation changed or has it gotten more dangerous according to country conditions?

#### The Future

What are all the things that might happen to you if you returned? List every single type of harm that might happen to you because of your protected ground.

Be very specific and why do you believe that—based on your past experiences? Based on country conditions?

#### Other Serious Harm

Depending on your case, you MIGHT want to think about other serious harm. This would be if the past persecution no longer exists. For example, if you underwent FGM, the past persecution has already happened—but you may face other serious harm in the future.

You may also want to include other serious harm if you faced past persecution and you have a serious medical issue now that would not be treated in your country which would cause you other serious harm.

This is an alternative way to obtain asylum, but you may want to speak with an attorney about this first.

#### The Future in the U.S.

How have you been in the U.S. based on your protected ground? Have you experienced any harm based on it? Have you joined any groups/associations here that support people who belong to your protected ground? Why do you feel safer in the United States and why would you need to be granted asylum for your safety?

Finally, what do you plan to do in the U.S. if you are granted asylum?

### Now You Have Completed Your Story

If you have a friend you trust that you are willing to let read it, let them do so to give you feedback to see whether it is clear and organized?

Check your I-589 application and make sure that everything is consistent? Are the dates in your address and employment history consistent with the events that happened in your story? Is the information you provided in the boxes consistent with your story?

### **Completing Your Story**

Put your story aside for a week, and then go and look at it again. Does it read clearly? Is it sufficiently detailed? Will you be able to testify to everything?

Does the story express your emotions? Does it express you fears?

Does the story sound like your words?

Does the story, as best as possible, capture what you went through?

## **Use Your Story to Get Other Evidence**

Finally, look through your story and see what evidence you can get to support it. If no evidence is possible to get, you may want to explain in your story why not. For example, if you went to the hospital or made a report to the police, the asylum officer will ask for that- if you can't get it, explain in your story there how you tried to get it and why you couldn't. Try also to get letters from other people who have experienced the same harms, or who can attest to the harms that you faced.

### Thank you!

Amir Rasoulpour, Esq.
Rasoulpour Torregoza PLLC
2928 41st Avenue, Ste 19, LIC, NY

info@legalease.us