

# IMMIGRATION JUSTICE CAMPAIGN



## **Corroborating Your Client's Asylum, Withholding of Removal & Convention Against Torture Claim**

Asylum applicants are required to provide evidence that corroborates their claims. *See* INA§208(b)(1)(B)(ii). If they are unable to do so, they need to offer specific explanations of why such documentation is unavailable. Evidence that goes to the heart of the asylum seeker's claim is important, as is evidence that supports less significant aspects of the case. Because it can take a considerable amount of time to obtain corroborating evidence, especially from clients' country of origin, we recommend working with your client early on to determine what kind of evidence they'll be able to collect.

Here are some ideas:

### **1. Proving Your Client's Identity**

#### *Primary Sources*

- Birth Certificate
- Passport
- National Identity Card

*Secondary Sources—these should only be used in addition to a primary source OR as an absolute last resort if you are unable to obtain a copy of the client's government issued ID*

- School Records
- Diplomas
- Witness Statements

### **2. Evidence of Political Activity, Religious Beliefs, Membership in a Particular Social Group, Etc.**

#### *Political Claims*

- Political party membership cards
- Letters from organizations of which the applicant is a member

- Photographs of the applicant participating in various political events
- Local newspaper articles about specific events that the applicant participated in or planned
- Date stamped social media posts the applicant made regarding political beliefs and activities
  - Note: Please be sure to check your client's publicly viewable social media accounts—DHS may do the same

### ***Religion***

- Baptismal or other congregation documents/religious certificates

### ***LGBTQ***

- Affidavits/letters from the applicant's current and/or former partner(s) to establish sexual orientation and/or gender identity.
- Affidavits/letters from the applicant's family member(s) or close friends who are aware of the applicant's sexual orientation and/or gender identity.
- Photographs of the applicant with their partner or former partner(s), or at LGBTQ community or public facing events (including in the U.S).
- Letters from LGBTQ rights or advocacy organizations which the applicant is/was a member of, volunteers with, etc.

## **3. Evidence of Persecution or Physical Injury**

- Hospital Records
- Photographs of the applicant's injuries
- Medical forensic evaluations of physical injuries and the likely cause of those injuries
- Mental health records and evaluations
- Police reports
- Arrest warrants or records, if the applicant was ever arrested due to his or her protected characteristic
- Threatening Letters
- Affidavits from witnesses who were present during the act(s) of harm or mistreatment
- Affidavits from individuals whom the applicant confided in about the incidents, confirming any observed signs of harm
- Death certificates for the applicant's relatives, friends, or community members who were targeted because of the same qualifying characteristic as the applicant

## **4. Country Conditions**

- Reports and articles showing both the conditions in the applicant's home country during the time of persecution, and current conditions\*\*
- Expert report regarding the conditions in the applicant's home country as they relate to the applicant's case and assessing the applicant's risk of future harm if forced to return to country of origin

*\*\*Please see the Immigration Justice Campaign's detailed guidance on preparing country conditions documentation, [here](#).*

## **5. Evidence Relating to the Applicant's Journey and Manner of Entry to the US**

*\*\*These documents are needed if your client has an issue relating to the One-Year Filing Deadline and can also be helpful (if available) for clients who were subject to Migrant Protection Protocols, or the Circumvention of Lawful Pathways or Securing the Border Asylum Rules. Please reach out to your mentor if you are uncertain whether your client falls within one of these categories.*

- Airline itineraries, bus tickets, and hotel receipts
- Affidavits from witnesses who have personal knowledge of the applicant's journey to the US
- Text or email chains between the applicant and friends/family members about coming to the US
- Proof of use of CBPOne App to make appointment to enter the U.S.
- Proof of any legal status sought in a transit country on client's way to U.S., and any evidence of outcome of those applications/efforts (it's not likely a client would have this).

*\*\*Please note that these are only general suggestions. Each case is different, and you should talk with your Justice Campaign mentor as well as your client about what types of documentation might be relevant in your client's case, and what documents your client may be able to obtain. Also, please be sure to look very closely and ask many questions about any documents that you think may be suspicious. It is critically important not to submit any false or doctored documents to the Court.*