

IMMIGRATION JUSTICE CAMPAIGN



Declaration in Support of Application for Asylum, Withholding of Removal, and Protection under the Convention Against Torture of

Julian Ondobo Ngongbo, A 123-456-789

In Removal Proceedings

I, Julian Ondobo Ngongbo, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. My name is Julian Ngongbo. I was born in the village of Tinto, Cameroon, on December 14, 1991. I am a citizen of Cameroon. I am terrified that if I had to return to Cameroon, I would be tortured and even killed by Cameroonian government security forces because of my political opinions. I have already been arrested, imprisoned, and tortured because of my involvement with the SCNC political party, and I fear that I would be arrested, tortured, and even killed if I had to return to Cameroon.

My Background and Decision to Join SCNC

2. I grew up in Tinto with my parents and 8 brothers and sisters. I am the third eldest. I have two sisters who are older than me, and four younger brothers and one younger sister. My father owned and ran a restaurant and my mother cooked at the restaurant and took care of all of us. I attended primary school in the village, and then secondary school in the nearby town of Bakebe.
3. My family are Anglophone, and we lived in the Anglophone region of Cameroon. Tinto is in the southwestern part of Cameroon. I speak English, and I also speak some German which I learned in school. I also know a little bit of French. My family are from the Bangwa ethnic group, and I speak Ngwe, which is our native language.
4. After secondary school, I was fortunate to be able to attend university. I always loved building things, and when I was a child I thought I wanted to build bridges and big buildings. I went to the University of Buea. I started my studies in Mechanical Engineering in 2011. I studied for most of a year, but then had to return home in the summer of 2012 because my father was very sick,

Commented [JG1]: The declaration need not be notarized, but it is important that the client declare under penalty of perjury that the contents are true and correct to the best of his or her knowledge.

Commented [JG2]: We recommend beginning the declaration with a short statement summarizing the basis for the claim and expressing the client's fear of persecution.

Commented [JG3]: Sub-headings are not required but can be a helpful way to summarize the story and orient the reader, highlighting the essential elements of the claim.

NOTE: This declaration is a work of fiction. Julian Ngongbo does not exist. The story is based on actual current events in Cameroon, and the place names and general events mentioned are real, but the applicant and all personal details about him and his family are fictional. Any similarities to any real persons are entirely coincidental.

and the family needed someone to run his restaurant. I stayed in Tinto for three more years. During that time, I worked in the restaurant and ran the business. At first I did not enjoy the work, but then I grew to like it. I decided that I would like to work in a larger city and run a hotel or restaurant there.

5. In 2014 my father died, so I stayed on to help my mother and the rest of my siblings. In 2015, my sister Gwenelyne took over running the restaurant so that I could go back to the university. I started school again in the fall of 2015 at the University of Buea. I switched my field of study to tourism management and hospitality. I enjoyed my studies, and I was looking forward to working in a large hotel, and also maybe running my own tourism company one day.
6. I have always been a supporter of rights for the Anglophone people in Cameroon. While I was a student I learned about the Southern Cameroons National Council (called the SCNC), which advocates for the rights of the Anglophone people, and for independence for southern Cameroon. I liked the messages they were arguing for, and I liked that they promote non-violence. One of the things they say is “the force of argument, not the argument of force.” That phrase really struck me. One of the things that I wanted to protest was the way that the Francophone leaders have kept power in Cameroon. The current president, President Biya, has stayed in power for more than 10 years. The elections are not real, they are not free and fair.

Police Violently Disrupt My SCNC Meeting

7. Along with several friends, I attended meetings of the SCNC starting in 2016. I went to a few meetings in 2016 and a few more in 2017. Most of those went fine, but in the summer of 2017, I went to an SCNC meeting where the police came. We were outside in a walled yard behind a house, and suddenly we heard loud shouts, and Cameroonian police ran into the meeting. I could tell they were police because of their uniforms. There were a lot of SCNC members at the meeting, and it looked like a lot of police came in. It was hard to understand exactly what was going on. The police shouted that the meeting was illegal, and everyone would be arrested. There was a lot of shouting. I saw two police beating a student with wooden sticks. The student was lying on the ground trying to protect his head, and they were standing over him beating him hard with their sticks. I saw blood on the ground near him.
8. I was lucky, and I was able to get away before any of the police stopped me. With two of my friends, I was able to escape out a door in the back. We ran through the alleys and streets away from the meeting, and the police did not catch us. Some of the other students who had been at that meeting were arrested, and we heard later that they were held in prison and badly beaten. But even after that happened, I wanted to continue to take part in the SCNC’s work. I believe so much in the SCNC’s goals, and so even though I knew it could be dangerous, it was so important to me to work for change in my country.

Commented [JG4]: It is a good idea to include a background section on your client’s life before the circumstances that gave rise to the asylum claim. This helps create a picture of who your client is as an individual and provides context for the rest of the story. There is no need to repeat all of the biographical information included on the I-589, but rather to tell a (fairly brief) story about who your client is.

Commented [JG5]: When your client has specific examples, like this quote, they can be compelling and can add to your client’s credibility.

Commented [JG6]: If your client’s claim involves political opinion, it can be very helpful to include a section briefly explaining why your client holds those political beliefs, and why they are important to your client. This helps build the client’s credibility, and also highlights your client’s individuality.

Commented [JG7]: Julian does not recall exactly how many meetings. He thinks it was three in 2016 and four in 2017 but he is not 100% sure of those numbers.

Commented [JG8]: If your client is not absolutely certain about the number of people at events involving persecution, best practice is to use descriptive words like “many” “a lot,” “a few,” that do not pin your client to a specific number he or she may not recall later; inconsistencies between written and oral testimony can be fatal to an asylum claim. Also, consider credibility. In a context like a political meeting, it would be hard to imagine that the client would know exactly how many people were there, or exactly how many police officers.

Commented [JG9]: Make sure to include any statements from persecutors that indicate what their motives might be. Remember that a protected ground must be “at least one central reason” for the persecution.

Commented [JG10]: It can be very helpful to your client’s credibility if s/he explains why s/he continued political activities in the face of great danger.

Cameroonian Police Arrest, Imprison, and Torture Me for Supporting a Peaceful Protest

9. In the very beginning of 2018, I learned about a big demonstration called the Ghost Town Day. It was to be held on Youth Day, which is a celebration that happens on February 11 every year in Cameroon. On that day, school children and students march in parades, and there are festivals and arts and games. The idea for Ghost Town Day was to protest the Francophone treatment of Anglophones, and to push for independence for the Anglophone regions, by shutting down towns completely. Students would not go to school, people would not go to work, no one would be out on the streets – so the town would be a Ghost Town.
10. When I heard about the Ghost Town Day from the SCNC, I decided to join in. I liked the idea of a very visible non-violent protest. I went to an SCNC meeting right after New Year's and they asked us to take flyers for the February 11 Ghost Town Day and distribute them to other students at school. I took a small pile of flyers to give to students I thought would be interested in joining.
11. After that meeting, I gave out flyers at the university to students I thought would be interested in taking part in the Ghost Town Day. Many of them said they wanted to take part.
12. A few days before the Ghost Town Day was supposed to happen, I went to school and to my classes in the morning. I went home in the middle of the day. While I was at home, I heard a loud knock at the door. There were several Cameroonian gendarmes, who are part of the military – I recognized their uniforms. One of them waved one of the Ghost Town Day flyers in my face and started shouting at me in French. I don't speak French, but I can understand a little of it, and I understood that they were angry about the flyers, and said they were illegal. A few of the gendarmes started going through my house, opening things and throwing everything around, like they were looking for something. One of the gendarmes was pointing a gun at me at this time so that I would not leave. I tried to tell them that I just wanted to protest peacefully, but they would not listen to me and maybe did not understand what I was saying in English.
13. After that, two of the gendarmes put handcuffs on me and forced into the back of their van, which was outside my house. They pushed me hard into the back of the van and slammed it shut. It was dark in the back of the van, and I bounced up and down over the holes in the roads. It felt like the drive was going on for a long time, I didn't know where we were going, my arms were really hurting, and I was starting to get very scared.
14. Finally, the van stopped, and the gendarmes opened the back and pulled me out. We were at a police station. Inside, another gendarme yelled at me more in French. I understood the word "illegal." Then they took off the handcuffs and shoved me into a cell in the back of the station. There were already a lot of people in there, maybe more than 40. There were men and women there. It was so crowded and dirty. There was nowhere to lie down, just a dirt floor. There were no toilets, just buckets that you had to use in the open in front of everyone else. The guards did not give us any food or water. By that time, I was feeling dizzy and very thirsty. Another prisoner

Commented [JG11]: If your client is not absolutely sure of an exact date, be sure not to include an exact date. Include an approximation that your client will remember during the asylum hearing. In Julian's case, he would testify that he remembers that he heard about this right after New Year's, in early January, but he doesn't recall the exact week or day, but he knows it was soon after New Year's.

Commented [JG12]: Because this is a major national holiday, Julian remembers this date. In fact, it would be strange if he did not remember it, and it could be helpful for him to explain why in his declaration.

Commented [JG13]: It is important that your client explain how s/he recognized the identity of the persecutor(s).

Commented [JG14]: It is important to include any statements from persecutors that shed light on the persecutors' motives and connect them to any protected grounds.

Commented [JG15]: It is important to have a detailed account of how arrests took place. Some of the important details here include the identity of the arrestors, what they said to the client about their motivation for arresting him, and why they did during the arrest.

kindly shared water and some food with me. But the guards didn't give us anything. We had to sleep on the floors, and there was no water for anything.

15. After I was there in the cell for three days the guards came and took me out. They took me to a small room with no windows and locked the door. There was an officer there who spoke English. He told me that I had helped to organize the Ghost Town Day, and that was illegal, and we were not permitted to do that, and that he needed names of the other people who had organized the protest. He said if I did not help him I would be sent to Kondengui Prison in Yaoundé. That really scared me because it is known to be a terrible place where people are tortured and beaten and no one's rights are respected. People die there. But even though he threatened me with that, I would not give him names of other students, so he could hurt them as well. When I would not give him names he threatened that he would make me give them.

16. He called in another policeman, who pulled my shirt off me. They pulled off my pants too, so I only had my undershorts still on. Then one of them tied my shirt around my mouth, and one of them tied my arms behind my back with some very rough cord. I was struggling to breathe. Then one of them shoved my face into a bucket of water and held it there for what felt like a very long time. I couldn't breathe, and I really thought I was going to die. Then they pulled my head out and yelled at me that I better talk now, or it would be worse. I didn't give them any names, and then they pushed my face in the water again.

17. This went on a few more times, I lost track of time and what was going on. Finally, one of them threw me on the ground and kicked me hard with his hard boots. It felt like there was metal on the boot and it cut my chest and I started bleeding from a big gash. Then they threw me back into the cell. They didn't give me back my clothing. One of the other prisoners gave me an extra shirt he had so that I would have something to wear. My rib was bleeding and hurting, I was in a lot of pain. I still have a scar on my chest from that wound because it never healed right.

18. After this, the guards handcuffed me and blindfolded me and threw me into another van. This time they brought me to the Central Prison in Buea. I was thrown into a big room with a lot of men. There were only dirt floors to sleep on, and the toilets were just a hole in the floor at the edge of the room. The guards didn't give us any food or water there either. I was so terrified now that I would die there, and my family didn't even know where I was. Since my father died, my mother depended on me to be there for the family. I was so scared about what would happen to my family.

19. That day, police guards dragged me out of the cell with a group of other men. They forced us to lie down in a big room, and they tied our hands behind our backs and blindfolded us. Then they beat us hard on the soles of our feet. They beat us with metal ropes and with hard sticks. They shouted at us that we had to give them names, and we were doing illegal things, and we were terrorists, and we were supporting the Ambazonian boys. The Ambazonian boys are fighting for independence for southern Cameroon, which many call Ambazonia. I support independence, but I do not support violence, and it was not true that I

Commented [JG16]: It is important to describe instances of persecution, including detention, in detail. Paint a picture for the reader. In this case, the conditions of detention were deplorable and contribute to Julian's argument that he suffered persecution.

Commented [JG17]: In this case, Julian is completely certain that he waited for three days.

Commented [JG18]: Highlighting again that it is important to include any statements from the persecutor that link the persecution to one or more protected grounds.

Commented [JG19]: It would be important to have a medical evaluation, so that a doctor can examine Julian's chest and explain whether what the doctor finds is consistent with Julian's account here.

Commented [JG20]: To the extent that the asylum seeker is able to explain in detail instances of severe physical harm, it's important to provide detail about this.

was supporting Ambazonian fighters. I did not have any contact with Ambazonian fighters and I did not support them in any way. But the police and the military think that anyone who supports the SCNC is part of the Ambazonian boys too.

20. This went on for several days, the beatings and the questions. They kept telling me that we had no right to protest, and that it was illegal, and we would see what they would do to us. My feet and legs were so sore and painful, and I still had the wound on my chest.

Commented [JG21]: At this point, Julian's sense of time has blurred, and he is not completely sure how many days passed. If this is the case, it is a good idea to provide an estimate.

21. After a few days they stopped pulling me out of the cell to torture me. They just left me in the cell. I was lucky if I got a little food and water from another prisoner whose family was sending them food and water from outside. I did not sleep much. There was only the dirt floor and I was in a lot of pain. I began to be very scared that they had just forgotten about me and I would die there in the prison. My thoughts were very dark at this time.

My Escape from Prison and Decision to Flee Cameroon

22. Finally, after I was there in the prison for more than a week, a new guard came by the cell. I recognized him, he was the younger cousin of one of my friends, and I had helped him get a job a few years earlier. He recognized me as well. That night, when the other guards were not there, he came by the cell. I dragged myself over to the bars at the front of the cell to try to talk to him. He pretended to be yelling at me, but he told me very quietly that he had heard from my family that I was in the prison, and that my sister had given him money to help me get out. He said that if anyone found out, he would not be able to help me.

23. This guard, whose name was Francis, told me that the next night, he would come with a key to let me out, and with a guard uniform that I would have to wear. I would have to be able to walk outside the prison behind him from a side door, and that there would be a car waiting to take me away. I was worried it might not be true, but I knew that this was the chance that I had to take.

24. The next night Francis did come by the cell. Most of the other prisoners were asleep. I went over to the cell door and he let me out. He had a guard uniform and he helped me put it on. I was so dirty and sick but luckily it was very dark in the prison and it was night, so no one stopped us. Francis let me out the side of the prison and through a gate with barbed wire. There was a car waiting there that he said was there for me. The door opened and one of my brothers, Simon, was in the car. I was so happy to see my brother at that time.

25. My brother, and his friend Paul who was driving the car, brought me to a house in the country owned by my brother's friend. It was not safe to go back to my house, or to my village. I stayed in my brother's friend's house for a few weeks. At this time, I started to recover a little from all the beatings. I still have trouble with my left foot though, and I cannot walk very fast or carry heavy things while walking.

Commented [JG22]: It is important to explain in detail how your client was able to leave the country of feared persecution.

Commented [JG23]: This is another place where a medical exam could provide useful corroboration for Julian's story.

26. While I was staying at Paul's house, my brother told me that he found out that the police had come looking for me at the university, and at my house in Buea, and at my family's house and restaurant in Tinto. They said I was missing, I had run away from prison and I was a criminal, and they even had a paper with my name on it calling for my arrest. My brother and I realized that it was too dangerous for me to stay in Cameroon and I would have to find a way to leave. I did not have a passport and there would not be a way for me to get one now, so my brother said he would see what he could do to help me.

Commented [JG24]: It is important to explain why at a certain point an asylum seeker decided to leave his or her country and why s/he believed it would not be safe to return.

Fleeing Cameroon and My Fear of Return

27. Paul was worried that the police would find me at his house, so I moved again, to my father's sister's house. She let me stay there for a few more weeks. While I was there, my brother Simon came back and said that he found a man who had a Nigerian passport and a U.S. visa that he was able to buy for me. Simon took my photo, and the man was able to put it into the Nigerian passport. The man said that I had to put on dark glasses and new clothes and come with his friend to Nigeria. From there I would get on a plane to the U.S. where I would be safe. I was nervous about this, but it seemed there was no other way.

28. It was in early April when I got into the car with the Nigerian passport. I was in the car with 5 other people going to Nigeria. We were going to drive across the border. The police in Cameroon sometimes are on that road looking for people crossing the border. A Cameroonian policeman stopped us once, but the driver gave him a bribe and showed him all the Nigerian passports, and he let us go. At the border they stamped my Nigerian passport and let me in. We drove to Lagos, which is a very large city. I stayed one night there with a family who had arranged to care for me that night. The next day they brought me to the airport in Lagos and I got on a plane. It flew from Lagos to Frankfurt in Germany. There I had to wait a few hours and get on another plane to the United States. I was worried about the passport, but no one stopped me.

29. When I got to the U.S. I landed at JFK Airport in New York. I didn't really know where I was or how to get where I wanted to be. I knew that my brother's friend was living in Washington, DC but I didn't know how to get there.

30. When it came time to present my passport to the immigration officer at the airport, I did not want to lie. I told the officer that I wanted to ask for asylum in the U.S. because I was in serious danger at home. He asked me if this was my passport, and I said that it was not, and that I was from Cameroon not Nigeria, and that I wanted asylum. The immigration officer brought me to another room where I waited a long time. After a long while another officer came and asked me questions about why I was afraid to go home. I was very tired because I had not slept since I left Cameroon, but I did my best to explain.

Commented [JG25]: Some immigration judges give weight to the written notes that are produced from airport interviews with asylum seekers. For a number of reasons, those may have inconsistencies or inaccuracies. In Julian's case, there are some small inaccuracies in his airport statement, in part because he was tired, overwhelmed, and confused.

31. After that, the immigration officers brought me to the Elizabeth Detention Center.

32. Since I have been at the Elizabeth Detention Center, I have been in contact with my sister Gwelenye and my brother Simon. They both warned me that the police are continuing to come around and ask where I am. They both told me that it is not safe for me in Cameroon.

33. I am terrified that if I did have to return to Cameroon, I would be arrested, tortured, and even killed because of my political opinions. I respectfully request asylum in the United States.

Commented [JG26]: It is a good practice to include a statement at the end of the declaration explaining why the asylum seeker is afraid to return home. If your client has learned anything from friends or family at home since coming to the U.S. about why s/he is not safe at home, this is a good place to include that.

Julian Ngongbo

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