

# IMMIGRATION JUSTICE CAMPAIGN



## Country Conditions Documentation

In order to establish eligibility for asylum, your client must demonstrate that she has a subjective fear of future persecution and that her fear is objectively reasonable. One way to accomplish this is by submitting proof that the type of harm she suffered in the past or fears suffering in the future occurs to similarly situated people in her home country. This type of proof is known as *country conditions* documentation and it is an important piece of your client's asylum application. Country conditions documentation will help corroborate your client's account.

Country conditions documentation can take many forms, including the following:

### 1. U.S. State Department Reports

Each year, the U.S. State Department issues reports on the human rights conditions in countries around the world. Immigration Court Judges rely heavily on these reports, so it is important for you to be familiar with the report for your client's country. Section 208(b)(1)(B)(iii) of the Immigration and Nationality Act specifically mentions that the immigration judge may base a credibility determination on the consistency of the applicant's testimony with State Department reports.

Generally, you should submit the latest report for your client's country with your other country condition documents. If the harm that your client suffered took place over the course of multiple years, you may want to submit older reports as well. You may find, for example, that an earlier report highlights a protest your client attended or a contested election that resulted in your client's detention.

You can access the State Department's Human Rights reports by clicking [here](#).

### 2. NGO Reports

Many leading human rights organizations have teams on the ground, researching human rights conditions around the world. These organizations publish reports detailing and documenting abuses and mistreatment. Often times, their reports include witness testimony. As you develop your case, NGO reports can be helpful for getting yourself up to speed on your client's home country. To the extent they corroborate your client's account, they can also be very helpful to include in your country conditions documentation. Some helpful NGO's to

consider include [Amnesty International](#), [Human Rights Watch](#), [Physicians for Human Rights](#), and [Freedom House](#).

### 3. United Nations Human Rights Council

The United Nations Human Rights Council is an inter-governmental body responsible for addressing situations of human rights violations and making recommendations on them. Among other things, the Council receives complaints of human rights abuses and conducts fact-finding missions and investigations of serious violations of international human rights law. You can check the United Nations Human Rights Council's website [here](#) to see whether an investigation has been conducted in your client's country. Be sure to check not only the current investigation, but the past ones as well.

### 4. Foreign Government Human Rights Documentation

Foreign governments also document human rights abuses and you may wish to include their reports. You can find the link to Country of Origin information on the Immigration and Refugee Board of Canada's website [here](#), and to Country Policy and Information notes on the UK Visas and Immigration website [here](#).

### 4. News Articles

News articles, both foreign and domestic, can be another great source for documenting the types of persecution that have occurred in your client's home country. News articles can confirm historical events, explain who key players are in political parties, and may even provide details on events or protests in which your client took part. You should explore both large, international news sites such as CNN and BBC as well as smaller, local newspapers in your client's home country. Your client may have advice on reputable newspapers in her/his home country. Articles that reference your client or her/his family members may be particularly helpful. Keep in mind, however, that all foreign language news articles will need to be translated into English for submission to the Immigration Court. In addition, you should think carefully about the reliability of internet sources and make sure that local sources are legitimate.

### Indexing Your Country Conditions Materials

Once you have gathered all of your country conditions documents, you'll want to put them in an index, along with your client's other corroborating materials, such as her affidavit, identity documents, lay witness declarations, etc. Generally, the country conditions documents should be placed *after* your client's personal documents. You should start with the U.S. State Department reports and then arrange the other documents in the method you think will be most useful for the Court. This may mean reverse chronological order, organizing documents by type claim they relate to, order of importance, or something else. Please consult the [Immigration Court Practice Manual](#) for guidance on filing requirements.

When you index the materials, you should either offer a short summary about the article you are attaching and why it is important or pull out several quotes that are especially important to your client's claim and list them in bulleted format, with citations to page numbers in your

exhibit packet. You should also consider physically highlighting the immigration judge's and DHS's copies of the articles, to emphasize the important portions for them. Just be sure that whatever highlights you make in the judge's copy are also made in DHS's copy.

## FAQ

1. How many country conditions documents should I use?

There is no "magic number" of country conditions reports that you should include for your case. You want to have a sufficient number of reports to objectively corroborate your client's fear of return. The exact number of documents you settle upon will depend in large part on the type of claim your client has, the number of harmful incidents she endured before fleeing her country, and how well documented the persecution is. To the extent multiple articles say the exact same thing, you should find the article from the most credible source and include that one. There's no need to include multiple articles from the same type of source that repeat the same information. While you want to be as thorough as possible, you do not want to be overly redundant. On average, we recommend 10-15 country conditions documents, but this may vary based on the particulars of your client's case.

2. This report is 90 pages long. Should I include the full thing or is an excerpt okay?

It depends! Judges' preferences vary by court. While some may prefer an excerpt of the relevant subsection, others will require the entire article. Please consult with the attorney you are providing country conditions research for to find out the judge's preference. If you are the attorney of record, please consult with your mentor.

3. I have a great newspaper article that talks about my client, but it is in Spanish. Can I still submit it?

You can definitely include foreign language articles in your submission and they may be especially helpful for details of local events. However, please note that *all* documents submitted to the immigration court also must be translated into English, in full.

4. How far back in time should I go for my country conditions documents?

It depends. You should always include the most recent U.S. State Department report as well as other supporting documents to show that your client would be harmed if she were to return to her home country now. If your client was persecuted over the course of many years (i.e. was in an abusive relationship for 25 years), you do not need to include reports from each and every year. Instead, you should focus on years in which there were, for example, particularly severe incidents or a year in which your client was arrested.