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[REDACTED]

BY HAND DELIVERY

U.S. Citizenship and Immigration Services
New Jersey Asylum Office
1200 Wall Street West, 4th Floor
Lyndhurst, NJ 07071

Re: [REDACTED] B [REDACTED] (A [REDACTED], Receipt No. [REDACTED])

**Supplemental documents in support of asylum application and
request for the presence of a law graduate**

Dear Officer:

This office represents [REDACTED] B [REDACTED] in his application for asylum. Enclosed, we are submitting additional supporting documents in advance of Mr. B [REDACTED]'s asylum interview scheduled for [REDACTED] at [REDACTED].

[REDACTED]

Summary of Mr. B [REDACTED]'s claim

Mr. B [REDACTED], a medical doctor from the Central African Republic ("CAR"), is eligible for asylum because he suffered past persecution and has a well-founded fear of future persecution at the hands of both Muslim Séléka and Christian anti-Balaka militiamen in CAR. The Séléka targeted and gravely harmed Mr. B [REDACTED] on account of his imputed anti-Séléka political opinion and membership in the particular social groups of "Central African Muslims with Christian Names" and "Central African Muslims with Christian Family Members." The anti-Balaka will target Mr. B [REDACTED] on account of his Islamic religion. The government is unable and unwilling to protect him.

Mr. B [REDACTED] suffered past persecution

[REDACTED] B [REDACTED] was born in Bangui, CAR on [REDACTED]¹ to a Christian family and was given a Christian name.² He grew up in the predominantly-Muslim neighborhood of Kilometre 5 (“KM-5”), which was an “accepting, multicultural environment” at the time.³ Because many of Mr. B [REDACTED]’s close friends and neighbors practiced Islam, he converted from Christianity to Islam as a teenager, and began praying at the local mosque.⁴ A few of Mr. B [REDACTED]’s siblings converted to Islam as well, while his mother and one sister remain Christian.⁵

While studying at medical school in Bangui, Mr. B [REDACTED] began dating a Christian woman from CAR, [REDACTED] N [REDACTED].⁶ They married in [REDACTED],⁷ moved into a home in KM-5, and customarily adopted two Muslim children of Mr. B [REDACTED]’s half-brother, who had recently passed away.⁸ In [REDACTED], Ms. N [REDACTED] gave birth to their [REDACTED] girls, [REDACTED] and [REDACTED].⁹ Mr. B [REDACTED] and his wife decided they would introduce their [REDACTED] to both Christianity and Islam; Ms. N [REDACTED] continued to practice Christianity, while Mr. B [REDACTED] and the couple’s adopted children continued to practice Islam.¹⁰

As a bi-religious family, Mr. B [REDACTED] and his wife began fearing for their safety in [REDACTED], when the Muslim Séléka militia overthrew President Francois Bozize, who was Christian.¹¹ That year, the anti-Balaka Christian militia formed in response to the Séléka and targeted Muslims in retaliation.¹² Muslims fled to seek refuge in KM-5, one of just two neighborhoods in Bangui that are predominantly Muslim.¹³ Eighty percent of the Muslim population in CAR were forced to flee the country entirely.¹⁴ In [REDACTED], anti-Balaka militias hacked to death Mr. B [REDACTED]’s close childhood friend, a Muslim from KM-5; in [REDACTED], they kidnapped and dismembered Mr. B [REDACTED]’s Muslim nephew.¹⁵

¹Tab H, [REDACTED] birth certificate; Tab I, [REDACTED] passport.

²Tab A, Declaration of [REDACTED] (“[REDACTED] Dec.”), ¶ 9.

³*Id.*, ¶ 4

⁴*Id.*, ¶¶ 9-11; Tab W, Letter from [REDACTED] Mosque Secretary at [REDACTED] (“[REDACTED] Letter”).

⁵*Id.*, ¶ 10.

⁶*Id.*, ¶¶ 13-15; Tab R, Declaration of [REDACTED] (“[REDACTED] Dec.”), ¶ 4.

⁷Tab K, Marriage certificate.

⁸Tab A, [REDACTED] Dec., ¶¶ 17-18.; Tab R, [REDACTED] Dec., ¶ 4; Tab L, [REDACTED] passport; Tab M, [REDACTED] passport.

⁹Tab A, [REDACTED] Dec., ¶ 20; Tab R, [REDACTED] Dec., ¶ 5; Tab N, [REDACTED] birth certificate; Tab O, [REDACTED] birth certificate.

¹⁰Tab A, [REDACTED] Dec., ¶ 21; Tab R, [REDACTED] Dec., ¶ 5.

¹¹Tab A, [REDACTED] Dec., ¶¶ 22-24; Tab R, [REDACTED] Dec., ¶ 6; Tab Q, Dr. [REDACTED] Letter, p. 2; Tab AA, United States Commission on International Religious Freedom, “Central African Republic: Tier 1, USCIRF-Recommended Countries of Particular Concern (CPC)” (2019) (“USCIRF 2019”) p. 2.

¹²Tab A, [REDACTED] Dec., ¶ 25; Tab R, [REDACTED] Dec., ¶ 6; Tab Q, Dr. [REDACTED] Letter, p. 2; Tab AA, USCIRF 2019, p.2.

¹³Tab Y, United States Department of State, “Central African Republic 2018 International Religious Freedom Report,” (“DOS Int’l Religious Freedom 2018”), p. 2.

¹⁴Tab BB, USCIRF 2018, p. 1.

¹⁵Tab A, [REDACTED] Dec., ¶¶ 28-29.

Muslim Séléka militias formed armed groups that patrolled KM-5 to identify “anti-Balaka informants.”¹⁶ Mr. B [REDACTED] feared he would be perceived as a traitor and harmed by Séléka militias for having a Christian name and wife.¹⁷ He also feared he would be harmed by anti-Balaka militias for being a Muslim.¹⁸ As a result, Mr. B [REDACTED] was in great danger every time he left KM-5 to attend to a patient and had to take increasingly elaborate precautions to avoid both Séléka and anti-Balaka militias. By mid-[REDACTED], the risks had become too grave and Mr. B [REDACTED] and his children could no longer leave home.¹⁹ Because he could no longer work, his family sought international aid, and his wife was forced to seek assistance from her family in the Christian area of Bimbo.²⁰ For her protection, she had to wear a scarf and behave as a Muslim within KM-5.²¹

On May 1, 2018, Our Lady of Fatima Christian Church in Bangui organized a prayer service to celebrate May Day, and many Christians attended.²² Séléka militias ambushed the church, killing at least 26 worshippers.²³ In response, anti-Balaka militias mobilized to seek revenge and searched for Muslims to kill; the anti-Balaka reaction caused Muslims in KM-5 to turn against Christians “and anyone they perceived to be a traitor.”²⁴

That day, a group of Muslim Séléka militiamen threw grenades into Mr. B [REDACTED]’s yard and broke down his gate while he and his family were home.²⁵ The men beat Mr. B [REDACTED] with the butts of their guns until he was bloody and unconscious, calling him a “traitor” for failing to assist them in attacking Christians; they also beat Ms. N [REDACTED], stomping on her belly until she, too, lost consciousness.²⁶ Mr. B [REDACTED]’s neighbors called the local imam to intervene, and he called United Nations peacekeeping forces to escort Mr. B [REDACTED] and his family to safety at the mosque.²⁷ Without intervention, Séléka militiamen would have killed them.²⁸ The incident forced Mr. B [REDACTED] and his family to flee on a United Nations convoy to Cameroon.²⁹

The brutal and life-threatening attack on Mr. B [REDACTED] and his wife clearly **raises to the level of persecution**. In addition to this grave physical violence, Mr. B [REDACTED] suffered years of psychological harm, living in constant fear for his bi-religious family’s safety in the relentless conflict where they were targeted by both sides. In fact, he is still suffering from this harm as his recent diagnosis of “Other Trauma and Stressor Related Disorder”³⁰ proves.

¹⁶*Id.*, ¶¶ 31-32; Tab GG, Human Rights Watch, “Central African Republic: Events of 2018,” p. 2.

¹⁷Tab A, [REDACTED] Dec., ¶ 33.

¹⁸*Id.*, ¶ 30.

¹⁹*Id.*, ¶¶ 30, 34.

²⁰*Id.*, ¶ 35; Tab R, [REDACTED] Dec., ¶ 7.

²¹Tab R, [REDACTED] Dec., ¶ 8.

²²Tab A, [REDACTED] Dec., ¶ 38.

²³Tab Y, DOS Int’l Religious Freedom 2018, p. 5.

²⁴Tab A, [REDACTED] Dec., ¶¶ 41-42.

²⁵*Id.*, ¶ 44; Tab R, [REDACTED] Dec., ¶ 13; Tab P, Psychological Evaluation of Dr. [REDACTED] (“Dr. [REDACTED] Aff.”), ¶ 18.

²⁶Tab A, [REDACTED] Dec., ¶¶ 45-46; Tab R, [REDACTED] Dec., ¶¶ 14, 16; Tab P, Dr. [REDACTED] Aff., ¶¶ 20-21.

²⁷Tab A, [REDACTED] Dec., ¶ 47; Tab R, [REDACTED] Dec., ¶ 15; Tab P, Dr. [REDACTED] Aff., ¶ 22.

²⁸Tab A, [REDACTED] Dec., ¶ 47; Tab P, Dr. [REDACTED] Aff., ¶ 19.

²⁹*Id.*, ¶ 56; Tab R, [REDACTED] Dec., ¶ 17.

³⁰Tab P, Dr. [REDACTED] Aff., p. 3; Tab A, [REDACTED] Dec., ¶¶ 73, 80.

Mr. B [REDACTED] has a well-founded fear of future persecution

Mr. B [REDACTED]'s past persecution entitles him to a presumption of a well-founded fear of future persecution. There has been no change in circumstances such that his fear of return is not well-founded. The situation in CAR "will likely worsen," and UN staff "have expressed great fear" that the 2020 presidential elections "will lead to a renewal of the civil war."³¹ As recent as December 2019, ongoing militia violence in Bangui caused at least 35 deaths.³² Further, Mr. B [REDACTED] cannot relocate within CAR because "armed Séléka and anti-Balaka militias control most of the countryside."³³

Independent of his past persecution, Mr. B [REDACTED] has a well-founded fear of future persecution on the basis of his Islamic religion. There is both a pattern and practice of persecution against Muslims in CAR, and the likelihood that Mr. B [REDACTED] will be severely harmed or killed if forced to return is significantly greater than ten percent.³⁴ Anti-Balaka Christian militias hacked to death Mr. B [REDACTED]'s close childhood friend and dismembered Mr. B [REDACTED]'s nephew, both of whom were Muslims living in KM-5. Violence against Muslims in CAR has been described as "early signs of genocide," driving 80 percent of Muslims to flee the country.³⁵ Even political officials in CAR have made public statements inciting violence against Muslims in KM-5.³⁶

The CAR government is both unable and unwilling to control Séléka and anti-Balaka militias, who exercise *de facto* control over much of the country.³⁷ State security forces and police engage in torture, and impunity for armed militants remains high.³⁸ Even United Nations peacekeeping forces have been unable to contain armed violence.³⁹

Mr. B [REDACTED] did not firmly resettle in Cameroon

After being brutally beaten by Séléka militias and staying in a local mosque for safety for several weeks, Mr. B [REDACTED] and his family fled on a United Nations convoy to Cameroon, where they found temporary housing.⁴⁰ However, they had no legal status in Cameroon and never received "an offer of permanent resident status, citizenship, or some other type of permanent resettlement"⁴¹ in Cameroon. Therefore, Mr. B [REDACTED] was not firmly resettled in a third country before coming to the U.S. to seek safety for himself and his family. Furthermore,

³¹Tab Q, Dr. [REDACTED] Letter, p. 4.

³²Tab KK, BBC, "Central African Republic traders in deadly battle over militia taxes in Bangui," p. 1.

³³Tab Q, Dr. [REDACTED] Letter, p. 4.

³⁴See *INS v. Cardoza-Fonseca*, 480 U.S. 421, 440 (1987).

³⁵Tab BB, USCIRF 2018, p. 1.

³⁶Tab DD, United Nations Security Council, "Letter dated 23 July 2018 from the Panel of Experts on the Central African Republic extended pursuant to resolution 2399 (2018) addressed to the President of the Security Council" (July 2018), p. 15.

³⁷Tab Q, Dr. [REDACTED] Letter, p. 4; Tab W, United States Department of State, "Central African Republic 2018 Human Rights Report," p. 1.

³⁸Tab HH, Freedom House, "Freedom in the World 2018 – Central African Republic," p. 5.

³⁹Tab Q, Dr. [REDACTED] Letter, p. 4.

⁴⁰Tab A, [REDACTED] Dec., ¶¶ 53-57; Tab R, [REDACTED] Dec., ¶ 19.

⁴¹8 C.F.R. § 208.15.

Cameroon was and remains unsafe for this bi-religious family,⁴² so in [REDACTED] Ms. N [REDACTED] and the children had to relocate to Benin where they are currently living under equally difficult circumstances.⁴³

Mr. B [REDACTED] meets the extraordinary circumstances exception to the one-year filing deadline

Although Mr. B [REDACTED] filed his asylum application shortly after the one-year filing period, he is not barred from asylum because he can show “extraordinary circumstances relating to the delay in filing.”⁴⁴ Extraordinary circumstances include *but are not limited to* mental disability—which encompasses “any effects of persecution or violent harm suffered in the past”⁴⁵—in addition to “extreme isolation within a refugee community, profound language barriers, or profound difficulties in cultural acclimatization.”⁴⁶

Upon his arrival in the U.S. on [REDACTED], Mr. B [REDACTED] did not speak English and struggled to express himself.⁴⁷ He battled flashbacks, nightmares, and headaches from his beating, resulting in a recent diagnosis of “Other Trauma and Stressor Related Disorder.”⁴⁸ He sought out spiritual counsel and began regularly attending prayer at [REDACTED] ([REDACTED]), a mosque in [REDACTED], which he hoped would help him overcome his trauma.⁴⁹ Throughout his first year in the U.S. and to this day, Mr. B [REDACTED] has been homeless, living in shelters.⁵⁰

[REDACTED] men’s shelter, where Mr. B [REDACTED] has resided since [REDACTED], houses eight people to a room, and residents “are always screaming” and fighting violently, forcing the shelter “to call the police to break up the fights.”⁵¹ It is often “too loud and chaotic” for Mr. B [REDACTED] to sleep.⁵² Recently, one of his roommates overdosed and died in the room.⁵³

The symptoms of Mr. B [REDACTED]’s “Other Trauma and Stressor Related Disorder,” including “severe headaches, insomnia, chronic neck pain, depressed mood, and severe death anxiety,” were exacerbated by his living conditions in a homeless shelter and “caused [him] to lack the focus and capacity to manage his legal situation efficiently.”⁵⁴ He “felt lost mentally” and, without his wife and children, “was left to [his] thoughts” of his beating in CAR.⁵⁵

⁴² Tab A, [REDACTED] Dec., ¶¶ 57, 65, 84; Tab R, [REDACTED] Dec., ¶¶ 19-21; Tab Q, Dr. [REDACTED] Letter, p. 4; Tab Z, DOS Cameroon 2018 Human Rights Report, p. 1-3.

⁴³ Tab R, [REDACTED] Dec., ¶¶ 21-24.

⁴⁴ I.N.A. § 208(a)(2)(D).

⁴⁵ 8 C.F.R. § 208.4(a)(5)(i).

⁴⁶ USCIS, Asylum Officer Basic Training Course, *One Year Filing Deadline*, 13 (March 2009) (*emphasis added*).

⁴⁷ Tab T, Declaration of [REDACTED] (“[REDACTED] Dec.”), ¶ 3.

⁴⁸ Tab A, [REDACTED] Dec., ¶¶ 73, 80; Tab P, Dr. [REDACTED] Aff., p. 3.

⁴⁹ Tab W, [REDACTED] Letter.

⁵⁰ Tab S, [REDACTED] Letter; Tab T, [REDACTED] Dec.

⁵¹ Tab A, [REDACTED] Dec., ¶ 71.

⁵² *Id.*

⁵³ Tab A, [REDACTED] Dec., ¶ 72.

⁵⁴ Tab P, Dr. [REDACTED] Aff., p. 3.

⁵⁵ Tab A, [REDACTED] Dec., ¶ 73.

Despite all these challenges, Mr. B [REDACTED] tried his best to find legal assistance in order to apply for asylum. On his first day at [REDACTED] homeless shelter, he asked about asylum.⁵⁶ Over the next year, he and his shelter's benefits specialist approached numerous legal services organizations.⁵⁷ One organization, [REDACTED], accepted Mr. B [REDACTED]'s case for consideration in [REDACTED] but did not deny representation until May—nearly three months later, and just two months before his filing deadline.⁵⁸

Due to provider incapacity, delays beyond Mr. B [REDACTED]'s control, and profound language barriers, he was unable to secure representation until the end of [REDACTED], when Human Rights First accepted his case.⁵⁹ Only a few weeks later, on [REDACTED], Mr. B [REDACTED] mailed his asylum application which was received by USCIS on [REDACTED].⁶⁰ Unfortunately, Mr. B [REDACTED]'s asylum application was returned to our office on [REDACTED], [REDACTED], for failure to complete “every block and question.”⁶¹ We promptly re-submitted Mr. B [REDACTED]'s complete asylum application, which USCIS received on [REDACTED].⁶² Given all the obstacles Mr. B [REDACTED] had to overcome, his filing should be considered “within a reasonable period of time.”

Mr. B [REDACTED]'s “severe psychic traumatization,” violent and chaotic living situation, and profound language barriers constitute extraordinary circumstances directly related to his failure to file within a year. Mr. B [REDACTED]'s circumstances were “not intentionally created” by his own “action or inaction;” indeed, he made every effort to file for asylum despite his challenges. The extraordinary circumstances in Mr. B [REDACTED]'s life that caused him to miss the filing deadline should except him from the requirement to file within one year of the last arrival.

For the aforementioned reasons, Mr. B [REDACTED] is eligible for and should be granted asylum.

Thank you for your consideration. Should you have questions or need additional information, please contact us at [REDACTED].

⁵⁶ Tab T, [REDACTED] Dec., ¶ 4.

⁵⁷ Tab A, [REDACTED] Dec., ¶¶ 74-79; Tab T, [REDACTED] Dec., ¶¶ 5-14; Tab U, Letter from [REDACTED] (“[REDACTED] Letter”); Tab V, Letter from [REDACTED] (“[REDACTED] Letter”).

⁵⁸ Tab U, [REDACTED] Letter; Tab V, [REDACTED] Letter.

⁵⁹ Tab U, [REDACTED] Letter; Tab A, [REDACTED] Dec., ¶ 79.

⁶⁰ Tab E, Stamped initial Form I-589.

⁶¹ Tab F, USCIS Notice of Action.

⁶² Tab B, [REDACTED] filed Form I-589; Tab C, USCIS Acknowledgement of Receipt.

Respectfully submitted,

