



Instructions for Witness Declarations in Support of Their Asylum Application

Dear asylum applicant:

The following pages contain instructions for the witness declarations you will use to support your asylum case.

Keep in mind the following:

1. Read the declaration carefully before submitting it.
2. It is very important for the witness's story to be consistent with the testimony.
3. If the details of the witness declaration contradict their story, talk with the witness and make the corresponding corrections before submitting the declaration. DO NOT submit a declaration that contradicts its own story.
4. If the declaration is in another language, it should be translated to English with a certificate of translation at the end. **Example:**

I, [*Name of translator*], am competent to translate from [*the original language*] into English and certify that the translation of the foregoing statement is true and accurate to the best of my abilities.

Signature of Translator

Name of translator

Address of translator

The telephone number of the translator

Instructions for Witness Declarations

Witness declarations are very important to support and verify your story before the immigration court. These instructions will help you to draft a declaration that fulfills the standards of the court and be as effective as possible for your case.

1. **The witness should write in the language the witness knows the best and later translate the declaration into English.** If, for some reason, the witness cannot write the declaration, and someone else writes it for them (like a notario¹, attorney, family member, or friend), it should be mentioned in the declaration, and they should write why (doesn't know how to write, has a disability, etc.).
2. **Include a title for the declaration.** Preferably centered and a bigger size than the text of your declaration. Example: SWORN DECLARATION OF [*WITNESS'S WRITTEN NAME*] IN SUPPORT OF THE APPLICATION OF [*ASYLUM APPLICANT'S NAME*].
3. To be sure the declaration is clear, **separate the declaration into numbered paragraphs**, like the format of these instructions.

¹ Even though in Latin American countries a notario can be an attorney, being a notario in the U.S. does not mean being an attorney. A public notary in the U.S. certifies the authenticity and truthfulness of identification, statements, and other documents. A notary also provides certifications of oaths and certification of identity, but do not have the same capabilities as an attorney.

- 4. The witness should formally present themselves in the declaration. They should add their full name and address.** If your witness shows concern about these requirements, remember that the U.S. government should not share your declaration with your government.
- 5. They should include a phrase that indicates that they are presenting this testimony under penalty of perjury** (meaning that you swear to tell the truth). **Example:**

SWORN DECLARATION OF PETRONILA PEREZ

- I, Petronila Perez, residing at 105 Avenida de la Plaza, Ciudad Juarez, Mexico, **swear under penalty of perjury that the following testimony is correct and true.**

- 6. Also, it is important to tell the facts in chronological order;** that is to say, start with what happened at the beginning, detail what happened after, and finish with the last thing that occurred. This will avoid confusing the judge.
- 7. The witness should write the familial relationship or connection with the person that is offering their testimony.** This will make the declaration more valuable as evidence and more credible. **Example:**

SWORN DECLARATION OF PETRONILA PEREZ

- I, Petrolina Perez, residing at 105 Avenida de la Plaza, Ciudad Juarez, Mexico. swear under penalty of perjury that the following testimony is correct and true.
- I offer this testimony in support of Jose Suarez’s asylum application. Jose is my neighbor, and I’ve known him ever since I moved to my current address six months ago.**

- 8. Be detailed.** If the witness remembers specific places, name them. If they remember the names or nicknames of people, include them. If they remember insignias, signs, tattoos, uniforms or clothing, appearances, or specific phrases that a person has said, don’t forget to include those details.
- If the witness did not witness the events directly in the moment they occurred, but knows the effects or consequences caused by the harm, their testimony can still be very valuable.
- 10. The witness should include dates only if they remember them exactly.** If they do not remember an exact date, they can indicate so in their declaration or offer an approximation. For example, “around November 2018” or “during the spring of 2019.” Never try to guess an exact date!
- 11. The witness should include information that they know personally, saw, heard, or said,** if they don’t remember the exact information, indicate that they mentioned only what they remember. Do not include rumors or gossip. If they’re going to include something that another person said, they should indicate it with quotation marks.

12. Sometimes, it is difficult to remember every single one of the incidents in detail. Please indicate if there are more incidents than the witness remembers or more incidents that can be included in one declaration. **Example:**

SWORN DECLARATION OF PETRONILA PEREZ

1. I, Petrolina Perez, residing at 105 Avenida de la Plaza, Ciudad Juarez, Mexico. swear under penalty of perjury that the following testimony is correct and true.
2. **I offer this testimony in support of Jose Suarez’s asylum application. Jose is my neighbor, and I’ve known him ever since I moved to my current address six months ago.**

13. **The witness should include how they know the information that is in the declaration.** Were they a direct witness? Was this something that happened to a loved one? If they do not specify how they know the information that is being presented, the declaration will be less credible and could be rejected.
14. Finally, the witness should **sign** (and/or put their name) **include the date** of their declaration and add a **copy of their identification or card** to their declaration. **Example:**

4. ...
5.
6. I ask that the court considers this case. I declare under penalty of perjury, according to the laws of the U.S., that the previous declarations are true and correct.

	Your Name _____ _____ 
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Petronila Perez

Petronila Perez

Date: July 3, 2020