

Affidavit of [REDACTED]  
In Support of His Application for Political Asylum

1. My name is [REDACTED]. I am from Sri Lanka. This is my statement in support of my application for asylum in the United States.

2. I applied for asylum because I am afraid I will be injured again if forced to return to Sri Lanka based on my ethnicity, religion and imputed political belief. Police and army officers took me in for questioning because they suspected I supported the Liberation Tigers of Tamil Eelam (LTTE) terrorists and supplied them with automobile parts, although I had nothing to do with the terrorists. The police tortured me, blinded my right eye, made me pay them U.S. \$1,000, and listed me as a suspected terrorist, leaving me with many problems. I think the police were harder on me because I am a Muslim, and because I had some money they could take. I also fear the LTTE terrorists. Because my shop assistant was taken in for questioning with me and never seen again, his family accuses me of informing against him to the police. This shop assistant was of the same ethnicity as the LTTE. After the shop assistant's family sent a gangster they said was a terrorist to threaten me, my family and I had to leave our home. When the police picked me up for questioning a second time, I feared I could not be safe in Sri Lanka and left for the United States.

3. I was born on [REDACTED] [REDACTED], 19[REDACTED] on a tea estate in Sri Lanka where my father worked as a factory officer. I attended [REDACTED] College, a Christian school, from age six until I completed the Ninth Standard at age 19.

4. After leaving [REDACTED], I set up a workshop in our home and made items such as model ships I sold to tourists.

5. Deciding I should broaden my horizons, in 1975 I traveled through India and on to Iran with three school friends. In Iran I got a job as a trainee mechanic on a harbor project for an Italian company, [REDACTED]. When the Shah fell in 1979, I had to leave Iran. I went to Kuwait, where I worked during 1980 and 1981 as the mechanical supervisor at a Kuwait [REDACTED] hotel. From 1982 until 1990, I worked as senior maintenance welder fitter in the engineering department of the Kuwait [REDACTED].

6. In 1985 I married [REDACTED] in her hometown of [REDACTED], in Sri Lanka. My wife is the daughter of my mother's school friend. I was still working at the dairy in

Kuwait. My wife joined me in Kuwait in 1988. Our two children, a son named [REDACTED], thirteen years old, and a daughter named [REDACTED], who is twelve, were born in Kuwait. When the Gulf War started in 1990, we had to leave Kuwait.

7. We returned to Sri Lanka from Kuwait and rented a house in Colombo, the capital. With the money I had saved from my job in Kuwait, I opened a shop in the garage connected to our house selling automobile and fishing boat parts, many of which I imported from India and Japan. I would also import used Japanese cars when I had a specific customer order. I called the shop "[REDACTED] Traders." "[REDACTED]" comes from combining the first letters of my children's names. I had all the necessary government licenses to run my business, including the licenses to import. I never took out a loan, never had a check returned from the bank. My business was profitable. I took in U.S. \$200 to \$750 a day. I felt fortunate to be able to help my parents with the income from my shop and earlier mechanic jobs, in addition to supporting my wife and children.

8. I have always lived quietly and stayed clear of politics. We are Muslim Moors, a small minority in Sri Lanka. The majority of Sri Lankans, and I would say 95% of the police, army and other government officials and employees are Buddhist Sinhalese. The Sinhalese speak Sinhala. The largest minority are the Tamils, most of whom are Hindu. Most Muslims share the Tamils' language, also called Tamil. I speak Tamil as well as Sinhalese and English. I have heard of problems caused for Muslims by both Buddhist Sinhalese and Hindu Tamil. And it is my impression that the government treats Muslims the same as Tamils.

9. My children go to a Christian school. We tried several times without success to register them in a government school, although they did well on the application tests. My wife and I believe our children were not admitted because we are Muslims. None of our Muslim friends have children in government schools.

10. For almost twenty years Sri Lanka has been at war. The Liberation Tigers of Tamil Eelam are fighting the government for a separate ethnic Tamil state in the north and east of the country. LTTE terrorists are brutal and dangerous. From news reports and talking with friends, I knew the terrorists' reputation for torturing and killing civilians they believed opposed them. While the war has mainly been fought in the north and the east, Colombo is the capital and many terrorist suicide bombings and other attacks have taken place there.

11. Early in 1995, LTTE ended a truce and the fighting between LTTE and the government resumed. The government once again declared a state of emergency. Colombo was very violent that year. LTTE was said to be responsible for numerous bombings that killed and wounded many people and destroyed two important oil depots. From talking regularly with customers, friends and neighbors, I thought it was common knowledge that the police and army routinely arrested, tortured and executed people they suspected of supporting the terrorists. There were news reports that the mutilated bodies of some of the people arrested turned up in lakes and rivers around Colombo.

12. Emergency laws were in effect. It was against the law to transport batteries and other spare auto parts into territory controlled by the LTTE.

13. In my shop I had one employee, a young Hindu man named [REDACTED]. I knew he was a Tamil. Before hiring him, I checked his identity card, which shows he is from Colombo, and he spoke like a Colombo Tamil. I did not think he had anything to do with the terrorists. I would not have hired a man from the LTTE areas of the country because I wanted to avoid any political problems.

14. One of my regular customers came from outside Colombo to buy automobile parts wholesale. He told me once he had a repair shop. On December 20, 1995, he bought 36 spark plugs and some other items. It was not unusual for a customer to buy a lot of parts at a time.

15. That night about 8 o'clock a government jeep pulled up outside our house. Three men came to the door. From their uniforms I could tell that the two in brown khaki suits were police, and the other in a green uniform an army officer. They spoke Sinhalese. All three officers seemed drunk, especially the one who seemed to be in charge. He was a large, overweight man in a police uniform with three stars on each shoulder. He told me his name, which sounded like a Buddhist name but I cannot now remember it, and that he was from the police station nearest my house.

16. They asked whether I had sold any spark plugs that day. When I answered "yes," they asked whether I had sold spark plugs to a particular man. They used the name of my regular customer who had bought 36 spark plugs earlier that day. I told them that I had sold spark plugs to him. They asked me how often he came in. I answered about once a month. Then one of the officers said, "So you are selling to LTTE?" I said "no" and tried to explain that I sold parts wholesale to many people, and did not ask or know what they did with the parts.

17. Then one of the officers brought in the customer who had purchased 36 spark plugs earlier that day. He had been in the jeep with another officer. Again, the officers asked whether I knew him, and whether I had sold parts to him. I answered, "yes" to both questions. Then they asked whether I knew this man was a LTTE supporter. I said, "No, I don't know that."

18. They then wanted to know who else worked in the shop. [REDACTED], my assistant, was still at our house. They asked [REDACTED] where he was from. He said Colombo. They asked for his identification card. After looking at his identification, one of the officers pulled [REDACTED] closer to him by the neck of his shirt and said, "Where are you really from?" I think they asked [REDACTED] that question several times, and he finally told them that his parents were from Jaffna, the capital of the Tamil area.

19. The officers checked the shop. They wanted to go in the same way I would, from the house, rather than from the shop door. The police officers went through file drawers. They took the cash that was there (about U.S. \$300). They took my license, my import files, my daily receipt book, and my receipts. They went through the shop for 45 minutes to an hour. They went through our home, searching and ripping things up. My children were crying and hugging my wife. My wife yelled at [REDACTED], "You've been telling us lies." The soldiers and officers told [REDACTED] and me that we had to go with them. They took us to the jeep along with the customer. I was very frightened of what they might do, and that I would never see my wife and children again.

20. No charges were brought against me alleging that I supplied automobile parts to the terrorists, at any time.

21. We drove for about an hour to what I thought was an army camp. I thought I heard one of the officers in the front of the jeep say something about a camp. There are three or four not too far from Colombo. But it was so dark I could not tell which way we went. When we got to this place, I saw a soldier in an army uniform. The three of us, my customer, my assistant and myself, were separated, and I do not know what then happened to them.

22. It did not seem like I was taken into the main part of the camp, but into a small room just inside it. The room had a single light, very dim. There was not much furniture, just a table and a couple of chairs. On the table was a piece of hard, rubber hose. The large police officer, the one who seemed to be in charge, and another police officer questioned me for a long time. They blew smoke in my face. I kept telling them I had nothing to do with the terrorists, and knew nothing about them.

23. At one point, the three-star police officer shouted at me, "You are a Markelya." "Markeyla" is a very insulting word for Muslim. I simply replied "I am a Muslim." He then said "That means you are a Markeyla. Oh that's nice. That is what we need."

24. They kept asking me about supplying auto parts. The officer in charge said he would pull my nails out if I did not tell the truth. He asked a soldier outside the room to get him the nail pulling pliers. The soldier brought him long, red handled pliers. I lost control of my bladder. Then the huge police officer asked the others to leave.

25. When it was just the two of us, the policeman told me I had to say I supplied parts to the terrorists. He wanted me to sign a paper. I said I would not. He became angry and threatened to kill me. He hit me on the back with a rubber hose, slapped my face, grabbed me by the hair and banged my face against the wall until I was bleeding. He also kept asking me how much money I had. He asked me what my wealth would be if I sold all the parts in my shop. He leaned against the table for a while, smoking a cigarette and drumming his fingers on the table. He was wearing a bulky, silver ring with some kind of raised figure that looked like a devil's head. I was seated. He pulled my chair closer to him with his foot, saying "Come here. Why are you afraid?" Then he punched me hard in my right eye with his ring hand. The force of the blow overturned my chair. I fell out of the chair onto the floor, trying to feel what was wrong with my eye. I could not see and my right eye was permanently blinded by this injury. I was so afraid and in so much pain, I passed out.

26. I did not regain consciousness until the next night. I was in a government hospital, the [REDACTED] Hospital. I managed to speak a few words to the nurse, who told me they had operated on my eye. She told me police officers had brought me to the hospital, saying they had found me drunk on the side of a road. I told her I had not been drunk. I was afraid to tell her anything else.

27. The doctor at the hospital was a Muslim, and very nice to me. I told him what had happened. He said I would need to give a statement about what the officers did, as a report would have to be made to the central hospital.

28. The police officer that hurt me came to the hospital. I think he came on my second day there. He warned me not to give any statement against them to the hospital. He said if I did that they would take my family and me away immediately. I promised never to give any complaint about them. Then the officer said there was one more condition: to go free I had to give him 200,000 rupees (about U.S. \$2,000) cash. I told him that I did not have that kind of money, but could come up with 100,000 rupees. He agreed to that and said he would give me two days. As he was leaving, the police officer told the nurse to keep an eye on me and not to let me go anywhere.

29. The Muslim doctor let me use his mobile phone. I called my wife, for the first time since I was taken from our house. She cried and told me how worried she had been. Afraid to tell her what had happened where anyone could be listening, I just told her I had had a small injury, and needed 100,000 rupees. I told her to sell her jewelry and bring the money to the hospital right away.

30. My wife did as I asked. She arrived at the hospital late that afternoon with a friend, starting to cry as she walked into the ward and saw how I looked. She had the 100,000 rupees in a brown paper bag. I took the bag and told my wife to go home right away.

31. The police officer came back the next day and asked whether the cash was ready. He took the money and made it clear he was not finished with me, telling me that he put me on the list of suspected terrorists the police keep. While he was talking to me, he twisted my toe painfully. He told me he was doing me a big favor by letting me go, that I was lucky "his government" was not still in power, because then I would not go home again. By "his government" I thought he meant the United National Party (UNP). The UNP was in power until the People's Alliance party came in in 1994. The UNP was even worse. For years I had heard that the UNP government disappeared, tortured and executed thousands of people suspected of opposing the government. The police could do anything. Finally, he said to me that I should have given him much more money, and that we would meet again. I was very frightened of this man.

32. In the morning of my fourth day in the hospital, a friend who also imported auto parts, [REDACTED], came to see me. He had learned I was there from my wife. My friend advised me not to argue with the police or give a statement to the hospital, and to try to escape from the hospital as soon as it got dark.

33. Later that day, the hospital staff removed the catheter so I was able to get out of bed. At about seven o'clock that night, I escaped from the hospital. I did not think the hospital would let me go unless I gave them a statement. But since the police officer threatened to take my family and me away if I complained to anyone, I didn't know what I could do but escape. I told the nurse I had to go to the bathroom, which was down the hall. I could not go out the main door as someone would surely stop me, so dressed only in the hospital gown, I went out the back through the garden and then through the barbed wire. Making my way across the uneven ground trying not to trip or step in a hole was

hard because the pain in my eye was so bad when I moved my head at all and I could not see very well. It was getting dark and I was not used to seeing with only one eye; I couldn't judge depth. Once on the street I hailed a three wheel taxi, but asked the driver to stop before reaching my house. Three wheel drivers are usually Buddhists, and I was afraid if he knew where I lived, he would report me to the police.

34. When I reached our front door, I asked my wife to hurry down the street and pay the driver. Then I went to bed. I did not have any pain or other medications. We could not change the bandages on my eye.

35. My eye got infected. After I had been home very sick for three or four days, my wife took me to a private surgeon. I was afraid to go to the private hospital to see him, because that is where the army brass go. I covered my head with a cloth so I would not be recognized. The surgeon asked me what could have happened to cause such deep damage to my eye. I told him about the policeman and his ring. The doctor advised me not to tell anyone. He said the retina and the cornea had been torn apart, that my eye was so badly damaged I would not regain sight, but that he would operate to try and prevent infections.

36. I never reported how the police officer hurt me to the police.

37. Even after the second surgery I was very sick. I continued to suffer from eye infections, headaches and neck pain. I was not able to sleep or eat very well and had terrible dreams. For the next four years, I mainly stayed at home, sick and worried for our safety and how I would make our living. It made me sick to see the shop. I did not open the shop again after that night in December 1995. I did not open the front door, or even turn on the lights very often. I was afraid the officers would come back, if they could easily see we were there. Little by little, I sold all of my inventory to other dealers I knew.

38. I prayed at home, and only went to mosque at Ramadan, and then to another mosque in another part of the city. I did not want to be out near our house, where I was afraid I would run into the three-star policeman. Sometimes I would have to take the children somewhere or pick them up. We never let them go anywhere alone, because the LTTE kidnaps children to fight in the war. But usually my wife would go with them, since it was difficult and dangerous for me to be out.

39. The large police officer who put me on the suspected terrorist list had told me I would have to sign in at my local police station every Sunday. I signed in every week for about three months, but then stopped, because it was painful for me to walk.

40. The postman, who is a friend of mine, told my wife that the police had asked him if we were still living there, and he answered that he thought so. When he talked to my wife, the postman said "Take care of yourselves." My wife interpreted that to mean we were in danger from the police.

41. The lady who lived in the house opposite ours and did our wash told my wife that she had seen the police at our house one night. We were all out, so we must have been at

a Ramadan feast. She said they drove up in a government jeep, one very large policeman, and another officer. They rang the bell for about half an hour and finally left.

42. Being on the suspected terrorist list worried me a great deal. In addition to fearing that the police would pick me up at any time, I could not get police clearance. You need to get this clearance to be able to do many things. For example, I did not think I would be able to get a job, start another business or rent a house in my own name in Colombo or anywhere else in my country.

43. My passport expired in 1999. When I went to replace it, the passport officer told me they could not issue a passport to me because I was on the suspected terrorist list. He said for me to get a passport would cost a lot of money, that I would have to pay several persons there. I paid bribes totaling U.S. \$500.

44. Near the end of 1999, I made a pilgrimage to Mecca. I prayed to God to help me get my life back together and take care of my family. Because I was on the suspected terrorist list, I did not think the police would let me leave the country. When I went to the airport, I was prepared to pay a bribe. But I did not have to. There is a separate line at the airport for Muslims making the pilgrimage. It seemed routine.

45. I thought hard how to make a living. My business was gone. I was afraid to leave my home very often, and I did not think I could get the police clearance certificate to start a business or work. I learned of work in the precious stone mines in Madagascar. That country does not have an embassy in Sri Lanka, so the airline sent my passport to Bangkok to get a visa. I also had to get a gem license. I went to Madagascar in 2000, bribing officers at the airport in Sri Lanka, and worked in a mine, repairing mine pumps and tending generators. I traveled back and forth to Madagascar several times during 2000 on business visas, and showing my gem license. With those documents and bribes, I was able to get through the airport. I never told my family or friends or anybody precisely when I was leaving or returning home.

46. No one has seen [REDACTED], the young Hindu man who worked for me, since we were both taken in for questioning. His parents believe I must have told the police something about him that caused his disappearance. They have been calling and coming to our house ever since [REDACTED] disappeared, asking us what happened to him. My repeated explanations, that I did not tell the police anything about [REDACTED] and know nothing of what happened to him, made no difference. The last time [REDACTED]'s mother came to our house, it was probably late in the summer of 2000, there was a tall man with her. He looked like a gangster, with tattoos and a long scar on his face. She said he was a relative and a LTTE leader, and that she was turning the matter over to him.

47. Soon after, the LTTE gangster came to our house by himself. He said he would give me three weeks to give him full information on [REDACTED], and if I did not, he knew how to get it.

48. Before the three weeks were up, we moved. Those LTTE gangsters are very dangerous. I was afraid the LTTE gangster would hurt my family or me. I did not go to the police because I was also terrified of the police.

49. We moved into an apartment with friends in a different part of Colombo. That was in September, 2000. We did not tell any of our other friends or neighbors where we were going. The lease and all of the utilities were in the other family's name. We did not get mail in our name. We rarely went out. My wife took the children to school and did the marketing. We tried not to attract any attention.

50. After we moved, we heard from our former neighbor lady that the gangster terrorist had been by our old house looking for me. My wife would see our former neighbor when they ran into each other at the market from time to time.

51. In the spring of 2001, the heaviest fighting in some time broke out between the government and LTTE, after LTTE ended a cease-fire.

52. In May of 2001, I was picked up at a checkpoint because I did not have my identity card. I made the mistake of leaving my card in my other pants. The police took me in for questioning and kept me for three or four hours. I was afraid because it was the station where the policeman who had taken me in and destroyed my eye worked. Another police officer asked me why my name was on the list, what had I been caught for. I told him. But I did not mention how they had hurt me. The police officer said it was bad that I had not been signing in for a while, and that I would have to wait for a senior officer to come in, as he would want to talk with me. I pleaded with the police officer to let me go, explaining that I was innocent and a family man. He let me go, after I agreed I would start signing in every week again.

53. I was badly shaken by this incident. I had started to believe that the police had forgotten about me. But now, I knew there was no finish or solution to my problems with the police. I was just lucky they did not harm me this time. This incident so frightened me, I knew I could no longer stay in Sri Lanka. I simply could not endure the fear of another arrest, after having been blinded by the government policeman. At the same time, I feared the man I believed to be a LTTE gangster sent by ██████'s family.

54. I was also concerned because when the police picked me up this time I did not give them our new address. I was not going to tell the police where they could now find us. On the other hand, I thought I would be in trouble if the police checked up on me at our old house and found that we had moved and I had lied.

55. I hired an agent who tried without success to get me a visa to the United Kingdom. Then he helped me get a business visa to the United States. I paid him U.S. \$7,000 and had to meet him in India (he was there on family business) to make arrangements. That took all of our savings, plus the proceeds from selling everything we had that we could sell, including our car, bed and television.

56. I left Sri Lanka on July 20, 2001 on a flight to Singapore, where I spent two days and continued on to O'Hare Airport in Chicago, Illinois, arriving on July 23, 2001.

57. On July 24<sup>th</sup>, the terrorists attacked the Colombo airport and a nearby air force base. It was described on the news as the biggest attack ever. I heard that everyone on the suspected terrorist list was rounded up. Our former neighbor told my wife the police were at our old house after the July 24 airport attack and questioned neighbors when they

discovered the house vacant. They asked her where we were living. As I said earlier, she did not know, as we had been careful not to tell anyone our new location.

58. I believe the police were also going door to door, looking for suspected terrorists. My wife told me she saw 20 or so policemen out in the street where she is staying soon after the airport attack. Three or four of the policemen knocked on her door and came inside her apartment. They asked a lot of questions. She told them she was there on holiday, and that her husband was abroad. Her identification card does not identify me as her husband. She told me she was watching from the balcony after the police left her apartment and saw several people from neighboring buildings taken from their homes and led into the police bus. Had I still been there, I believe the police would have taken me too, as I was already considered a suspected terrorist.

59. If forced to return to Sri Lanka, I do not believe that I could live safely because I have been labeled a suspected terrorist by the government. I want to state again that I have never supported any terrorist organization, and in fact I fear the LTTE terrorists as well. I fear I would be detained at the airport, because I would not be routinely returning on a business visa, as before. If detained, I am afraid the police would hurt me again, because they continued to suspect I helped the terrorists, or because they would know I had sought asylum. Were I able to get through the airport, I would risk arrest and further torture from the police at any time, all because the heavysset policeman listed me as a suspected terrorist. I also fear that [REDACTED]'s family will not let the terrorists forget to punish me, due to their belief that I informed on him to the police.

60. I am worried that my family is still in Sri Lanka. It was not possible to get a visa for all of us. Since I was the one targeted, I thought I had to get to safety first, and then I would be able to help my family. I believe that if the government learns I am in the United States seeking asylum, my family would be watched, harassed and forbidden to leave.

61. In preparing this application, I told my attorney that requesting my medical records from any hospital in Sri Lanka was out of the question. I believe the hospital would tell the police that a request had been made, endangering my family.

62. When I write to my wife, I send letters addressed to our friends, with a symbol on the outside of the envelope so my friends know it is for her. I do not put my name on the outside of the envelope. She knows not to go to the post office.

63. My wife believes that [REDACTED]'s mother has been in the neighborhood asking about us, based on the description she got from the building owner who mentioned the inquiry to my wife.

64. Although in my absence life is very difficult for her, my wife tells me I must not return to Sri Lanka. She too believes it is too dangerous for me to come back.

65. Sri Lankan President Chandrika Kumaratunga has been in office since 1994 as head of the People's Alliance party, which had also since 1994 held a majority of seats in the Parliament. She suspended Parliament in the fall of 2001 when her majority was slipping and called for an election in December 2001. The opposition party, the United

National Party (UNP), won a majority of the seats in Parliament. When the UNP was in power before 1994, things were even worse. So many people suspected of helping the terrorists were disappeared or tortured. I believe I am in greater danger than before I left.

66. Recently my wife told me she had to get a certificate from the police for my son's new identification card that his school insists he have. She is frightened at the thought of going into the police station. After giving the matter great thought, I advised her to tell the police, if they ask where I am as they are sure to do, that I went to Singapore in July 2001 for eye surgery and died during the operation. I concluded she and the children would be safer this way.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

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Date: \_\_\_\_\_

## Affidavit of Xxxxx Xxxxxx

I, Xxxxxx Xxxxxx state and declare the following:

### Family background

1. My name is Xxxxxx Xxxxxx. I was born January 28, 1952 in Mabuba, a village in the southern part of the Republic of Congo. My family is Catholic and we belong to the Bembe tribe.
2. My mother, Xxxxxx Xxxxxx, is a housewife. My father, Xxxxxx Xxxxxx, is a carpenter in my home village. I am the oldest of four children. I have one sister, Xxxxxx Xxxxxx, who is now an asylee in France, and two brothers—Xxxxxx Xxxxxx, who was killed by *Cobra* militia men in December 1998, and Xxxxxx Xxxxxx, who is now living in exile in the Democratic Republic of Congo.
3. I lived in Village until I was about ten years old, when my family moved to another village, Town. From October 1969 to June 1972, I attended *lycee* (boarding high school) in the Part section of Brazzaville, the capital city of the Republic of Congo. In October 1972, I began my studies at University, a university located in Brazzaville. I studied accounting and business management, graduating in June 1975.
4. On January 10, 1970, I married Xxxxxx Xxxxxx. Xxxxxx was a few years ahead of me at the university, and we met through mutual friends. He was studying finance. After our marriage, we lived together in downtown Brazzaville. I gave birth to our son, Xxxxxx Xxxxxx, on August 6, 1972.

I have been subject to past persecution and fear future persecution based on my political opinion and activities and my membership in a social group made up of former members of Lissouba's government

5. From October 1976 until Lissouba came to power in 1992, I worked in the finance department of the Ministry of Plastics as an accountant. Our office pro-

- moted the development of exports, particularly plastic storage containers. When Lissouba came to power in 1992, I went to work for the offices of the Presidency of the Republic as a high-ranking presidential advisor on plastics. As Counselor on Development, I was second in rank only to the Minister of Plastics.<sup>1</sup>
6. My husband, XXXXXX XXXXXX, went to work in the finance department of the government in 1971, and worked his way up through the ranks until 1992, when Lissouba appointed him to the post of Director of Money.
  7. In 1987, my sister, XXXXXX XXXXXX, fled the Republic of Congo with her family. After completing his studies in Belgium, XXXXXX XXXXXX's husband had accepted a post in the Ministry of Plastics. In 1987, his uncle had a falling-out with President Denis Sassou Nguesso and was killed. Fearing that they too would be targeted, my sister and her husband fled to France, where they were eventually granted political asylum.
  8. In 1991, Pascal Lissouba returned from France and established the *union panafricaine pour la democratie social* (Pan-African Union for Social Democracy, UPADS). My husband and I were active in the UPADS from its founding. My particular charge was the mobilization of women to campaign for Lissouba, who supported putting women into positions of power within the new government he wanted to create. I convened meetings with other women within the party at which we discussed women's issues and developed plans of action, which we then brought to larger forums within the party. From the founding of the UPADS, my husband was in charge of propaganda for the party. He wrote pamphlets and gave speeches promoting the UPADS and its platform. When Lissouba was elected president, he appointed my husband director of Money, and I became second in charge of the Ministry of Plastics. Lissouba appointed many women to high offices. My husband's sister, XXXXXX XXXXXX, who is now in exile in the Ivory Coast, was made Minister of Flowers.

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<sup>1</sup> Note that because of the high-profile nature of the client's occupation, some information has been changed.

*My husband's disappearance*

9. On November 15, 1993, my husband, Xxxxxx Xxxxxx, went to work in a government car, which was easily identifiable by its black color—in the Republic of Congo, no private citizen is allowed to own a black car. He never returned home. Before leaving for work, my husband told me that after work he would go to visit an old childhood friend who lived in the Ouenze neighborhood in northern Brazzaville, which Sassou's *Cobra* militia controlled. Xxxxxx finished work at 1:00 PM and left in his car. Since it was unlike my husband to stay out late at night without telling me where he was, when midnight came and I had not heard from him, I began worrying. I called the friend Xxxxxx had said he was going to visit after work, who told me that my husband had never arrived at his house. Then I called Xxxxxx's younger brother, Xxxxxx Xxxxxx, who was in the army. His brother told me not to worry and said that he would help me look for Xxxxxx if he had not returned by the morning. The next morning, I called Xxxxxx Xxxxxx's younger brother again, and we went together to the military authorities to report my husband missing. The government security forces launched an investigation right away. That evening, they found my husband's car empty by the side of the road in a part of northern Brazzaville that is controlled by Sassou's *Cobra* militia. My son Xxxxxx and I saw the car after it was found. There was a lot of blood in it.
  
10. Although my husband's body was never found, it is generally believed that Sassou's *Cobra* militia assassinated him. He had never had an encounter with *Cobras* before; however, my husband was a well-known UPADS leader and minister in Lissouba's government. I have no doubt that Sassou's men personally knew who he was, because Brazzaville is not a very large city. Even the young boys that Sassou recruits into his militia in exchange for money and drugs may have recognized my husband. Even if my husband's assassins did not recognize him, they would have known that he worked for Lissouba because he was in a black government car at the time of his disappearance. In addition, his accent would have identified him as a southerner, a member of the Bembe tribe, and by implication, a supporter of Lissouba.

11. After my husband's disappearance, I continued my work in the Ministry of Plastics. By this time, my son Xxxxxx was married and had his own home, so I was alone in my house. Because the security forces never found my husband's body and because I was lonely, I clung to the hope that he might still be alive. Although the government gave me two guards for my house, I never felt at ease or secure.

*Members of Lissouba's government and of the Bembe tribe are targeted by Sassou's Cobras during the coup and I am forced to flee the country*

12. After living in France for about one year, Sassou returned to the Republic of Congo in January 1997 to prepare for the elections that were slated for that summer. After his return, tension began to mount. In June 1997, a few weeks before the scheduled presidential elections, civil war broke out in Brazzaville between Sassou's *Cobras* militia, which was armed with Angolan weapons, and Lissouba's troops. Brazzaville was Balkanized into three sections—the northern part controlled by Sassou's *Cobras*, the central part by Lissouba's *Cocoyes*, and the Southern part by Bernard Kolelas' *Ninjas*. During this time, many civilians and members of the security forces who were suspected—most of the time simply based on their ethnic group—of supporting one side or another were killed, detained, or driven out of their homes. After the civil war broke out, I stopped going to work. I stayed at home, only leaving to run an occasional errand or to visit my son and his family.

13. In October 1997, Sassou staged a *coup d'etat*. His forces took control of Brazzaville, forcing President Lissouba to flee the country. *Cobras* burnt the houses of many people suspected of supporting Lissouba or Kolelas. Helicopters gunned entire neighborhoods, and thousands of people were killed or "disappeared." Many who had been part of Lissouba's government were forced to flee.

14. In mid-October 1997, I fled Brazzaville after *Cobras* torched the house next door to mine, which belonged to General Xxxxxx Xxxxxx, a high-ranking general under Lissouba. One of my guards helped me to escape. As we drove away from my house, *Cobras* riddled my car with bullets. The next day I heard from people

who had fled Brazzaville after me that *Cobras* had burned my house to the ground and murdered my second guard, who had chosen to stay behind to protect the house. That evening, I crossed the river by pirogue from Brazzaville to Kinshasa—a neighboring city just across the border in the Democratic Republic of Congo (formerly Zaire). When I first arrived in Kinshasa, I stayed at a refugee camp. However, disputes erupted in the camp surrounding the presence of military people there. In addition, it was difficult to get enough food to eat in the camp. After three weeks, my brothers and I went to stay with some friends in Kinshasa who I knew from my university days. I stayed with these friends until mid-November 1998.

15. Around the same time my house was burnt down, *Cobras* torched my son Xxxxxx's house and beat him severely with the butts of their guns. After this incident, Xxxxxx hid at the house of some friends in a different section of Brazzaville until he could collect the papers he needed to leave the country. He left the Republic of Congo in May 1998, and eventually was granted asylum in the United States. My brothers, Xxxxxx and Xxxxxx, also fled to Kinshasa in mid-October 1997. My brother Xxxxxx was a sergeant in Lissouba's army and was afraid that the *Cobras* would torture or kill him because he was in the military.

16. In November 1998, my brother Xxxxxx and I returned to Brazzaville, where we stayed with our aunt and cousin. Sassou had declared an amnesty in August and expressed a commitment to working toward peace. In spite of Sassou's promises, I was afraid to work or to attend political meetings and mostly stayed inside, doing some tailoring from the house to earn a little money.

My family is targeted again, my brother and cousin are killed, and I am forced to flee the country a second time

17. Shortly after our return, violence began escalating again. In mid-December 1998, Kolela gave an interview on Radio France International saying that he was planning to return to the Republic of Congo and stage a *coup d'etat*. Sassou's *Cobras*, dressed in camouflage fatigues and wearing ski masks or with their faces painted black began looting southern Brazzaville, torching houses, shooting and beating

people, and raping young women. Helicopters bombed the Bakongo neighborhood of Brazzaville again. One evening toward the end of December 1998, four *Cobras* broke into my aunt's house. I watched helplessly as they shot and killed my brother Xxxxxx and cousin, who were both in Lissouba's army. They beat me in the face with the butts of their guns, breaking out two of my top front teeth, and left me for dead.

18. Later that night, I fled Brazzaville with my elderly aunt. We headed for the forests of the Pool region. Thousands of people were fleeing Brazzaville and its surrounding villages that night. There were explosions everywhere as helicopters flying overhead dropped shells around us; the bombardment continued the entire 6 months I was in the forest. After we had been fleeing on foot for one month, my aunt died. She was exhausted from walking without food or medical attention.
19. While fleeing from the *Cobras*, I stayed for a few weeks in a village called Limdaba. Groups of people, all fleeing the violence, would pass through the village. In Limdaba, I befriended a bright little four-year-old girl named Xxxxxx who was travelling with one of these groups. None of the people she was travelling with seemed to be taking particular care of her, and they told me that Xxxxxx's parents had been killed. I felt sorry for her, so whenever I had some food I would share it with her. She grew attached to me. When it was time for me to move on, I asked her if she wanted to come with me, and she said yes. Xxxxxx traveled with me from that point on, and I treated her like my own daughter.
20. After 6 months of walking from village to village in the forest and living on nuts and berries, I came to a town called Mindouli, on the border with the Democratic Republic of Congo. From Mindouli, I crossed the river by pirogue and walked to Sandha, a village not too far from Kinshasa. In Sandha, a retired older man provided me and Xxxxxx with shelter, fed us and helped us get the medical care we needed. He didn't want us to leave, but after four months I told him that I wanted to go and look for my family, so he paid our bus fares to Kinshasa, where I found

my brother, XXXXXX, who was still staying with the friends I had stayed with in 1998. I stayed with these friends until July 2000.

*I am arrested by the government and forced into permanent exile*

21. On July 25, 2000, I returned to Brazzaville, where I lived in an apartment owned by some friends who I knew from when my husband was alive. Although I had heard that things had gotten better in Brazzaville, I was worried that the conflict would heat up again, so I left my daughter XXXXXX with my brother and my friends in Kinshasa. In Brazzaville, I lived in constant fear that I would be recognized as a supporter of UPADS and of Lissouba. Although Sassou had renewed his commitment to working toward peace, I was still fearful for my life, so I lived in hiding. Sassou's men were keeping constant surveillance of people who they suspected of opposing the government, and I had no protection from them.
  
22. On March 13, 2001, four of Sassou's presidential guards—who I recognized by their camouflage uniforms and red berets—broke down the door to the apartment where I was staying at night and ransacked it. I was the only person living in the apartment. The men interrogated me about plans for a *coup d'etat*, asked me for money, and beat me with their hands. Finally, they handcuffed me and put me in their military jeep. The guards drove me to the military prison where they interrogated and beat me again, then threw me into a dark cell that was about three feet long and three feet wide. For two days, they did not give me anything to eat or drink.
  
23. On the third day of my detention, a college friend of mine who was assistant to the chief of the security battalion by which I was detained happened to come by on an inspection. When he saw me in my cell, he came and talked to me and asked me how I came to be there. After our brief conversation, he left. That evening, he sent everyone else in the office off on an errand then came to my cell and released me. From the prison, I went to the house of the friends in whose apartment I was staying. We discussed my situation and agreed that I was not safe anywhere in the Republic of Congo, so I returned to Kinshasa by pirogue, fearing for my life.

*My decision to come to the U.S. and seek asylum*

24. When I was safely in Kinshasa, I spoke to my son Xxxxxx on the phone, who encouraged me to come to the United States. There is a saying in my home country that “a person can escape death three times, but not four.” I had escaped death three times—in October 1997, December 1998 and March 2001. Twice I had returned to Brazzaville from exile, hoping to rebuild my life, and both times I had been forced to flee in order to preserve my life. I decided to go to the United States to join my son and to seek asylum.

25. From March 2001 to November 2001, I lived at my friends’ house in Kinshasa with my brother Xxxxxx and my daughter Xxxxxx. During this time, I was busy arranging for my trip to the United States.

26. My son Xxxxxx sent me all the papers I needed, and I got a tourist visa from the U.S. embassy in Kinshasa. I flew from Kinshasa to Chicago via Paris, France on November 20, 2001 with the intention of joining my son and of seeking asylum in the United States. I left my daughter with my brother in Kinshasa.

27. For the past three months, I have been taking English classes at Truman College. I am living with my son Xxxxxx at 123 W. Alphabet St.

28. Since I have been in the United States, I have kept apprised of current events in the Republic of Congo. I believe that if I were to return, I would be imprisoned, tortured or killed.

I swear, under penalty of perjury, that the above is true and correct to the best of my knowledge.

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Xxxxxx Xxxxxx

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Date