



ASSESSMENT TO GRANT

Decision type: Past persecution in the absence of well-founded fear

ALIEN 
NAME: 
COUNTRY: Sierra Leone
LOCATION: Arlington (ZAR)

ASSESSMENT DATE: January 22, 2021
ASYLUM OFFICER: Megan Nichole Race
REVIEWING SAO: Srei Jullian

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I. BIOGRAPHIC/ENTRY OR ARRIVAL/IMMIGRATION STATUS INFORMATION

The applicant indicated that she is a ~~38~~-year-old female native and citizen of Sierra Leone, who was admitted to the United States at Washington, DC on July ~~11, 2017~~ as a B2 visitor for pleasure until January 13, 2018. ✓

The applicant is not in lawful status.

II. BASIS OF CLAIM

The applicant claimed she was forced to undergo female genital mutilation (FGM) by members of her family and her community in Sierra Leone on account of her membership in the particular social group: Sierra Leonean women and girls subject to gender-related cultural practices (FGM).

III. ANALYSIS OF PROHIBITIONS AGAINST FILING FOR ASYLUM

The applicant filed the asylum application on June 7, 2018. The applicant established by clear and convincing evidence that the application was filed within one year after the date of last arrival in the United States.

DHS database records demonstrate the applicant last arrived on July ~~16, 2017~~. Therefore, the applicant filed a timely application.

IV. SUMMARY OF TESTIMONY

The applicant testified as follows:

The applicant was born a member of the Limba tribe in Cambia, Sierra Leone. In 1993, when she was ten years old, her mother took her to a place where there were women in the room. Her aunt ~~Yayo~~ gave instructions to the women (Sowies) and performed FGM on the applicant. The applicant could not fight the procedure and there were too many hands on her to get away. The applicant passed out from the pain. As a result of this procedure, the applicant experienced pain and difficulties during intercourse and her menstrual cycle. The applicant has had problems during pregnancy and delivery.

The Sowies believe that every girl must undergo FGM to be fit as a girl in the community. There was a tradition in the applicant's community that when a Sowie dies, a member of the family has to undergo FGM. When the applicant's stepmother's sister died, the family wanted to perform FGM on the applicant's younger sister. The applicant took her sister away and hid her. The applicant's aunt and step mother were angry at the applicant for bringing shame on them and the culture and tradition.

The applicant continued to oppose FGM. The applicant has joined the Aha Foundation and has spoken out on social media against the practice. She has said that FGM is barbaric and must be stopped. Her family has found out about her public opposition. They punished the applicant's cousin by performing FGM on her, because of what the applicant has

said and because the applicant's cousin supported her. The applicant's family say she is behaving and acting like a white girl.

The applicant did not report the harm he suffered to the government because she does not believe they will help. The Sowies have support in the police and government. The applicant believes that even when the government says it bans FGM and has a Memorandum of Understanding with the Sowies to not practice FGM that this is just for media consumption. The practice is still happening.

If the applicant returns to her country, she believes that members of her family and her community will perform FGM on her again or her daughter. The applicant has had some of the FGM reversed by a doctor in the United States. She is afraid that the Sowies will do the FGM again. The applicant fears this because she has shamed and angered them. It will be a punishment.

The applicant stated the government would not protect her because they have not stopped the practice. The government says it has worked with the community to end the practice but has not taken any action against it.

V. ANALYSIS OF CREDIBILITY/EVIDENCE ASSESSMENT

[Redacted]

VI. LEGAL ANALYSIS

(b)(5)

In order to receive asylum, an asylum seeker must establish past persecution or a well-founded fear of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

[Redacted]

The applicant was harmed by her aunt and other Sowies in her community.

[Redacted]

"They initiate their girls into the Bondo society between the ages of 13 and 16 in the north, but at eight years or younger in Freetown and the Western Area, as they believe it discourages premarital sex." 28 Too Many, Country Profile: FGM in Sierra Leone, June 2014, [https://www.28toomany.org/static/mcdia/uploads/Country%20Images/PDF/sierra_leone_country_profile_v2_\(october_2018\).pdf](https://www.28toomany.org/static/mcdia/uploads/Country%20Images/PDF/sierra_leone_country_profile_v2_(october_2018).pdf) (accessed 22 January 2021).

[Redacted]

[Redacted]

Country conditions reports show that although the government is opposed to FGM, it has not taken legal action to ban the practice. 28 Too Many, Country Profile: FGM in Sierra Leone, June 2014, [https://www.28toomany.org/static/media/uploads/Country%20Images/PDF/sierra_leone_country_profile_v2_\(october_2018\).pdf](https://www.28toomany.org/static/media/uploads/Country%20Images/PDF/sierra_leone_country_profile_v2_(october_2018).pdf) (accessed 22 January 2021).

[Redacted]

"The law does not prohibit FGM/C for women or girls. According to a 2017 UNICEF report, 86.1 percent of women between the ages of 15 and 49 have undergone a form of genital mutilation/cutting. FGM/C is considered a traditional rite of passage into womanhood. UNICEF polling indicated that societal support for FGM/C remained strong in the country. During the year one young woman who underwent FGM/C died of blood loss." USDOS – US Department of State: Country Report on Human Rights Practices 2019 - Sierra Leone, 11 March 2020 <https://www.ecoi.net/en/document/2026434.html> (accessed on 22 January 2021)

[Redacted]

VII. ANALYSIS OF BARS/DISCRETIONARY FACTORS

(b)(5)

[Redacted]

VIII. DECISION

Assessment is to grant.