

Testimony of

Mariana**

September 19, 2007

STATEMENT OF MARIANA*

To the Senate Judiciary Subcommittee on Human Rights and the Law
The "Material Support" Bar: Denying Refuge to the Persecuted?
Wednesday, September 19, 2007

I was a nurse in Colombia, and my daughter and I are seeking asylum in the United States because of my fear of the Revolutionary Armed Forces of Colombia (FARC). Both my daughter and I are currently in removal proceedings before an immigration judge after our asylum application was not granted because DHS said that I had provided material support to a terrorist organization. I am making this statement under the name "Mariana" because I am terrified that if FARC learns of my identity in the United States, and that I am seeking asylum, they will harm my family, which still resides in Colombia.

My family members were active supporters of the Colombian government who raised me to value serving the Colombian people, and I became a nurse in Colombia because of my desire to help others. After completing my nursing degree, I worked for the Ministry of Health, organized conferences on health promotion, and directly served Bogota's poor communities. During my spare time, I volunteered in the communities, giving health lectures and distributing donated medicines.

In 1997, I was giving a presentation with a doctor for a health campaign. During the talk, an audience member collapsed, so the doctor and I attended to him while the other attendees left. But the fallen man suddenly began to laugh, and the two other men came over and identified themselves as members of FARC. The guerrillas kidnapped and physically assaulted me and took me to a FARC member who had been shot, forcing me at gunpoint to treat him. Before returning home, the guerrillas threatened my life and the lives of my family if I notified the authorities. In the following months, FARC members continued abducting me, forcing me to provide treatment and medicine to injured guerrillas.

Eventually, I became certain that I was going to be killed by FARC because I was left with a condolence card at my doorstep, something which FARC did routinely before it killed someone. I was absolutely terrified for my safety and for my family's safety. I knew that FARC would kill me and my family if I did not cooperate with them. The communications that they made showed me that they were watching my every move, and it is well known that FARC has infiltrated the Colombian government and that there is no one that can protect you. For instance, shortly after the medical clinic where I worked was closed, FARC killed my cousin by beating him to death and then setting his taxi on fire.

I fled to the US with my daughter and immediately filed a request for asylum.

On July 26, 2006, DHS rejected my claim for asylum, stating that "There are reasonable grounds for regarding you as a danger to the security of the United States in that you have provided material support to those who engage in terrorist activity." DHS then initiated removal proceedings against my daughter and me. Our request for asylum is now pending before the U.S. immigration court, and our next hearing is scheduled in early 2008.

I cannot believe that I was denied asylum based on supporting a terrorist organization. I never acted voluntarily- I only provided medical support because I was threatened at gunpoint and told that if I did not help the FARC soldiers both me and my family would be killed. I sincerely felt that I had no other option because I would have been killed if I had not done what they wanted. The asylum application has been pending for almost seven years and I am still overwhelmed with the fear that I will be sent back to Colombia, or that FARC will take action against my family. I have

no sense of security, and it has been very difficult to raise my young daughter here with such uncertainty. Deportation back to Colombia would literally be a death sentence for us.

* Name has been changed to protect witness identity.