

Restoring Dignity to a Life of Marginalization

By Andrew E. Kampf

FROM 1986 UNTIL 2010, FD, A BLACK MAURITANIAN, had lived as a member of the oppressed majority population, who are routinely marginalized, discriminated against, and even enslaved simply because of their race. FD, however, was entirely unaware of this discriminatory dynamic, due to his rural upbringing and lack of any formal education outside of Koranic religious study. In 2009, the death of FD's father and subsequent impoverishment of his mother and younger brother forced him, the only adult male in the house, to move to the capital city of Nouakchott to find work. This change would force him to face, head-on, discrimination, slavery, torture and threats on his life.

In particular, FD, after working for months for a powerful and politically connected member of the ruling Arab minority race without pay, was arrested because he asked for his rightful earnings one too many times. The police told him that, as a black man working for an Arab man, he was a slave and therefore not entitled to payment. As punishment for requesting the salary rightfully due to him and for openly rejecting the notion that he was a slave, FD was detained and viciously tortured for

six days by his own government. During the period that FD was working for free, he had become more involved with political and social activity to further the rights of the black Mauritanian majority and to put an end to slavery and oppression at the hands of the ruling Arab minority. About two weeks after he was released from jail, FD found himself right back, before the same police officers, this time after being arrested as part of a large protest against slavery and the Arabization of Mauritania. Again, he was viciously tortured, this time for one week. FD has permanent physical scars resulting from his torture. Upon release from this second imprisonment, the police chief swore he would kill FD if he ever saw him again.

FD knew he had to leave and made his way north, eventually reaching France, where his brother lived. FD never planned to remain in France. The country's close relations with the Mauritanian government gave rise to fears that he would be forcefully returned to a place where his safety was at stake. Instead, in 2012, he flew to Philadelphia where he has lived ever since.

In early 2013, FD contacted HIAS Pennsylvania seeking assistance with affirmatively filing for asylum in the United States based on his credible fear of what would happen to him if he were to return to Mauritania. HIAS

Pennsylvania staff, after vetting the case, referred the matter to Ballard Spahr LLP.

I had been practicing for two and a half years continuously developing a strong pro bono practice, but I was reluctant to take on an asylum case as it seemed like a daunting and intimidating area of law. I was convinced to provide representation with the encouragement of Jason Leckerman, partner, Ballard Spahr LLP; and Ruth Uselton, counsel, Cigna; both of whom have built up an expertise with pro bono asylum cases and who assisted with FD's case. I soon realized that Ballard Spahr LLP, HIAS Pennsylvania and the immigration law community as a whole, including my friend and immigration attorney Chris Casazza, Law Offices of David E. Piver, could provide me with ample resources to serve FD's legal needs. We filed FD's asylum application in May 2013. After a three-year delay, in May 2016 FD finally had his day in Immigration Court. After a hard-fought, four-hour hearing, FD was granted asylum, allowing this impressive, hard-working, and intelligent young man an opportunity to live his life with dignity.

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