

U.S. Refugee Admissions Program For Fiscal Year 2002

Recommendations of
The Refugee Council USA



March 2001

Acknowledgments

The Refugee Council USA presents this document in support of its annual consultation with the U.S. Department of State regarding the admissions of refugees to be resettled in the United States in Fiscal Year 2002.

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The following agencies endorse the Refugee Council USA's Recommendations for U.S. Refugee Admissions for FY 2002.

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Church World Service/Immigration and Refugee Program
Episcopal Migration Ministries
Ethiopian Community Development Council
Hebrew Immigrant Aid Society
Immigration and Refugee Services of America
Institute of International Law and Economic Development
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Lawyers Committee for Human Rights
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World Relief Corporation

Front Cover: East Timorese Refugees in West Timor. *Photo courtesy of Jana Mason/USCR, January 2000.*

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I

Executive Summary and Selected Recommendations

The year 2000 was not a good one for refugees or displaced people, with violence continuing and governments often failing in their refugee responsibilities. Congress, however, funded the principal refugee account at a welcome \$700 million for Fiscal Year (FY) 2001. *For FY 2002, we recommend at least \$800 million, and an additional \$50 million for the emergency refugee account.*

Madame Sadako Ogata departed as U.N. High Commissioner for Refugees after ten years, with solid accomplishments, including the broader acceptance of resettlement as a durable solution. We will support her successor, Mr. Ruud Lubbers, in his efforts, including strengthening refugee protection.

The year 2001 also brings a new Administration in Washington. While the outgoing Administration enhanced the diversity of its resettlement program, and encouraged UNHCR to do the same, it also cut back the U.S. refugee admissions ceiling by 40 percent. We hope the Bush Administration will reverse this decline.

Family reunification continues to fade as an objective of the U.S. resettlement program, a trend we deplore. Access to U.S. resettlement is being restricted in other ways as well. Processing posts in Europe and Asia are being reduced and the use of Priority Two (P-2) curtailed. Priority One (P-1), meanwhile, is underutilized because UNHCR is poorly equipped to make sufficient referrals in this category. These restrictions are taking effect at a time when the State Department is failing to process for resettlement the annual number of refugees authorized, resulting in 12,500 places unused in FY 2000. *We call for much more extensive use of U.S. embassies to refer refugees in the P-1 category, increased international support for UNHCR to the same end, expanded use of the P-2 designation for such groups as Afghan women-at-risk in Pakistan and victims of nonstate agents of persecution in Germany and France, and State Department consideration of a blanket Priority Three for all nationalities as well as use of Priorities Four and Five for long-staying populations. We also recommend circuit rides by Immigration and Naturalization Service (INS) officers to reach refugees where processing posts have been closed, and improved access to U.S. resettlement for refugees in southern Africa.*

Commendably, the State Department and INS decided recently to participate in UNHCR's emergency resettlement effort for refugees in immediate danger, offering to expedite entry of 50 cases per year. *UNHCR should now start to refer emergency cases.*

The voluntary agencies' partnership with the State Department in overseas refugee processing has continued to weaken with the latter's accelerated tendency to look elsewhere for processing assistance. *We call for a return to partnership with the organizations that bring transparency, a domestic constituency, and a connection to the U.S. resettlement program that an international organization cannot, and invite discussion with the new Administration in this regard. Domestically, the partnership between the resettlement agencies and the U.S. government remains healthy.*

Sadly, there is no shortage of refugees or displaced people in the world. In Africa, there are some six million refugees and ten million internally displaced people. Four million of the latter are in Sudan, while half a million more Sudanese are refugees in countries like Ethiopia, Kenya, and Uganda. Many Somalis remain in Kenya; despite elections in Somalia last year, it may be too early for most to return. A number of these vulnerable people need the protection of resettlement.

In the Great Lakes region, 230,000 Burundians are in Tanzanian camps, unable to go back to Burundi while fighting persists; and hundreds of thousands of citizens of the Democratic Republic of Congo are displaced in their own country or are refugees elsewhere. In West Africa, the continuing violence in Sierra Leone is likely to cause more of its people to flee this coming year, while many Liberians remain refugees in other countries. As a result of this situation, Guinea hosts more refugees than any other African country; *resettlement, perhaps on an emergency basis, is appropriate for some of them. Overall, larger numbers should be resettled from this area lest circumstances so deteriorate that more and more refugees are forced back to places, like parts of Sierra Leone, that are too dangerous for safe return.*

Finally, there are African refugees and asylum seekers in many countries outside Africa who get no form of international assistance whatsoever.

We recommend P-2 consideration for the unaccompanied Sudanese refugee minors in Ethiopia, the Uduk of Eastern Sudan, and the Krahns of Liberia; U.S. recognition of the Africans' extended concept of family in family-reunification determinations; continued State Department promotion of referrals of Africans in regions outside Africa; and State Department provision of sufficient resources to the U.S. embassy in Cairo to continue significant resettlement from Egypt.

In Thailand, at least 1,000 Burmese refugee student activists who cannot return to Burma await resettlement, while several hundred Burmese ethnic refugees among the thousands in border camps are exposed to serious intimidation. *These should be considered for U.S. resettlement.* In Bangladesh, two-thirds of the 20,000 Burmese Rohingya refugees fear return to Burma. *After ten years, they should be considered for U.S. admission.*

With 100,000 East Timorese still unable to return from West Timor, *the State Department should be watchful for East Timorese for whom resettlement is warranted.*

The State Department should monitor the situation in Indonesia and *be prepared to offer resettlement to qualifying Acehnese and others who flee to nearby countries.* In Vietnam, cases remaining for consideration include some children of former reeducation camp prisoners and some former U.S. government employees. For the latter, the State Department has been examining claims of refugee eligibility to decide who should be interviewed for U.S. resettlement. *We urge that, for those for whom no record of service was found in Washington archives, further efforts, such as interviews, be undertaken to test their claims.* A new U.S. program has started for Vietnamese suffering persecution unconnected with the war, and we await developments.

In the Balkans, fewer than 10 percent of the Bosnians who were “ethnically cleansed” have returned. Of the more than one million displaced in Bosnia or living as refugees in other countries, *those who may need resettlement include Bosnians expelled from Serb strongholds in East Bosnia; people in mixed marriages; ethnic minorities, especially the Roma; and those who cannot face the trauma that return would bring.* The Federal Republic of Yugoslavia hosts the largest number of uprooted people in Europe; life is particularly hard for those from Kosovo, who face harsh winters in displacement. Macedonia hosts 11,000 Kosovo Roma refugees driven from their homes by Kosovar extremists.

In Russia, Jews and other religious minorities are increasingly the targets of violence at the local level, where the authorities tend to ignore what is happening or actually incite perpetrators to further excesses. In the Caucasus and Central Asia, conflicts, including that in Chechnya, have forced hundreds of thousands of people to flee their homes; they face harassment, arrest, incarceration and deportation in the areas where they seek refuge. Meanwhile, asylum seekers from outside the former Soviet Union (FSU) find themselves in equally dire straits. In 2000, U.S. resettlement efforts were largely limited to the three cities of Moscow, Baku and Ashgabat. With the expectation that refugee admissions from the FSU will need to equal or exceed current levels in 2001, *we urge the United States to increase access to U.S. resettlement by expanding INS circuit rides to include the Caucasus, Central Asia, and European cities outside of Moscow.*

In Latin America, Colombia’s situation is worst. Hundreds of thousands of poor people have been displaced by fighting internally, while many of those who can afford it are joining an exodus to the United States, Europe and Costa Rica. *The United States should extend Temporary Protected Status to those in our country, and follow Canada’s lead by resettling selected cases in extreme danger directly from Colombia.* In Cuba, a steady stream of applicants for U.S. refugee resettlement continues to come forward, and INS approval rates are high.

With human rights in Afghanistan under increased attack, 100,000 new Afghan refugees entered Pakistan in 2000, bringing the total there to an estimated 1.2 million residing in official refugee villages and perhaps two million more in Pakistani cities. Late in the year, Pakistan deported hundreds of Afghan refugees amid statements that it was no longer willing to host such a large Afghan population. In FY 2000, the United States doubled its refugee resettlement intake to almost 3,000 cases, giving top priority to women at risk. *We urge U.S. consideration of an appropriately defined P-2 category for Afghan refugees, and recommend that, with UNHCR in Pakistan unable to effect family reunification, the P-3 and P-4 family reunification priorities be opened for at least long-staying Afghan refugees as well.* Pakistan also hosts some 2,500 non-Afghan refugees. *It is important that the United States continue to provide resettlement opportunities for this group.* Finally, there are about 15,000 mostly Afghan refugees in India, primarily New Delhi, living without legal status. *For most, as well as for some Bhutanese refugees in Nepal, U.S. resettlement is their only solution.*

Turkey hosts over 2,000 UNHCR-recognized Iranian, Iraqi and other refugees, and perhaps thousands more Iranians and Iraqis who are unregistered. All face difficulties under the Turkish system. The United States accepts P-1 referrals of various nationalities from UNHCR as well as Iranians covered under a P-2 designation for persecuted

religious minorities (albeit only via UNHCR referral). *The State Department should instruct the U.S. embassy in Ankara also to refer for resettlement Iraqi refugees incorrectly denied by UNHCR on the basis of a flawed application of the “internal flight alternative” concept which maintains that they could have found protection in northern Iraq, and should have stayed there.*

Some 3,000 UNHCR-recognized Iranian refugees are living in northern Iraq in extreme danger: hundreds are estimated to have been killed by people believed to be Iranian agents. *The U.S. embassies in Ankara and Amman should secure refugee resettlement interviews for any of these Iranians who appear, despite UNHCR’s disapproval of them as “irregular movers” for having left northern Iraq on their own.*

In Kuwait, some 15,000 Iraqis, many long-time residents, live in an atmosphere of suspicion. *The United States should continue to review UNHCR resettlement referrals on behalf of those for whom resettlement is needed.*

In Lebanon, the government is treating refugees and asylum seekers, mostly Iraqis and Sudanese, increasingly harshly; for most, resettlement is their only option. The 250,000 Palestinian refugees in the south of Lebanon are likewise without a durable solution. *Eventually, the State Department may need to consider resettlement for Palestinian refugees in Lebanon in order to promote international burden-sharing and peace in the region.*

Syria hosts about 24,000 Iraqis, many of them refugees or in refugee-like circumstances, and smaller numbers of Yemenis, Somalis, Afghans, Sudanese and others. While Syria tolerates refugees, it cannot be considered a safe country of asylum, and *resettlement remains the only option for most refugees there.* In addition, there are 300,000 stateless Kurds in the northeast of the country, their rights severely restricted. *Thus, Syrian Kurds who have fled Syria should be considered for U.S. resettlement, as should Kurdish refugees who have fled to Syria, since neither group has prospects for local integration.*

Jordan is temporary home to 180,000 Iraqis. Third-country resettlement is the only durable solution available for most of them. *The United States should continue to work closely with UNHCR to promote refugee resettlement out of Jordan.*

Iranian and Iraqi Kurds suffer persecution in Syria, Jordan, Lebanon, Pakistan and Turkey. *We recommend P-2 for Iraqis who have suffered torture or systematic and significant acts of violence by Iraqi governmental authorities, and for persons persecuted or with a well-founded fear of persecution based on actual or imputed association with the U.S. government or with American nongovernmental entities.*

In Israel, a small number of refugees recognized by UNHCR need resettlement because Israeli law does not allow aliens from certain “enemy states” to stay and significantly restricts their movements. *The United States should encourage UNHCR resettlement referrals from Israel.*

In Saudi Arabia, 5,200 Iraqi refugees continue to live under difficult circumstances at Rafha camp. Most are Shi’a Muslims who participated in the failed uprising against

Saddam Hussein in the aftermath of the Gulf War. Several hundred have never been interviewed by the United States. *The United States should do its utmost to consider the cases of all those who wish for resettlement.*

Yemen has over 50,000 refugees of concern to UNHCR; most numerous are Somalis, followed by Eritreans, Ethiopians, Palestinians, Sudanese, and Iraqis. A very small number are being resettled. *UNHCR should examine this situation to see whether more need the protection of resettlement.*

In Western Europe, East Europeans, Africans and other refugees are being squeezed out of asylum and resettlement consideration, caught between increasingly restrictive asylum practices in the European Union (EU), U.S. discontinuance of the processing priorities for East Europeans, a stark reduction in the number of U.S. processing sites, and UNHCR's historic reluctance to make P-1 referrals. *The United States should re-open P-2 registration in Europe for victims of the Balkan conflict, including Bosnian victims of severe past persecution and non-Albanians who have fled Kosovo, virtually all of whom face the risk of persecution there. The United States should also maintain the P-2 eligibility of Iranian religious minorities.*

Worldwide, an estimated five percent of all refugees are unaccompanied minors. After long deliberation, the State Department in late 2000 started the process of accepting some 3,800 young Sudanese from Kakuma camp in Kenya (many of whom had by then "aged out" of minor status). This reversed an earlier trend, and deserves our commendation. This excellent effort should now be extended. *We urge UNHCR to establish a goal of "best-interest" determinations for all unaccompanied minors under its protection, with resettlement referral as one possible outcome, and we call on the United States to support it.*

Another large portion of the world's refugees, more than 25 percent, are now found in urban areas. Often they must live furtively off the underground economy, subject to harassment and exploitation and in constant fear of the authorities. UNHCR has made great strides in applying resettlement as a durable solution for urban refugees; the agency, however, remains conflicted, sometimes still reluctant to "reward" urban case-loads with resettlement. *We urge UNHCR to have all its offices pursue resettlement when it is the most appropriate durable solution for the refugee-even when he or she is an urban asylum seeker or refugee living in a country that is signatory to the 1951 Convention.*

Refugee women-at-risk constitute yet another group on which special focus must be maintained. *The State Department should issue instructions to embassies about how to identify P-1 women-at-risk to ensure that they get full access to resettlement opportunities, and the Department of Health and Human Services should issue guidelines to ensure that they receive appropriate services once they arrive in the United States.*

"Long-stayer" refugees, people whom circumstances condemn to stay indefinitely in a refugee camp, have too often been overlooked. In Pakistan, for example, UNHCR referrals from the refugee camps, where the most vulnerable and needy live, are nonexistent. We urge the United States and UNHCR to make it a priority to refer such people for

resettlement, and to strive to end the long-stayer phenomenon altogether by pushing harder and sooner for resettlement and other durable solutions for these populations. UNHCR should constantly be referring long-stayers—and potential long-stayers—for resettlement as P-1 refugees. In addition, we urge the United States to set an example for other resettlement countries by creating a new “P-6” category for long-stayers. This could ensure that, at the end of the fiscal year, any U.S. refugee slots that would otherwise have gone unused would instead have been allocated to long-stayers in desperate need of resettlement.

Finally, many refugees who come here are victims of torture and need specialized care. We urge Congress and the Administration to bear this in mind when appropriations are considered under the recent Torture Victims Relief Act. With regard to refugee torture victims abroad, we commend the State Department for its support for traumatized victims from Sierra Leone, Liberia and the Balkans, and urge that these efforts continue.

II

Introduction

The year 2000 was not an encouraging one for the world's uprooted peoples. In regions where violence has been most severe, like the Great Lakes countries of Africa, the Caucasus, and Central and South Asia, hopes for peace did not materialize, the suffering worsened, and those fleeing grew in number. The regimes set up to respond to forced human outflows remained under pressure. In Europe, governments continued to focus on how to control access to European Union countries, often at the expense of their 1951 Refugee Convention responsibilities. In the United States, asylum-seekers continued to be denied their full rights, with some suffering unconscionably lengthy incarceration. On the resettlement side, the United States continued dismantling our long-standing system of priorities to the detriment of the refugee relatives of U.S. residents, endangering family reunification. And we fell badly short of meeting the worldwide refugee resettlement ceiling fixed by the Administration after consultations with the Congress, bringing in 12,500 fewer refugees than the 85,000 for whom FY 2000 funding had been appropriated.

At the same time, the Congress appropriated a welcome \$700 million for the principal refugee account for FY 2001, beginning a reversal of the previous downward trend. This higher appropriation reflects serious efforts by the voluntary agencies to educate their constituencies, and thus key legislators, regarding the consequences of withholding adequate funding for refugees. One effect of the larger figure will be an increase in assistance for refugees and displaced people in Africa of \$40 million over the amount originally proposed, bringing the total to \$180 million. Refugee Council USA members will continue to urge the State Department to meet funded resettlement ceilings. We also intend to encourage the grassroots support for refugees that helped convince congressional appropriators to exceed the Administration's FY 2001 funding request. For FY 2002, we recommend funding of at least \$800 million for the Migration and Refugee Assistance (MRA) account and \$50 million for the Emergency Refugee and Migration Assistance (ERMA) account.

Madame Sadako Ogata departed at the end of 2000 after ten years as U.N. High Commissioner for Refugees, having earned a reputation for tough-minded insistence that governments be held responsible for refugee-producing conflicts. Last year, she pushed forward the idea that specific U.N. agencies must take explicit responsibility for internally displaced people, moving the international community further in the direction of assuring that displaced people everywhere receive adequate attention. Throughout her tenure, she emphasized resettlement as a durable solution; we are grateful to her and the UNHCR Resettlement Office for their leadership in this regard.

We welcome the new High Commissioner, Mr. Ruud Lubbers of the Netherlands. We wish him success in the face of challenges such as strengthening the protection function within the organization. We assure him of our support for that and the other needed objectives that will claim the attention of those of us concerned with refugees and internally displaced people in 2001.

III Overseas Processing and Protection

A. Family Reunification

The Universal Declaration of Human Rights proclaims that “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State” (Article 16(3)). Through the resettlement of refugees who are separated from family members in the United States, the U.S. refugee program has had a long and highly commendable tradition of promoting family unity and family values. In recent years, however, the refugee program has been administered in a way which has restricted opportunities for refugee families to reunite.

The benefits of family reunification are obvious. Through resettlement, refugees overseas are rescued from danger. Victims of persecution who have had to leave everything behind are at last rejoined with their relatives. For family members already in the United States, many of whom are themselves recently-arrived refugees, reunification with their loved ones removes what is perhaps their major source of anxiety and emptiness. Once reunified, families can turn their faces forward and fully devote their energies to starting over, making new lives in their new country.

It is through membership in a “processing priority” that a refugee overseas qualifies for an interview with the INS and an eventual determination of eligibility for U.S. resettlement. There have been three long-standing processing priorities for families. Priority Three (P-3) is for refugees who are spouses, unmarried children, or parents of persons lawfully admitted to the United States. Priority Four (P-4) is for refugees who are the grandparents, grandchildren, married sons or daughters, or siblings of U.S. citizens or other persons lawfully admitted to the United States. Priority Five (P-5) is for refugees who are the uncles, aunts, nieces, nephews, or first cousins of U.S. citizens or other persons lawfully admitted to the United States.

For FY 2001, the State Department’s processing guidelines make no provision for the admission of refugee family members who fit within P-4 or P-5. For P-3 refugee family members, admission has been restricted to include only those spouses, unmarried children, or parents who are from one of six African countries: Angola, Burundi, Congo (Brazzaville), the Democratic Republic of Congo (DRC), Sierra Leone, or Sudan. Close family members who are refugees but not from those six countries are excluded from refugee priority admission unless they fit within one of the specially designated P-2 categories or are fortunate enough to obtain a P-1 referral. Such a referral would have to come either from UNHCR (unlikely, given the severe demands on UNHCR protection officers and the agency’s paucity of resources) or from a U.S. embassy (even less likely, as embassies seldom utilize their authority to refer refugees for resettlement).

Some have criticized utilization of the family reunification categories as a poor use of the annual refugee allotment, contending that those benefiting should instead apply

for family-based immigrant visas. Their implication seems to be that refugee relatives are not “real” refugees. This is wrong. The family reunification priorities do not guarantee refugee status; they merely allow an applicant to be interviewed. Each applicant must still prove a well-founded fear of persecution based on one of the five grounds. Moreover, most refugees reunited under the family reunification program would not be eligible for immigrant visas for many years, if at all.

There *is* a process for reuniting refugees and asylees with their spouses and unmarried minor children in the United States—the “visas 92/93” program. Visas 92 and 93, unlike the P-3, P-4 and P-5 categories, do not require that the refugee’s immediate relatives prove persecution. Timeliness, however, is a problem. We fail to understand how INS can adjudicate certain business visa petitions in a few weeks while taking many months to process simpler visas 92/93 requests. We urge INS to rectify this disparity.

We deeply regret the increasing restrictiveness of the United States toward refugee family reunification. This is especially unfortunate against the backdrop of unused refugee admissions—some 12,500 in FY 2000—which could have been used to reunite families.

As the U.S. refugee program’s involvement in family reunification has eroded, the State Department has maintained that UNHCR can promote the uniting of families through P-1 referrals. UNHCR’s response is that international instruments make clear that family reunification is an obligation of states. Moreover, says UNHCR, states are more competent than UNHCR at verifying family relationships. Our own observation is that UNHCR’s scarce resources render the agency ineffective at promoting family reunification, as illustrated in a country like Pakistan. Thus, notwithstanding UNHCR’s responsibility for the protection of all refugees, the United States should promote family reunification without UNHCR’s unnecessary involvement.

We urge, therefore, that the United States return to more generous resettlement opportunities for refugee family members of U.S. residents. One vehicle would be a blanket P-3 designation for all nationalities, allowing refugees who are spouses, unmarried sons or daughters, or parents to be quickly reunified with their loved ones. UNHCR has indicated that it would welcome such a policy, both on humanitarian grounds and in order to free up precious refugee determination resources for other, P-1 refugees. In order to avoid creating unintentional incentives to abuse the resettlement system through fraudulent claims of false relationships, the blanket P-3 might be limited in time so that the affidavit of relationship would have to be filed within, say, two years of the applicant’s arrival in the United States, or, preferably, within two years of the family member’s having become a refugee.

Besides the expansion of Priority Three, we urge that the government reinstate the use of Priorities Four and Five for selected nationalities, particularly within long-stayer populations. Family unity is a universal value which the American people strongly support. Our refugee program should, too.

B. Emergency Resettlement

Last year, Refugee Council USA member agencies called for the United States to initiate a “fast track” process to effect resettlement for endangered refugees by bringing them into the United States “in days or weeks, instead of months or years.” For refugees facing imminent *refoulement* or deportation, or those at risk of arrest and abuse by secret police, quick resettlement can literally mean the difference between life and death.

Now, in response to a request from UNHCR, the United States is planning for a pilot “Emergency Resettlement” procedure in FY 2001 for 50 cases. Upon accepting an emergency resettlement referral from UNHCR, the INS will interview the refugee, conduct pre-admissions procedures, and arrange travel for the refugee—all within seven days. This represents impressive progress, for which the State Department and INS are to be commended.

UNHCR has maintained an emergency resettlement referral program for many years. In the past, UNHCR referred virtually all emergency cases to the Nordic countries and New Zealand, which had the capacity to accept and transport a small number of refugees very quickly. By 1999, however, UNHCR had identified more at-risk refugees than they had available resettlement spaces. UNHCR appealed to other resettlement countries to consider launching their own emergency resettlement procedures.

After considering a variety of possible processing models, the United States has decided to follow the procedure it normally uses, although at a dramatically expedited pace. INS officials will arrange interviews, sometimes in remote locations, and the State Department will work with partner agencies to conduct the necessary medical and security exams, and make immediate travel arrangements. The emergency resettlement pilot procedure will be reviewed at mid-year to ensure that the referral and response mechanisms are working smoothly.

What is now needed is for UNHCR to begin referring emergency cases, which we hope will begin as quickly as possible.

C. Increasing Refugees’ Access to U.S. Resettlement

Consistent with its heritage, the United States remains the world’s most generous refugee resettlement country, welcoming about as many per year as all other resettlement countries combined. At the same time, access to the U.S. program is for many becoming more and more restricted.

For example, refugees once could be processed for U.S. resettlement at a dozen different locations in Europe and eight in East Asia. In 2001, this is being reduced to four in Europe and one in East Asia. We hope that provision will be made for circuit rides to these uncovered locations; in Athens, for example, where several hundred people will be processed in FY 2001, the need for continued coverage is clear.

Similarly, family reunification is receding as a U.S. objective (*see page 8*). On the reasoning that the refugee relatives should come to the United States to the degree possible through immigration procedures, only one of the three family-reunification priorities remains in use.

Meanwhile, use of Priority Two (membership in a refugee group of special concern to the United States) is also becoming more sparse. Only six nationalities are eligible for P-2 processing in FY 2001, and P-2 status for one of them, the Bosnians, was discontinued February 1, 2001, in Germany, and is due to expire April 1 elsewhere. P-2 status for Iranian religious minorities was rescinded in Germany; in Austria, it has been made available only for those who traveled to Austria on a special Austrian "D" visa.

Of course, P-1 referral by UNHCR, for refugees immediately at risk, remains an option. In practice, however, it is much underused. In areas where armed conflict has pushed the refugee flow into the tens to hundreds of thousands, the need to provide immediate emergency relief overwhelms UNHCR's capacity to make these referrals. Given current resources, it is hard to see how UNHCR can bolster this capacity significantly. The other avenue of access for P-1 refugees, through U.S. embassy referrals, is so underutilized that its impact is negligible.

As noted, processing sites in Europe are being eliminated. Nongovernmental organization (NGO) processing sites in Madrid, Rome, and Athens were instructed that NGOs could no longer present refugee cases to INS in those cities. Similarly, in Germany, regional JVA processing posts are being closed, and processing concentrated in Frankfurt. The JVA processing post in Split, Croatia, is also being shut down, its caseload being merged into that handled by Zagreb.

The State Department has determined that the European asylum system is sufficiently developed that resettlement processing is no longer necessary in as many places. While we agree that the European Union (EU) is moving toward asylum harmonization, the asylum systems of the EU remain generally more restrictive than our own, particularly for refugees in France and Germany who are claiming religious or political persecution by non-state actors. In addition, some European countries apply the "internal flight alternative" and similar doctrines more restrictively than they are applied by the United States. Consequently, we are fearful that further restricting access to the program for refugees, many of whom are limited in their freedom of movement, will increase the danger of *refoulement*, particularly for religious and ethnic minorities.

Finally, more than 100,000 U.S. resettlement admissions slots have gone unfilled over the past ten years due to processing inefficiencies and the elimination of traditional processing priorities that have restricted access to the resettlement program. Annual shortfalls have occurred repeatedly in spite of the need for additional resettlement places that will be clear from a reading of this document. We call on the United States to use aggressive measures to narrow the gap between authorized and actual admissions.

While these doors are closing, traditional refugee protection systems are deteriorating. African, Asian and Middle Eastern countries have followed the lead of the Western nations and tightened their refugee and asylum policies, making it urgent that UNHCR redouble its efforts to advance resettlement as a means of protection.

Current efforts to offset these negative trends are insufficient. U.S. participation in UNHCR's emergency resettlement program (*see page 10*) is laudable; however, it can involve only a small percentage of the annual admissions ceiling. Another welcome measure is the establishment of a processing post in Ghana to supplement that in Nairobi; the African access mechanism, however, must be strengthened even further if the African regional ceilings that are justified are to be reached.

What further can be done? First, U.S. embassies should be prodded to use the power they already possess to refer refugees to the U.S. program. To help them, we repeat here our recommendation of last year that the State Department formalize partnerships with field-based NGOs to assist in refugee identification and referral. Second, the United States and other donor countries should give UNHCR the resources to increase its capacity to refer P-1 cases. The United States has started doing this with the funding of an NGO, on a pilot basis, to refer deserving Afghan refugees to UNHCR for referral to third countries. Third, the State Department should expand the use of the P-2 designation. Fitting beneficiaries would include Afghan women-at-risk and their dependents in Pakistan; Afghan and Algerian victims of non-state persecutors in Germany and France, who are in danger of deportation; Sudanese "lost boy" refugee minors in Ethiopia; Iraqis who have suffered torture or who are associated with the United States; and non-Albanians from Kosovo, including Roma, Muslim Slavs, Gorani, Ashkaeli and Turks as well as people in mixed marriages, who face a serious risk of persecution in Kosovo and who cannot integrate with major, established nationality groups in the region. Fourth, the State Department should reopen the P-3, P-4, and P-5 designations to promote family reunification among populations with no other durable solution imminent. Finally, the State Department should consider creating a new P-6 category for refugees who have been in restricted camps for more than five years.

IV The Public/Private Partnership

A. The Partnership Overseas

Last year, Refugee Council USA called upon the U.S. government to restore its commitment to the public-private partnership in the overseas processing of refugees. The embodiment of this partnership has long been the Joint Voluntary Agency (JVA). The JVA was the term given the entity managed by U.S. NGOs under contract with the State Department to assist with refugee processing at overseas posts. JVAs helped prepare refugee applications and appeals (“Requests for Reconsideration”) to be presented to INS, facilitated interpreting at INS interviews, and provided cultural orientation for approved refugees. The voluntary agencies were given this role in recognition of their unique expertise and their links to resettlement communities in the United States.

This public-private partnership in processing refugees overseas has eroded in recent years as the State Department has increasingly relied on the International Organization for Migration to perform the refugee processing role traditionally filled by private voluntary agencies with resettlement and processing experience. During the FY 2000 refugee admissions consultations, this trend was criticized by members of Congress who went on record to state, “We believe that, due to U.S. non-governmental organizations’ experience with Joint Voluntary Agencies, they can bring transparency, a domestic constituency, and a connection to the U.S. resettlement program that (an) international organization cannot.”

Refugee Council USA hopes that this partnership for refugee protection will be strengthened in the first year of the new Administration. This past year, however, the partnership continued to erode. The JVA outpost in Syria was closed by the State Department and replaced by a processing entity with no voluntary agency involvement. In the FSU, while the United States’ decision to expand refugee processing beyond Moscow is a most welcome development, the State Department bypassed the voluntary agencies in concluding a contract to implement this expanded operation. Finally, this year the State Department removed the term “Joint Voluntary Agency” from its lexicon and replaced it with “Overseas Processing Entity” (OPE). This semantic change does little to instill confidence that the partnership between the U.S. refugee program and the voluntary agencies will be strengthened.

At the same time, there have been some encouraging developments in the past year. For example, while they may no longer be called “joint voluntary agencies,” the overseas processing entities are, in fact, becoming increasingly “joint.” As a result of the State Department’s decision to consolidate processing operations in Germany, Austria, and Croatia, the voluntary agencies have banded together to form true partnerships in the operation of these OPEs, and have already taken steps to apply this joint model to other parts of the world as well.

In addition, Refugee Council USA is pleased that a voluntary agency has in the past year assumed a role in refugee processing operations in Cyprus, Yemen and Kuwait. We were also encouraged by the State Department's intent to open a new OPE in Accra, Ghana, and hopes this will be used an opportunity to strengthen our public-private partnership.

In sum, Refugee Council USA calls upon the new Administration to reinvigorate the overseas partnership, which has a long tradition of helping refugees who flee persecution to come to the United States. The partnership allows for timely, effective collaboration between overseas processing entities and the domestic resettlement agencies, which is vital to refugee placement and follow-up. The partnership is cost-efficient and gives important religious, ethnic, and humanitarian constituencies a sense of ownership of the U.S. refugee program, further solidifying their support.

Most importantly, the overseas partnership with voluntary agencies enhances refugee protection. Having NGO staff participate in the processing of refugee claims adds an experienced voice which can aid INS interviewing officers in reaching the best decisions, and adds transparency to an important lifesaving program which would otherwise be opaque.

We welcome discussions with the new Administration on strengthening this valuable and longstanding collaboration.

B. The Partnership Domestically

Nine national voluntary agencies, all Refugee Council USA members, perform refugee resettlement across the country under contract to the State Department. That is specialized work, requiring a nation-wide network of offices, a headquarters component able to coordinate the placement of thousands of people, a staff with sensitivity to other cultures, abundant local contacts, and the ability to augment federal support with community resources. Building and sustaining the capacity to bring hundreds of thousands of new people into our national life has been a challenge that calls for constant review of policies and operations.

The voluntary agencies, the majority of them faith-based, were resettling newcomers before government help was available. Government support, however, sustained over that last two decades, has strengthened the agencies' capacity and resulted in a strong partnership between agencies and government.

Today, the resettlement agencies maintain over 400 local resettlement offices located in all 50 states, the District of Columbia, Guam and Puerto Rico. Through these offices, the actual work of resettlement takes place: meeting refugees at the airport, finding housing, picking up furniture, registering children for school, making medical appointments, finding employment. Newcomers are more ethnically diverse than ever before, and many suffer from serious medical conditions or trauma. The agen-

cies must help them adjust to life in our society—a challenging task that requires genuine dedication from those who undertake it.

Over the years, efforts to place refugees in early employment have grown steadily more effective: today more than 90 percent of “free cases” (refugees with no anchor relatives) find gainful employment within six months of arrival. This means faster adjustment by the refugee, less support needed from public assistance programs, and an early contribution by refugees to their new homeland.

Good, affordable housing is another component of resettlement success. Despite difficulties (prosperity actually makes housing more difficult to procure), the agencies are working to improve the availability of safe, decent and affordable housing for refugees throughout the United States.

The agencies have also put forth extraordinary efforts to meet refugees’ special needs. These were in evidence in late 2000 for the hundreds of Sudanese unaccompanied minors from Kenya’s Kakuma camp (*see page 18*), young people whose extraordinary ordeal caused the agencies both to appeal for a strengthened orientation program before they arrived and to take unusual measures to assure they were placed in appropriate circumstances once they were here.

Finally, as always, the voluntary agencies bring their own financial resources, as well as the support of their constituents, to the resettlement effort. Impossible to quantify with precision, these resources amount to many millions of dollars per year in cash and in-kind donations of goods and services. Without this important community support, the ability of the U.S. Government to offer refugees the protection of resettlement would be more costly and lack the vitality of a program where local communities truly welcome and invest in their new neighbors.

V

Admissions Recommendations

A. Africa

Unstable conditions in many countries in Africa continue to produce forced movements of people, with some 1.5 million having fled in search of safety in the first eight months of 2000. This added to the more than 13.7 million uprooted people on the continent. These included asylum seekers fleeing human rights abuses or civil strife, and many escaping from environmental and natural disasters.

UNHCR estimates that Africa's refugees, asylum seekers, and others of concern under its mandate now number six million, constituting nearly 30 percent of that population worldwide. In recent years, Burundi, Eritrea, Sudan, Sierra Leone, Somalia, and Angola have together produced more than 72 percent of Africa's refugee population. The situation is not improving: Africa's refugee crisis continues to grow in complexity and magnitude, with nearly 30 of Africa's 53 countries either producing or hosting significant numbers of refugees at the end of 1999. Refugee-hosting countries like Guinea and Côte d'Ivoire have experienced threats

to their political stability, in part due to the presence of hundreds of thousands of refugees from war-torn neighbors such as Sierra Leone and Liberia. One result of the violence is that attacks against refugees and aid workers in refugee camps in several African countries have increased in frequency and gravity.

In addition to refugees, more than ten million Africans were displaced internally in their homelands at the end of 2000, nearly four million in Sudan alone. Although these people are protected by human rights law as set out in the Guiding Principles on Internal Displacement, there are no specific or binding international instruments to protect them. Internally displaced persons must therefore seek security, food and shelter from the same warring parties responsible for their predicament.

Although several African countries made giant strides toward democratic reform in the past year, regional and international peace initiatives to end Africa's refugee-producing conflicts, including those in Burundi, the Democratic Republic of the Congo, and Sierra Leone, were unsuccessful, postponing the repatriation of those affected.



Woman and child surrounded by fellow internally displaced people in Rwanda. Photo courtesy of Bishop Philip Straling/NCCB Committee on Migration, October 2000.

Refugee Camp Safety

Attacks on refugee camps in several African countries have increased inordinately in recent years. While the number of refugees killed or kidnapped is unknown, the killing of a UNHCR worker and the kidnapping of his colleague in Guinea in 2000 heightened concerns about refugee camp safety. In Côte d'Ivoire, Liberian refugees at the Danane integration zone have complained about harassment and death threats by agents of the Liberian government. In Guinea, the cross-border conflict involving Sierra Leone makes living in refugee camps increasingly hazardous. Deployments of regional or international peace-keepers to protect refugee camps must be supported vigorously to protect the defenseless people who must stay there. The international community should also promote measures to ensure the safe size and location of camps, disarm refugees at the border, intern active combatants, exclude and separate individuals who are not refugees, and provide for the deployment of civilian human rights monitors.

The Horn of Africa

The fact that the Horn of Africa, a region plagued by the twin disasters of war and famine, continues to produce more than 39 percent of Africa's total refugee population underscores the region's instability. The relentless civil war in Sudan continues to cast a dark shadow over the region. While the recent peace treaty between Ethiopia and Eritrea and the new government in Somalia now offer renewed hope, tensions between Eritrea and the Sudan continue, and the peace accord between Eritrea and Ethiopia remains fragile. Although thousands of refugees have returned to Eritrea and Ethiopia from Sudan in recent years, a small number of Ethiopian and significant numbers of Eritrean refugees remain there. Resettlement is appropriate for some of these refugees.

Sudan

The 17-year-old civil war between Sudan's Muslim/Arab north and Christian/African south, which has claimed the lives of some two million people, continues to cause massive dislocation in the country's southern, western and eastern regions. Two million people, mainly from southern and western Sudan, have been displaced to major northern Sudanese cities, including the capital, Khartoum, while nearly four million Sudanese remain trapped in the war zone in the south. Meanwhile, nearly 500,000 Sudanese are refugees in neighboring countries. Efforts by Sudan's neighbors to end the war through a region-



Some of the "Lost Boys" from Sudan in Kakuma Refugee Camp, Kenya.
Photo courtesy of Mark Franken/MRS/USCC, October 2000.

al mediation mechanism sponsored by members of the Inter-Governmental Agency for Development (IGAD) have failed to produce results.

For many of the Sudanese refugees in the region, resettlement to a third country is the only durable solution available for the foreseeable future.

Sudanese Refugees in Ethiopia

There are currently an estimated 60,000 Sudanese refugees living in four camps in western Ethiopia. Nearly 20,000 arrived in the past two years. Ethiopia is also home to a large number of unaccompanied refugee minors, whose situation is similar to that of the “lost boys” at Kakuma refugee camp in northwestern Kenya. Unlike them, the Sudanese refugee minors in Ethiopia, many of whom trekked to Ethiopia in the late 1980s, have not captured the world’s attention. We urge that UNHCR do “best interest” assessments for those of this group under 18, and to refer those who need resettlement to the U.S. refugee program. Those over 18 should be given P-2 designation as people of humanitarian concern to the United States. Other Sudanese refugees in Ethiopia should continue to be considered for U.S. resettlement as well.

Sudanese Refugees in Kenya

The ebb and flow of the Sudanese civil war has made it difficult to provide a good estimate of the number of Sudanese refugees in Kenya. Their number has, however, fluctuated over the years between 25,000 and 65,000. Most of the nearly 55,000 Sudanese estimated to reside in Kenya in 2000 live in Kakuma. The arrival in the United States in late 2000 of the first group of unaccompanied Sudanese youth from Kakuma is good news both for them and for the other Sudanese refugees in Kenya.

Many other vulnerable Sudanese refugee groups, including single mothers widowed by the war, need the protection of resettlement. Chief among these groups are the Uduk, mostly Islamized Africans from the Ingassana Hills in the Blue Nile region of eastern Sudan, who have endured long years of discrimination based on their race. The Uduk experienced widespread dislocation when Sudan’s civil strife spilled into the eastern part of the country in 1987. Although their region is administratively part of northern Sudan, the Uduk belong ethnically and linguistically to the predominantly Nilotic southern Sudan. Like the Somali Bantu, the Uduk are unlikely to return home in the foreseeable future and should be accorded P-2 access.

Sudanese Refugees in Egypt

There are approximately 3,000 UNHCR-recognized Sudanese refugees in Egypt amid a Sudanese population there estimated at 3–5 million. Many of this overall number are refugees living without protection. Since Egypt does not grant

work permits to refugees, refugees from northern and southern Sudan depend on a small number of local Egyptian churches for food and clothing. With no possibility of becoming self-sufficient, Sudanese refugees in Cairo are unlikely to become integrated into Egyptian society. In addition, the length of time that refugees must wait for UNHCR interviews to designate refugee status is now 18 months to two years, resulting in their being ineligible for much-needed UNHCR assistance in the interim.



Sudanese youth participating in an occupational skills training program in Kakuma Refugee Camp, Kenya. Photo courtesy of Mark Franken/MRS/USCC, October 2000.

Resettlement is the only viable option for many Sudanese refugees in Egypt, a number of whom have family members in the United States. We thus encourage the United States to continue significant resettlement from Cairo, where the case-load should be expanded to provide for family reunification. UNHCR, the U.S. embassy, and IOM should be given sufficient personnel, training and resources to handle this increase.

Somali Refugees in Kenya

Most of the Somali refugees in Kenya fled civil war and famine in their country in 1991–1992. Although half of them have since returned to Somalia and tens of thousands resettled elsewhere, the U.S. Committee for Refugees estimates that approximately 140,000 Somali refugees remained in Kenya in 2000. Nearly 100,000 live in the Dadaab camp, and 20,000 in Kakuma camp. The U.S. Committee for Refugees estimates that there were also 25,000 Somali urban refugees in Kenya in 2000. Despite the recent election of a president and parliament, various warlords remain unsupportive of the new Somali government. Given this situation, caution must be exercised regarding the repatriation of large numbers of Somalis who fled the former government. Resettlement must remain an option for those refugees who cannot return.

Nearly 10,000 Somali Bantu, descendants of slaves taken from Tanzania and northern Mozambique in the late 19th century to the southern coast of Somalia, who earned belated U.S. recognition as a particularly vulnerable group, have yet to arrive in the United States. They currently live in Dadaab and Kakuma refugee camps.

***The Great Lakes Region:
Burundian Refugees in Tanzania***

The situation in Burundi remains dangerous; the peace accord negotiated in Tanzania in 2000 by former South African President Mandela has not produced a cease-fire. Nearly 230,000 Burundian refugees in Tanzania live in large refugee camps.

***Refugees from the Democratic
Republic of Congo (DRC)***

Since the start of the rebellion against its late President, Laurent Kabila, in 1998, the Democratic Republic of the Congo has acted as a dragnet, pulling the country's neighbors into a political and military quagmire. The conflict pits the DRC government and its allies in Angola, Zimbabwe, Namibia, and the Sudan against fragmented rebel forces backed separately by Uganda and Rwanda. Of the 135,000 refugees from the DRC, an estimated 60,000 reside in Tanzania, 28,000 in Rwanda, and a significant number in Burundi. International efforts to deploy peace-keepers in the war-torn country have not yet succeeded, delaying prospects for their repatriation. The DRC itself hosts 255,000 refugees, mainly from Angola, the Sudan, Congo Brazzaville, Rwanda, and Burundi, often located in remote areas difficult to access. The accession of Joseph Kabila to the presidency following his father's assassination in January 2001 presents an opportunity for a greater DRC commitment to end the fighting. If this occurs, the DRC's refugees and internally displaced people could benefit.



Internally displaced mother and child in Burundi. Photo courtesy of Mark Franken/MRS/USCC, October 2000.

West Africa: Liberia

Although the Liberian civil war ostensibly came to an end in 1996, ethnic tensions and political rivalries sharpened by seven years of vicious fighting continue to produce a volatile climate in this West African nation of three million. In 2000, there were more than 300,000 Liberian refugees, including approximately 80,000 in Guinea, 90,000 in Côte d'Ivoire, 13,000 in Ghana, 10,000 in Sierra Leone, and 2,000 in Nigeria. There were also approximately 50,000 internally displaced Liberians in 1999. Nonetheless, Liberia hosted nearly 120,000 refugees from Sierra Leone in 2000.

Although many Liberian refugees returned home in 1998, renewed fighting in Lofa County has forced many more refugees back into Guinea and Sierra Leone.

Liberian Refugees in Guinea

With a population of 7.5 million, the West African nation of Guinea, one of the few African countries which do not produce refugees, hosts more refugees than any other African country. In 2000, the country was home to approximately 350,000 refugees, including 80,000 from Liberia. While many returned home, new refugees arrived in Guinea in 1998 and 1999 as fighting intensified in Liberia's Lofa County. Now, clashes between Guinea and Sierra Leone have caused a backlash against Liberian refugees in Guinea, forcing many either to return to Liberia or to remain in Guinea cut off from humanitarian assistance and international protection. Resettlement, perhaps emergency resettlement, is appropriate for some of these refugees.

Liberian Refugees in Côte d'Ivoire

Although many of the more than 350,000 Liberian refugees who fled to Côte d'Ivoire at the start of the Liberian war in 1990 returned home in 1998, fresh fighting in Lofa County in 2000 has made many refugees afraid to repatriate. Harsh anti-foreign rhetoric and violence following the country's controversial presidential election last year have raised serious concerns about the safety of the 135,000 Liberian and other refugees in Côte d'Ivoire.

Sierra Leone

Chaos returned to Sierra Leone in early May 2000 following the withdrawal of the Nigerian peacekeeping force. Rebels of the Revolutionary United Front (RUF) immediately resumed their attacks on civilians, government troops, and international peacekeepers, scuttling the Lome Peace Agreement the rebels had signed with the government in Togo in 1999. The RUF's latest attacks have prevented many of the estimated 300,000 Sierra Leonean refugees from returning home from neighboring countries. Britain's decision in January 2001 to allow its peacekeeping force to remain in Sierra Leone until the end of the year was a much-needed boost to regional and international efforts to bring stability to the West African nation, where, in spite of the arrest of RUF leader Foday Sankoh, the security and political situation is made even more precarious by the looming conflict with Guinea.



Returning refugee from Forécariah, Guinea to Freetown, Sierra Leone.
Photo courtesy of Eleanor Bedford/USCR, October/November 2000.

Sierra Leonean Refugees in Guinea

Sierra Leone's war spilled into Guinea during 2000, putting the lives of hundreds of thousands of refugees in danger and threatening to destabilize one of the most politically stable countries in Africa.

The backlash produced by the conflict between the two countries has already forced many Sierra Leonean refugees either to flee back to Sierra Leone or to take refuge in the Guinean capital, Conakry. In 2000, Guinea was home to approximately 350,000 refugees; today, about 330,000 Sierra Leoneans remain there. The continuing violence in Sierra Leone is likely to cause more of its citizens to flee this coming year, including some who returned from Guinea over the past year.

Whereas the option of relocating some of the refugees to other countries in the region is viable, resettlement is appropriate for some of these refugees. In fact, UNHCR and the resettlement countries need to resettle larger numbers from these countries lest circumstances so deteriorate that increasing numbers of refugees are forced back to areas, like parts of Sierra Leone, that are too dangerous for safe return. At the same time, the United States should intensify its assistance to international and regional efforts to prevent Guinea and the region from slipping further into chaos.

African Refugees and Asylum Seekers Outside Africa

In addition to millions of refugees in African countries, there is an undetermined number of African refugees and asylum seekers worldwide, including Ethiopians and Somalis in Yemen, Sudanese and Somalis in India and Pakistan, and Sudanese in Syria, Russia and Lebanon. Many of these refugees receive nei-

ther benefits nor support from UNHCR nor access to the U.S. refugee program, and are often subject to discrimination and harassment in the countries where they are living. We urge the State Department, in partnership with UNHCR, to continue to promote African P-1 referrals in regions outside Africa, including the Middle East, Commonwealth of Independent States, and South Asia.



Sierra Leonean refugees in Nyadoo refugee camp in Gueckedou, Guinea. Photo courtesy of Eleanor Bedford/USCR, October/November 2000.

B. East Asia

Burma

The United States continues to resettle a small but steady number of Burmese refugees, many of whom are former student activists residing in the Maneeloy student center. At least 1,000 refugees remain in the facility awaiting resettlement. Additionally, several hundred refugees are facing grave security threats in camps along the Thai/Burma border due to conflicts among ethnic groups. They are exposed to serious intimidation and require protection. Since the Thai authorities will not authorize the construction of new, safer camps or allow them to live in Bangkok, these relatively few "border cases" should be considered for admission under the U.S. resettlement program.

In Bangladesh, approximately one third of the remaining 20,000 Rohingya living in camps along the Burma border have expressed some interest in voluntary repatriation, but the remaining two-thirds are not willing to return to Burma, where they fear continued persecution. The government in Burma remains one of the most authoritarian in the world. The Rohingya have endured extremely poor living conditions in Bangladesh for almost ten years and should be considered for admission to the United States in accordance with U.S. government policy that extends resettlement to "persons for whom other durable solutions are not feasible and whose status in the place of asylum does not offer a satisfactory long-term solution."

Overall, resettlement of Burmese refugees has been sluggish, with only about 600 having entered the United States in FY 2000. Steps should be taken immediately to expedite processing, in particular for border cases vulnerable to security threats. At the same time, we are told that an appreciable number of Burmese were accepted for resettlement in FY 2000 by other countries, an encouraging development.

East Timorese in West Timor

Approximately 100,000 East Timorese refugees remain in the Indonesian territory of West Timor. Following the September 2000 murder of three UNHCR staff in West Timor at the hands of pro-Indonesia militia, UNHCR and most other aid agencies withdrew from the territory. Almost none have returned, given the continued failure of the Indonesian government to resolve the security crisis. This failure has seriously affected not only the safety and well-being of the refugees, but



East Timorese refugees in West Timor. Photo courtesy of Jana Mason/USCR, January 2000.

also UNHCR's efforts to repatriate those wishing to return to East Timor. While voluntary repatriation remains the goal for most if not all of the refugees, we urge the State Department to keep a close eye on the situation and to determine if there are East Timorese in West Timor for whom U.S. resettlement is warranted.

Indonesia

Continued violence throughout Indonesia—occasioned by separatism as well as religious and ethnic turmoil—raises the potential that some Indonesians may seek refuge

in Malaysia or other nearby countries. This has already been the case with Acehnese, and the United States has responded by resettling nearly 50 Acehnese out of Malaysia since 1998. The recent targeting of Acehnese humanitarian and human rights workers, and the escalation of violence despite a “humanitarian pause,” may lead even more Acehnese to seek safety elsewhere. In addition, ongoing violence in Maluku, North Maluku, and other Indonesian provinces may eventually result in more Indonesians seeking refugee status abroad. The State Department should carefully monitor the situation and be prepared to offer resettlement to Acehnese and other Indonesians for whom U.S. resettlement would be the most appropriate solution.

Similarly, there is an increasing number of refugees in Indonesia from the Middle East and elsewhere who have no integration prospects and should be resettled.

Vietnam

The Vietnamese refugee caseload remains in most respects finite; those pressing for U.S. resettlement fall into certain well-known categories left over from the era of the Orderly Departure Program. The two with the largest number of current applicants are the children of former re-education camp prisoners benefiting from legislation introduced in 1996 by Senator John McCain (R-AZ), and former U.S. Government employees with at least five years of service.

As of December 2000, cases of the “McCain kids” awaiting adjudication numbered 645 (about 1,500 people). We urge strict adherence to the McCain standards,



Internally displaced woman in Central Sulawesi, Indonesia.
Photo courtesy of Jana Mason/USCR, July 2000.

including the stipulation that the lack of a child's residency in the household of his or her ex-prisoner father is no barrier to eligibility, a feature that INS interviewers have not always honored in the past.

With regard to the "U11" program for former employees, processing of this group was suspended around 1996 after INS approvals slid to an unaccountable one percent. After much discussion, the program was to have re-commenced, with new guidelines, in April of 2000; however, the State Department's drawing up of a list of applicants it considers eligible has taken much longer than foreseen. We understand that, of 2,200 cases considered, 900 are now deemed interview-eligible; we remain concerned that some of those refused may have been rejected solely because no record was found in Washington of their service, with no further effort having been undertaken to validate their claim. We are also concerned at the prospect that the State Department, in asking the Vietnamese government to make the 900 available for interview, may commit itself to submitting no more cases. This would be unfair to those who might subsequently prove their eligibility as well as a meaningless inducement to the Vietnamese authorities, who have long wanted this program re-started for their own reasons.

A separate problem concerns the 2,500—some cases denied before 1996, which the State Department has said it will process if there is a significant improvement in the acceptance rate when the not-yet-seen are interviewed. If that occurs, the approved among those denied cases might or might not reach the United States in FY 2002, depending on the how fast the entire program is implemented.

A modest number of new cases could materialize through the Administration's new "rescue" program, under which Vietnamese in Vietnam can be accepted for U.S. refugee resettlement for current persecution not connected with the Vietnam war. The filling of the new "NGO Liaison" position at the U.S. Consulate General in Ho Chi Minh City, expected imminently, should energize this program and allow such cases as exist to start being identified.

Finally, the U.S. Embassy in Bangkok along with the French and New Zealand governments are to be congratulated for finding a solution for 44 unfortunate Vietnamese cases left in Thailand at the end of the Southeast Asian refugee effort. These people had languished for years in a detention facility, and their resettlement contributes to an honorable conclusion to the largest and most successful resettlement program in our nation's history.

C. The Balkans

Bosnia and Croatia

The numbers of Bosnian refugees and internally displaced people have changed little since last year. Today, more than five years after the war, 800,000 people remain displaced in Bosnia and 300,000 are refugees in Croatia, Yugoslavia and the EU countries. Fewer than 10 percent of the people who were “ethnically cleansed” during the war have managed to return to their pre-war homes. While the returnees are now on the increase, particularly as a result of evictions in Bosnia, the numbers are still small.

According to UNHCR, the number of Bosnia’s Muslim, Serbs and Croats who returned in 2000 to areas controlled by other ethnic groups may reach 60,000. Unfortunately this number will probably drop (to about 15,000) as people who lacked funds to rebuild their homes and stayed in makeshift settlements may be forced by the onset of winter to return to their places of displacement.

As in 2000, the climate for return in Republika Srpska remains difficult. Returnees’ major problem is regaining possession of their homes. According to UNHCR, lack of political will, legal obstacles and bureaucratic delays have prevented a solution.

Returnees also face insecurity and ongoing acts of violence. Serious incidents reported during 2000 include the stoning of buses in Bratunac, injuring five Bosnian women refugees who were there to examine the possibility of return. In addition, explosions, stonings, arson and other attacks have been directed against Muslims in Kozarac, Bratunac, Janina and Bijeljina, where tensions have increased as international forces evict Serbs in order to return houses to the Muslim families who fled their homes during the ethnic cleansing. Some of these attacks have been fatal.

Another obstacle to the return of displaced people in Bosnia has been the presence of millions of land-mines in rural areas. Despite enormous pressure internationally, Bosnia’s former warring factions have been extremely slow to address this issue. Mine clearance has also been hampered by the lack of local expertise, the absence of accurate mine field records, and severe winters.

Bosnia also hosts its own group of refugees—30,000–40,000 Croatian Serbs.

Needless to say, the need for resettlement persists, especially for Bosnians expelled from Serb strongholds in East Bosnia, those in mixed marriages, surviving spouses who are at risk, and refugees unwilling to return to home towns where they will have to live with their memories and where ruins and mine fields will reignite their trauma. Many of the Muslim victims of the 1992–95 ethnic violence in eastern Bosnia (e.g., Srebrenica, Zvornik, Zepa, Vlasenica, and Bratunac—all now held by ethnic Serbian forces) initially fled to primitive holding centers around Tuzla. The mass slaughter, torture, rape and other severe persecution visited upon them and

their relatives are compelling reasons for not requiring them to return. Unfortunately, a number of refugees who have fled to Croatia and elsewhere seeking entry into the refugee program have been summarily rejected on the baseless grounds that their temporary stay in the holding centers constituted “firm resettlement” or that they were “economic” refugees, rendering them ineligible.

Yugoslavia

The Federal Republic of Yugoslavia hosts the largest number of uprooted people in Europe, an estimated 486,000 refugees who fled the Balkan conflict of the 1990's and, more recently, another 225,000 persons internally displaced by the war in Kosovo in 1999.

The situation is particularly difficult for those from Kosovo, who continue to face harsh winters in displacement. Many are being forced to relocate within Serbia as they overstay their welcome in municipalities with devastated economies. More families are requesting to move to already crowded collective centers, originally set up for refugees from Bosnia-Herzegovina and Croatia. But the majority are having to find private accommodation, where they are required to pay monthly rents of 50–100 DM. Since few have any income, their situations are even more vulnerable.

Former Yugoslav Republic of Macedonia

Macedonia is struggling with about 11,000 Kosovo Roma refugees driven from their homes by Kosovar extremists. Some 1,500 of them live in a UNHCR-funded camp run by the Macedonian Red Cross; the others are accommodated by host families. While Macedonia recently renewed the refugees' temporary residence permits, there is no suggestion of permanent status. UNHCR provides “go-and-see” visits under NATO escort, but does not expect people to go back soon. Given the hostility to Roma in both Macedonia and Kosovo, and the dangers Roma would face if returned to Kosovo, the United States should consider resettling this group.

Groups Meriting Designation as Priority Two

Virtually all non-Albanians from Kosovo—ethnic Serbs, Roma, Muslim Slavs, Gorani, Ashkaeli and Turks as well as people in mixed marriages—face the serious risk of persecution there. Serbia has already absorbed some 230,000 of its nationals displaced from Kosovo, in addition to some 500,000 mostly ethnic Serb refugees from Croatia and Bosnia. At the end of 2000, the UNHCR announced that assistance to accommodate the displaced would be cut by more than 10 percent, to \$59 million. Roma, in particular, have been unwelcome virtually all over Europe. Thousands face imminent forced repatriation from Germany and elsewhere. We recommend that P-2 be applied to those of the above groups with no option for either safe or dignified return to their places of origin or for local integration. We recommend the same designation for Bosnian victims of severe past persecution.

D. Former Soviet Union

Religious Minorities in the Former Soviet Union (FSU)

Political instability, extreme economic pressure and social strife continue to result in frequent attacks on religious and ethnic minorities in the former Soviet Union. While it is no longer the policy of the successor states of the Soviet Union to discriminate against religious minorities on “anti-Zionist” or “anti-religious propaganda” grounds, Jews and Evangelical Christians continue to be the targets of local persecution throughout the former Soviet Union.

While some government officials are now making public gestures of religious tolerance, neither federal nor regional authorities demonstrate any inclination to investigate, let alone prosecute, increasing occurrences of violence, arson and other attacks on religious sites, inflammatory hate speech, or discrimination against these minorities. Moreover, leading national and local officials, particularly in Russia and Belarus, openly use Jews and other minorities as scapegoats for the economic and social problems which currently plague the land. Between 1998 and 1999, recorded anti-Semitic incidents in Russia increased three-fold over the previous six-year period.

For example, following a spate of anti-Semitic political speeches and accusations by Kursk Governor Alexander Mikhailov, which were accompanied by acts of violence and mass vandalism against the Jewish community there, a significant majority in the Duma rejected a proposal to denounce the many recent anti-Semitic attacks in Russia. Similarly, the Prosecutor-General has refused to prosecute those responsible for anti-Semitic acts in the Kursk region. Variations of this scenario repeat themselves throughout Russia, but threats and violence have increased particularly in places like Krasnodar, Ryazan, Rostov, Oryol, and Kursk, where they are ignored or even exploited by local authorities.

Furthermore, President Putin’s dramatic and public struggle to gain control of the Russian media from Boris Berezovsky and Vladimir Gussinsky, both identified as Jewish, is further fanning the flames of popular anti-Semitism.

Non-Jewish groups are targeted as well. Russian government officials have increasingly characterized minority religious groups as “cults,” refusing to grant them legal recognition. This has elicited condemnation by the State Department. The former Central Asian republics, in fighting to stem the tide of Islamic fundamentalism, often stifle other expressions of religion, including those by Evangelical Christian groups, which are viewed as foreign and are therefore denied official recognition. In February 2001, a Moscow court was once again presiding over a case aimed at disbanding the Moscow chapter of the Jehovah’s Witnesses. Also in Moscow, the Salvation Army lost its registration after a court ruled that it was a dangerous organization. The Pentecostals of Magadan were the victims of defamatory articles, accusations of spying for the United States, and loss of jobs. Late last year, Jehovah’s Witnesses and Mormons were beaten by

Cossacks in Volgograd; despite criticism by the State Department, no arrests were made. Finally, dozens of foreign missionaries have reportedly been driven out of the country by local authorities. In this context, the Lautenberg Amendment, which articulates adjudication standards for Jews and Evangelicals in the FSU who are applying to the United States for refugee resettlement, continues to apply to the in-country program in Moscow.

Internally Displaced Persons and Refugees from the “Near Abroad”

Widespread political and social unrest in the Caucasus and Central Asia has displaced record numbers of people. The Russian military assault on Chechnya forced over 600,000 persons to flee their homes. The conflicts in Tajikistan, Nagorno-Karabakh and Georgia have displaced hundreds of thousands more, many of whom remain scattered throughout the former Soviet Union.

Consequently, in many parts of the Commonwealth of Independent States (CIS), but particularly in Russia, ethnic minorities, especially those from the Caucasus and Central Asia, face constant arbitrary harassment, false arrest, incarceration, exploitation and deportation. The total lack of legal protection makes them unwilling or unable to send their children to school, seek medical care, or report crimes to the police. This treatment is based on little more than the shade of their complexion and their inability to produce a valid local residency permit, even though these *propiskas* were legally eliminated after the collapse of the USSR. While UNHCR resettlement referrals out of the FSU have focused on minorities from non-CIS countries, the protection situation for refugees from the Caucasus has reached the point where referrals are being made for some Chechen refugees outside of the Russian Federation.

Amid political uncertainty and further economic decline, assaults against religious and ethnic minorities are expected to increase in Russia as well as in the Caucasus and the Central Asian republics. The fighting in Chechnya has triggered an outpouring of Russian nationalism throughout society, resulting in increased attacks on individuals from the Caucasus as well as on Jewish institutions.

Given the severity of the situation, and since the United States authorizes in-country processing, displaced Chechens in



Internally displaced Chechen children in Karebulak Tent Camp, Ingushetia.
Photo courtesy of Bill Frelick/USCR, December 2000.

urban areas such as Moscow who are especially vulnerable should have P-2 access to U.S. resettlement, with priority given to women heads of households and those in need of medical care. Access should also be given to similar groups of Chechen refugees in Azerbaijan and Georgia. Similarly, ethnic Armenians from Azerbaijan who were evacuated by Soviet and Russian forces between 1988 and 1992 and who are living in Moscow without permission are in danger of deportation and should be allowed access to U.S. resettlement.

Asylum Seekers from the “Far Abroad” in the FSU

Similarly, asylum seekers from outside the FSU who find themselves stranded in many parts of this region are offered little or no protection by the state and are subject to harassment, arrest, beatings and *refoulement* by local and federal authorities. Moreover, asylum seekers have virtually no access to employment, medical care, education, basic social services, or registration of marriages or births.

UNHCR issued a white paper last year urging states not to return refugees to Russia on “safe third country” grounds. Similarly, UNHCR has found the erosion of protection for asylum seekers severe enough to accelerate their resettlement activities significantly in many parts of the CIS, even in those states which are signatories to the 1951 Convention and the 1967 Protocol. It is thus necessary to continue to strengthen the U.S. refugee resettlement program for this region, and to urge UNHCR to continue to extend its resettlement initiative to additional parts of the FSU. While resettlement is a necessary protection tool for refugees scattered throughout the FSU, resettlement efforts in 2000 were largely limited to three cities—Moscow, Baku and Ashgabat.

Outlook for the U.S. Refugee Resettlement Program in the FSU in FY 2002

Refugee arrivals from the FSU can be expected to remain at or above current levels due to unimproved country conditions, as well as to program enhancement and U.S. procedures to facilitate more timely departures. The voluntary agencies look forward to continued cooperation with the State Department and the INS to ensure that approved refugees will not have their status rescinded if a timely departure is prevented by compelling medical reasons or by state refusal to provide the necessary exit documents.

Refugee arrivals may also increase due to the support which the United States has given UNHCR’s comprehensive plan to address the serious protection concerns faced by refugees in the region. The voluntary agencies urge the United States to continue this support by further increasing access to the program through additional circuit rides to the Caucasus, Central Asia, and European CIS cities outside of Moscow. The INS circuit rides, initiated last year, have been essential to the success of the UNHCR Protection-Resettlement Initiative in the FSU. They have also relieved some Lautenberg category refugees from having to make the prohibitively costly and difficult international journey to Moscow for their INS interviews.

E. Latin America and the Caribbean

Colombia

By far the most serious generator of refugees and displaced persons in the Western Hemisphere is Colombia. Negotiations between the government and the country's largest rebel group have had no significant effect, and the conflict continues to escalate. Most of those uprooted remain internally displaced. Those who flee to neighboring countries rarely apply for refugee status, and those who do are often repatriated involuntarily, especially by Venezuela, without any asylum hearing. Colombians are also fleeing in large numbers to the United States, Europe, and Costa Rica. Among them are human rights workers, elected officials, journalists, trade unionists, teachers, and medical professionals, who are often targeted by guerrilla or paramilitary groups.

While few Colombians are in situations allowing them to benefit from traditional resettlement programs (i.e., few are recognized as refugees in other countries), many require protection. The United States could help protect tens of thousands of Colombians by extending Temporary Protected Status to those in the United States as well as by offering resettlement places to people who have sought temporary safety in other countries or who are at risk within Colombia but cannot expect safe haven in adjacent countries.

Canada has already shown the way by resettling displaced persons directly from Colombia. In 1998, Canada resettled 28 Colombians from within their country because of the special nature of their persecution and the deprivation of rights they had suffered. The United States should examine similar resettlement models for displaced Colombians.



Internally displaced Colombians in Cartagena. Photo courtesy of Hiram A. Ruiz/USCR, May 2000.

Cubans

Cubans from within Cuba continue to apply in appreciable numbers for the U.S. refugee program, which in FY 2000 contained a sub-ceiling of 3,000 places for this group. At the start of FY 2001, 1,700 approved but not yet travel-ready people were standing in line for U.S. entry during the fiscal year. Thus, a steady stream of Cuban applicants continues to come forward, and their INS approval rates are high. They comprise mainly human rights activists and evangelical Christians. As always, applications depend in part on the degree of repression exerted by the Cuban Government. It would seem prudent to allot the same number of resettlement places to refugees from Cuba as in the recent past.

F. Near East/South Asia

Afghans in Pakistan

Continuing armed conflict, the imposition of strict Islamic measures (especially affecting women), and widespread drought have contributed to renewed refugee flows out of Afghanistan, additional internal displacement, and, in December 2000, a halt to official repatriation programs from Pakistan and Iran.

UNHCR estimates 1.2 million Afghan refugees currently reside in officially-designated refugee villages in Pakistan. The government believes there are two million more living without the support of UNHCR or NGOs in the country's urban centers. Renewed conflict and the worst drought in 30 years prompted the exodus of another 100,000 Afghan refugees into Pakistan during 2000. In November, Pakistan closed its border to new refugees. On several occasions in November and December, the Pakistani authorities also rounded up and deported hundreds of undocumented Afghan refugees.

These actions were accompanied by strong statements by the government that Pakistan was unwilling to continue hosting a large Afghan refugee population. That could make the situation for vulnerable Afghan refugees even more untenable in the future.



Afghan women in Pakistan. Photo courtesy of Judy A. Benjamin/Women's Commission for Refugee Women and Children.

In 1999, the United States sought to address the protection needs of Afghan refugees in Pakistan by establishing a Joint Voluntary Agency processing and assistance office in Islamabad and by increasing refugee admissions. In FY 2000, 2,976 refugee cases were processed for resettlement, doubling the number of the previous year. Top priority has rightly been given to women at risk. These include educated women, who are targeted due to their more liberal or urban backgrounds, as well as war widows with small children, single women, and other female heads of households who are without traditional male or community protection and thus exposed to sexual harassment, violence and other forms of exploitation. None of these women are able to return to their homeland. Other vulnerable groups, however, should not be overlooked. We urge UNHCR to be active in identifying ethnic groups facing security threats, unaccompanied minors, aged and ailing refugees with no means of support, and the many victims of torture and severe violence for whom resettlement is the appropriate solution.



Internally displaced Afghans (mostly drought victims). Photo courtesy of Hiram A. Ruiz/USCR, January 2001.

We urge the United States to continue to focus on vulnerable Afghan refugees in FY 2001, and believe the situation justifies an appropriately defined P-2 category for Afghan refugees, to be formulated in consultation with UNHCR, the refugee processing agency, and the NGO community. Moreover, with UNHCR in Pakistan unable to effect family reunification, we urge that P-3, P-4 and P-5 programs be opened for at least long-staying Afghan refugees as well.

Other Refugees in Pakistan

Pakistan hosts some 2,500 UNHCR-recognized non-Afghan refugees. The Pakistan government regards these, however, as illegal aliens, and does not permit them to work or settle in Pakistan permanently. Most are Somalis, Iraqi Kurds, or Iranians. Not being a signatory to the 1951 Geneva Convention, Pakistan tolerates their presence until UNHCR finds a durable solution for

them. These non-Afghan refugees live under constant fear of the local authorities because of their illegal status, and face police harassment.

The United States should continue to consider members of this population for resettlement, particularly the Somalis, who have access to no resettlement program except that of the United States.

Afghan and Other Refugees in India

More than 15,000 UNHCR-recognized urban refugees live in India, primarily in New Delhi. Some 14,500 are Afghans; the remainder, mostly Burmese, Iranian, Somali, and Sudanese. In addition, according to some local sources, tens of thousands more Afghans may live in India. Under Indian law, none have legal status.

With UNHCR-assisted refugees unable to work legally, UNHCR has provided most urban refugees cash assistance. Recently, however, UNHCR terminated regular assistance to most refugees, offering instead one-time “self-sufficiency” grants. Indian advocacy groups and the refugees themselves have sharply criticized these grants, saying that few refugees have been able to establish viable businesses with such small amounts, in part because local authorities prevented them from carrying out business activities. UNHCR has also offered training programs, but graduates rarely found jobs because employers could not legally hire them. As a result, many refugees have been left in destitution, without access to any further UNHCR assistance.

Both Afghan and non-Afghan refugees (and especially African refugees) in India face persecution and harassment due to their ethnicity (the police regularly stop them, ask for their papers, and try to blackmail them), are denied local integration, and require better long-term protection. U.S. resettlement would afford such protection to some of them.

Other Refugee Groups in South Asia

Two other South Asian countries host long-standing refugee populations that include a number of people unlikely ever to be able to return home. Nepal hosts some 100,000 ethnic Nepalese Bhutanese refugees. Even if Bhutan eventually accepts the return of some or many of these, some who have been politically active against the Bhutanese regime will not be allowed back and may not be welcome for the long term in Nepal. In Bangladesh, a similar situation exists for Burmese Rohingya refugees (*see page 23*).

Some members of these two refugee populations would benefit from long-term U.S. protection.

Turkey

At the end of 2000, there were 2,140 refugees (880 cases) recognized by UNHCR in Turkey, all in need of third-country resettlement. Of these, 1,357 persons, or 63 percent, were from Iran, and 642 persons, or 30 percent, were from Iraq. UNHCR had also granted refugee status to smaller numbers of Afghans, Palestinians, Somalis, Chinese, and Uzbeks. About 2,000 cases awaited a refugee status determination.

Observers estimate that there are thousands more Iranians and Iraqis, many thought to have valid claims to refugee status, also present in Turkey, but who have not registered with UNHCR or the Turkish government.

Most in the Iranian caseload belong to persecuted religious minorities in the P-2 category. Most of those currently being referred by UNHCR for third country resettlement are Baha'is. There are also smaller numbers of Iranian Christians, Zoroastrians, Jews, and atheists who have fled to Turkey to escape religious persecution.

Additionally, a significant portion of the Iranian refugees in Turkey being referred to third countries by UNHCR fled to escape persecution because of their political activities or imputed political opinions. There has also been an increase in the number of gender-related persecution claims. The P-1 referrals of Iranians to the United States by the UNHCR office in Turkey seem to be highly influenced by the U.S. Government's P-2 designation for persecuted religious minorities in Iran.

Most Iraqi refugees in Turkey fled their country to escape persecution resulting from their political activities, imputed political opinion, or political affiliation. Most are Kurdish, with smaller numbers of Iraqi Arab, Turkoman, Assyrian, and Armenian refugees.

UNHCR in Turkey also recognizes a small number of Africans of various nationalities as refugees. As with Iranians and Iraqis, many more remain unregistered in the country.

Despite efforts to improve Turkey's refugee reception capacity, many refugees continue to face substantial risks to their safety in Turkey. Turkey signed the U.N. Refugee Convention with a geographical reservation that excludes non-Europeans. Thus, all non-European refugees must be resettled in third countries.



Internally displaced Turkish Kurd in Diyarbakir, Turkey. Photo courtesy of Bill Frelick/USCR, September 1998.

Turkey does allow non-Europeans to register as asylum seekers and present their claims to UNHCR. To do so, however, they must register within 10 days with the Turkish police nearest to the border where they entered; the police conduct interviews to determine if they should be recognized officially as asylum seekers.

Access to the asylum procedure remains problematic. The 10-day filing deadline has led to the exclusion, and in some cases the *refoulement*, of *bona fide* refugees. During 2000, UNHCR recorded the *refoulement* of four recognized refugees and 21 asylum seekers. Moreover, the requirement that asylum seekers register with the Turkish police nearest the border where they entered means that most Iranian and Iraqi refugees must apply for asylum in the provincial cities of eastern and southeastern Turkey, much of which remains torn by conflict and under martial law. Local police reportedly do not always register the claims of asylum seekers.

Crossing the border to apply for asylum in Turkey also remains a dangerous undertaking. In May, June, and November 2000, various wire services reported that Turkish border police opened fire on several groups of clandestine immigrants, including asylum seekers, when they failed to heed commands to stop. The shootings reportedly resulted in at least 13 deaths.

Even when asylum seekers manage to register with the Turkish authorities and UNHCR, they may face protection problems. Pending a refugee status determination and third-country resettlement, asylum seekers and refugees must apply for temporary residence permits with the Turkish authorities, a process reportedly plagued by graft. Because some asylum seekers cannot afford to pay the exorbitant bribes necessary to obtain and renew their residence permits, they have reportedly let their legal status lapse, resulting in a host of protection problems.

Although substantially fewer in number than Iraqi and Iranian refugees, African refugees of a variety of nationalities also face substantial protection problems in Turkey. Unable to blend in, many Africans face harassment, beatings, and arrest at the hands of the Turkish police.

U.S. resettlement from Turkey not only protects refugees needing a durable solution, but also encourages other countries to resettle refugees out of Turkey and supports Turkey as a country of first asylum. The U.S. resettlement program in Turkey should be prepared not only to accept P-1 referrals from UNHCR but also to accept registration of P-2 persecuted religious minorities from Iran. It should instruct the U.S. embassy in Ankara to refer for resettlement Iraqi refugees incorrectly denied by UNHCR on the basis of its erroneous application of the "internal flight alternative" concept (maintaining that they could have found protection in northern Iraq, where they should have remained).

Iranians in Northern Iraq

Among the most vulnerable refugees anywhere are a group of some 3,000 Iranian refugees in northern Iraq recognized by UNHCR. By some estimates, hundreds have been shot and killed by people believed to be Iranian agents. They are not protected in northern Iraq and are in desperate need of resettlement, which insecurity and the lack of diplomatic presence in northern Iraq generally prevent.

Most disturbingly, UNHCR has agreed with the authorities in Baghdad that refugees among this group accepted for third-country resettlement must first pass through Baghdad controls before entering Jordan or another transit country. Iraq has stated that it does not recognize the Iranians in northern Iraq as refugees and opposes their resettlement to third countries. Many refugees, therefore, are fearful about passing through Iraqi government controls. They often prefer to escape northern Iraq on their own, both because of threats to their personal safety as well as to seek a safer venue to wait for a resettlement offer. Citing its "irregular mover" policy, UNHCR consistently rejects requests for assistance or resettlement for Iranian refugees who have moved on their own from northern Iraq to Turkey or other countries.

Given this situation, the U.S. government should commit to refugee resettlement interviews for Iranian "irregular movers" from northern Iraq who appear in Ankara (Turkey), Amman (Jordan), or other locations. At the same time, we hope that UNHCR will establish a safer, more orderly, and more effective means of moving these refugees out of northern Iraq, find durable solutions on their behalf, and reassess its ill-conceived "irregular mover" policy.

Iraqi and Other Refugees in Kuwait

Some 15,000 Iraqis live in Kuwait, of whom about 1,200 are registered with UNHCR. At the end of 2000, UNHCR-Kuwait had also recognized as refugees 1,260 Palestinians, 145 Somalis, 90 Afghans, and 105 persons of other nationalities.

Most Iraqis are habitual residents of the country and have few, if any, connections to Iraq. After the 1991 Gulf War, many Iraqi residents of Kuwait were accused of collaborating with the Iraqi occupation, although many actually took part in the Kuwaiti resistance and assisted Kuwaiti nationals. At the same time, the Iraqi Government views as traitors the Iraqis who remain in Kuwait today, preventing their safe return to Iraq.

Although most Iraqis remaining in Kuwait today are tolerated, the Kuwaiti authorities and society at large generally view Iraqis with great suspicion. Despite this atmosphere of distrust, UNHCR has intervened with the Kuwaiti authorities to obtain residence and work permits for most of the Iraqis registered with its office. UNHCR does not have a perfect success rate, however, necessitating the resettlement of those who fall afoul of the Kuwaiti authorities. During

2000, UNHCR resettled 122 Iraqi refugees from Kuwait in the United States and various western European countries. Those whose cases UNHCR has referred for resettlement are refugees who have lost their residence rights and are threatened with *refoulement* or deportation to third countries. Some are in detention, living in poor conditions. In a variety of other ways, the Kuwaiti authorities have made intolerable the lives of other refugees who for one reason or another have lost their residence permits.

While UNHCR does not anticipate the need for large-scale resettlement out of Kuwait, it should be emphasized that the situation of refugees who currently appear to have successfully integrated into Kuwaiti society can change quickly for the worse. Kuwaiti decision-making in such areas as the extension of residence permits is often arbitrary, with no review or appeals process. The United States should be prepared to continue to review UNHCR referrals for resettlement and act quickly to resettle new vulnerable cases.

Refugees in Lebanon

Since assuming office in the fall of 1998, the Lebanese government of President Emile Lahoud has cracked down on unauthorized employment by undocumented foreigners in Lebanon, including UNHCR-recognized refugees. As a result of this increased insecurity for many in Lebanon whose presence the government had previously tolerated, the number of asylum seekers applying for refugee status has increased substantially.

Lebanon is not a signatory to the U.N. Refugee Convention, and UNHCR-recognized refugees have no legal status in Lebanon or any prospect of obtaining it. Local integration is thus not an option, a fact underscored by recent crackdowns on refugees and other foreigners without legal status. Reports during 2000 suggest that Lebanon is detaining hundreds of asylum seekers—mostly Iraqi and Sudanese—many of whom allegedly have been mistreated and denied access to UNHCR to pursue their refugee claims. Moreover, observers note that Lebanon continues the practice of summarily deporting asylum seekers and refugees to third countries, such as Syria and Jordan. Lebanese authorities reportedly also have forcibly repatriated some asylum seekers without consideration of their refugee claims.

Repatriation is also impossible for most refugees in Lebanon because most come from countries such as Iraq and Sudan, where there appears to be little chance of improvement in human rights conditions or an end to internal conflict. For these reasons, resettlement is their only viable durable solution.

In addition, we remain concerned about the plight of Palestinian refugees, particularly the 250,000 refugees in the south of Lebanon for whom local integration is an unlikely solution and for whom large-scale return will not be feasible. Therefore, we mention for future reference that the United States may need to consider the eventual resettlement of some portion of the Palestinian refugees in

Lebanon as part of a resolution of the regional conflict and to promote international burden-sharing.

Iraqis and Others in Syria

In 2000, about 24,000 Iraqis were living in Syria, many of them refugees or in refugee-like circumstances. As of November 2000, UNHCR had registered 3,113 refugees. Of these, 1491 were from Iraq, 743 from Yemen, 441 from Somalia, 171 from Afghanistan, 91 from Sudan, and smaller numbers from other countries. An additional 1,476 asylum seekers still awaited a status determination at the end of November.

Although Syria generally tolerates refugees, it cannot be considered a safe country of asylum. Syria is not a signatory to the U.N. Refugee Convention and has no domestic laws to regulate asylum. While most Arabs can enter Syria without a visa, a prior security clearance is required for Iraqis. Moreover, the Syrian government reportedly is in the process of issuing new restrictions that would limit the stay of Iraqis in Syria to one month. Although it appears that Syria does not intend to apply this restriction retroactively, it nevertheless has serious implications for newly arriving Iraqi asylum seekers, for whom it will be impossible to conduct refugee status determinations and resettlement interviews within such a short time period. As in the past, illegal border crossing continues to be a deportable offense for foreigners in Syria. For all these reasons, resettlement remains the only durable solution for most refugees there.

Finally, although Syria's 300,000 stateless Kurds are not refugees or displaced people, they suffer severe discrimination. In 1999, the U.N. Committee on the Elimination of Racial Discrimination called on the Syrian government to do more to protect their rights. Consequently, Syrian Kurds who have fled Syria should be considered for U.S. resettlement, as should Kurdish refugees who have fled to Syria, since neither group has prospects for local integration.

Iraqi Refugees in Jordan

As many as 180,000 Iraqis live in Jordan; some are refugees and others are in refugee-like circumstances. At the end of 2000, UNHCR had registered more than 1,900 refugees in Jordan, overwhelmingly from Iraq. Asylum seekers representing 7,871 cases remained pending a UNHCR status determination.

Jordan signed a memorandum of understanding with UNHCR in April 1998 concerning the treatment of asylum seekers and refugees. Jordan agreed to admit asylum seekers, including undocumented entrants, and to respect UNHCR's refugee status determinations. The memorandum also adopts the refugee definition contained in the U.N. Refugee Convention and forbids the *refoulement* of refugees and asylum seekers.

Despite the memorandum, neither the Jordanian government nor UNHCR considers Jordan to be a permanent country of asylum. The economic situation, and at times the security, of non-Palestinian refugees also remain tenuous. Third-country resettlement is, therefore, the only durable solution for the overwhelming majority of those whom UNHCR recognizes as refugees. The United States should continue to work closely with UNHCR to promote refugee resettlement out of Jordan.

Iraqi Kurds and Other Persecuted Iraqis

Kurds from Iraq (and Iran) residing in Syria, Jordan, Lebanon, Pakistan and Turkey have been persecuted for their religious practices, political beliefs, and ethnic origins. We recommend P-2 for Iraqis who have suffered torture or systematic and significant acts of violence by governmental authorities, and for persons persecuted or with a well-founded fear of persecution based on actual or imputed association with the U.S. government or with American nongovernmental entities.

Refugees in Israel

There is a small number of refugees recognized by UNHCR in Israel in need of resettlement because Israel will not allow them to remain permanently, and significantly restricts their freedom of movement.

Although Israel is a signatory to the U.N. Refugee Convention and Protocol, and is developing an asylum system, it has not yet implemented refugee laws or asylum procedures. Therefore, UNHCR still determines the status of asylum seekers in the country. About 300 asylum seekers who filed applications for refugee status with UNHCR remained pending a decision in 2000.

In accordance with its Law Against Infiltration, Israel detains foreigners from “enemy countries,” including asylum seekers, attempting to enter Israel clandestinely. During the 1990s, UNHCR recorded the entry into Israel of some 59 non-Jewish asylum seekers and refugees from Egypt, Iran, Iraq, Sudan, and Syria to whom the law applied. Because some refugees from “enemy countries” released in 1995 disappeared into Arab Israeli society instead of leaving the country, Israeli security has been reluctant to release others.

Nevertheless, Israel’s Supreme Court on November 24, 1999, ordered the release from detention of ten refugees from Iraq, Iran, and Syria provided that they lived on *kibbutzim* (communal agricultural settlements). UNHCR pursues third-country resettlement for such refugees because Israel does not permit them to remain permanently. The United States should consider UNHCR resettlement referrals from Israel.

Iraqis in Saudi Arabia

A decade after they sought the protection of coalition forces during the 1990–91 Gulf War, about 5,200 Iraqi refugees continue to live under difficult circumstances in the Rafha refugee camp in northern Saudi Arabia. The vast majority are Shi'a Muslims from southern Iraq who participated in the failed uprising against Saddam Hussein in the immediate aftermath of the Gulf War.

Although Saudi Arabia provides health care, air-cooling systems in the living quarters, and primary and secondary schooling, Rafha remains a closed camp. Saudi authorities prohibit refugees from traveling outside the camp, located in a highly militarized zone. Saudi soldiers regularly patrol the camp in armed vehicles and strictly enforce a nightly curfew.

With no prospect of being able to integrate locally or repatriate, resettlement remains the only durable solution for the Iraqi refugees in Rafha. Their lack of other options and lengthy residence under harsh desert conditions in Rafha without permission to come and go from the camp have led to increased frustration and despair for many of these refugees.

The United States should do all it can to ensure that all eligible refugees who would like to seek U.S. resettlement have a chance to have their cases considered. At least several hundred Iraqis in Rafha have never been interviewed by the United States and should be considered for resettlement.

The United States should also reconsider the cases of refugees denied by INS on the basis of the so-called Gallegly amendment, a non-binding congressional resolution that the State Department has interpreted as barring the resettlement of Iraqis who served in the Iraqi armed forces between August 2, 1990, and the end of the Gulf War. These refugees overwhelmingly were forced conscripts, including many deserters, who have records of opposition to Saddam Hussein and would face persecution if returned to Iraq.

Refugees in Yemen

Although Yemen is a signatory to the U.N. Refugee Convention, it has no domestic asylum or refugee laws. Yemen has over 50,000 refugees of concern to UNHCR. Most numerous are Somalis, followed by Eritreans, Ethiopians, Palestinians, Sudanese, and Iraqis. In 2000, 165 of the refugees referred by UNHCR were resettled, mostly by the United States. This number seems low given the total number of refugees in Yemen and the very difficult conditions under which they must live, particularly unaccompanied women. We ask UNHCR to examine this situation with a view to considering whether there are more refugees there who need the protection of resettlement.

Extra-Regional Refugees from Afghanistan, Iraq, and Iran

The United States should consider for resettlement refugees from Afghanistan, Iraq, and Iran in asylum countries outside the Middle East. There are significant caseloads of these refugees in the countries of the Commonwealth of Independent States, such as Turkmenistan, Kazakhstan, Azerbaijan, and Russia, often living in difficult and insecure conditions. Others can be found in Indonesia and other countries.

There are also between 800 and 1,000 Afghan, Iranian, and Iraqi refugees in New Delhi, whom the United States should consider for resettlement (*see page 46*).



Afghan refugee children at the Tarbiat-e-Eslami school, Gulshahr (a refugee-populated quarter of Mashhad, Iran). Photo courtesy of Bill Frelick/USCR, May 1999.

VI

Special Refugee Groups and Issues

A. The Refugee Squeeze in Western Europe

For the first time since the United States instituted processing priorities, the priorities by mid-FY 2001 will not include any non-FSU Eastern European refugee populations. Continuing a steady restriction in eligibility categories, the State Department announced last year that it would tightly restrict what remained of P-2 access in Europe (*see page 27*). Given the earlier closure of the family-based priorities, this leaves only UNHCR P-1 referrals as a means of access. This amounts to little, however, since, as a policy matter, UNHCR has historically declined to make P-1 referrals in Europe. Of the multitudes of refugees coming through Germany, only about 63 were referred last year as P-1s. In Austria, UNHCR has categorically refused to make such referrals. The rationale, at least implicit, is that European governments should abide by their commitments under the Refugee Convention and that U.S. resettlement could relieve pressure on them to do so. While we agree that pressure should be brought to bear on the Europeans, this should not be done at the expense of individual refugees.

The State Department offers the rationale that the United States has, in offering protection to some asylum seekers, become “an unwitting supporter of ... smuggling activity.” As Europe increasingly restricts access to asylum-seekers, to include the posting of immigration enforcement agents in foreign airports to head off those fleeing before they depart, one can hardly be shocked that refugees use illegal means to reach safety. It is dismaying that refugees are being punished for taking what may be the only available route to freedom.

Another rationale is that progressively shutting down refugee processing in Europe will enable the United States to focus its resources on more compelling “rescue” cases. This reasoning is difficult to understand in light of the State Department’s having underused the FY 2000 refugee admissions ceiling of 85,000 by over 13 percent—a shortfall of 12,500 refugees whose admission was authorized and funded by Congress.

Europe’s immigration laws and policies have grown increasingly restrictive. Even those who make it in face low grant rates and obstacles they would not encounter elsewhere. German and French asylum laws, for example, reject persecution at the hands of non-state actors as valid grounds for asylum. The plight of Algerians fleeing their country’s violent and protracted civil war, for example, has been widely noted. In February, Germany finally ended its egregious policy of denying asylum to Afghans fleeing the Taliban, which had been based on the flawed notion that the Taliban movement neither constituted a government nor a *de facto* governing authority. Germany has now recognized the Taliban as the *de facto* governing authority in Afghanistan. Germany’s policy rejecting non-state persecution as grounds for refugee status, however, remains unchanged.

With the elimination of P-2 eligibility in Germany, other victims of non-state persecution, such as Iranian religious minorities, will neither be eligible for asylum consideration nor for U.S. resettlement.

Hate crimes and attacks against foreigners are already on the rise in Germany and elsewhere. Blocking access to the U.S. program for *bona fide* refugees in Europe is no response. Many asylum-seekers in Europe have relatives in the United States and should be considered of special humanitarian concern. Application for admission through alien relative petitions can take several years, making that an unacceptable option for refugees in such a precarious position.

B. Unaccompanied Refugee Minors

In recent years, U.S. acceptance of unaccompanied refugee minors shrank to single digits annually. In 2000, the United States reversed this unhappy trend by bringing in 500 children who had languished alone in refugee camps. We applaud the State Department for this leadership. We note, however, that unaccompanied minors remain an estimated 5 percent of the world refugee population, and we recommend that the United States resettle a similar number in FY 2002.

Following two years of work with UNHCR on behalf of the “lost boys” (and girls) of Sudan residing in Kenya’s Kakuma camp, the United States decided to resettle about 3,800 of them, starting with the 500 still under 18 years of age. This marks the largest placement of refugee minors into foster care since the resettlement of Cuban and Haitian minors in the mid-1990’s. It resulted from advocacy by certain resettlement agencies and subsequent collaboration that also included HHS’s Office of Refugee Resettlement, the Joint Voluntary Agency covering Africa, IOM, INS and the domestic resettlement agencies.

Besides bringing a welcome solution to the plight of a singular group of young Sudanese who had endured terrible hardships, the Kakuma effort has highlighted the vulnerability of unaccompanied refugee girls. In Kakuma, girls risked forced early marriage, abduction, rape, and domestic servitude. Unaccompanied girls in refugee camps tend to be less visible than boys and more likely to be taken in by families; this, however, increases their vulnerability. We urge the State Department and UNHCR to work together to seek out such cases and to ensure that resettlement remains a possible solution for them.

Overall, we believe that this successful effort provides both a model and an impetus for exploring resettlement as a possibility for unaccompanied refugee children in camps all over the world. The resettlement guidelines for minors put together so painstakingly by UNHCR, the impressive expertise in making “best-interest” determinations for unaccompanied refugee children acquired by UNHCR through the labors of the child-welfare professionals who worked for months at Kakuma, the collaborative spirit that pervaded the work of the agencies involved—this collective experience should form the basis for an ongoing effort to assist these most

vulnerable of refugees. We urge UNHCR to establish a goal of doing best-interest determinations for all unaccompanied minors under its protection, an effort we hope the Department of State will support.

C. Urban Refugees

Not all refugees awaiting a durable solution are housed in camps. According to UNHCR's Statistical Overview, more than 25 percent of the world's refugees may now be found in urban areas—a massive increase from just a few years ago, when UNHCR reported that only 2 percent of its caseload was “urban.” These “urban refugees” may include, for example, (1) individuals who were city dwellers in the land from which they fled, who are often educated; (2) refugees originally from rural areas who had resided in camps, but left to seek employment in the city; or (3) individuals or groups of asylum seekers who come to the capital to present their claims to UNHCR or the national authorities.

Urban refugees, by seeking to make a life for themselves in an urban economy, have a strong tendency to strive toward local integration. Many, however, are denied access to lawful employment, to public education, or to the most basic social services provided to the general population. Consequently, the “solution” they have found for surviving exile is anything but “durable.” In too many instances, they must live furtively off the underground economy. Many live in constant fear of the authorities and are subject to bribes, extortion, exploitation, and other forms of harassment. Under these circumstances, refugees in search of a durable solution often become refugees in need of protection. Regrettably, this phenomenon is not limited to countries that are not party to the 1951 Convention.

The U.S. refugee program, like UNHCR, has recently begun to consider resettlement much more seriously as a durable solution for urban refugees who have no realistic expectation for integration or repatriation. In Cairo, for example, the integration prospects of Sudanese nationals have plummeted in recent years. Recognized refugees may not lawfully work in Egypt. While it is commendable that about 3000 Sudanese refugees were offered resettlement last year, 3–5 million Sudanese nationals remain in Egypt. With no end in sight to Sudan's brutal conflict or the on-going persecution in that country, Refugee Council USA recommends that UNHCR and the United States pursue resettlement for Sudanese urban refugees in Egypt even more vigorously.

We are particularly pleased that UNHCR, with U.S. support, has changed its policy toward urban refugees in the FSU. For seven years, it was UNHCR policy to decline to undertake refugee status determinations for urban cases in the Russian Federation. The purpose was to maintain pressure on the Russian authorities to implement a credible asylum system. In 1999, however, UNHCR convened a conference in Baku to promote resettlement as a durable solution for urban refugees in the former Soviet Union. In the words of one UNHCR official, “To deprive those who need resettlement of a durable solution and of their right to live in dignity—in the

hope that doing so will put “pressure” on the authorities—is unacceptable. A refugee, like everyone else, has only one life to live.”

Refugee Council USA is also pleased that the United States has assisted UNHCR’s efforts on behalf of urban refugees in the former Soviet Union by facilitating their resettlement out of Moscow and by conducting circuit rides to Baku and Ashgabad. UNHCR’s resettlement efforts in the FSU, however, have thus far been almost entirely concentrated in those three cities. As noted above, we urge UNHCR to expand its resettlement efforts, and we ask the United States to facilitate increased access to the program for refugees in cities of the Russian Federation other than Moscow as well as those in the outlying republics.

In New Delhi, local integration for refugees is becoming increasingly unlikely, and many are now facing serious protection concerns. Given these circumstances, we urge UNHCR and the State Department to facilitate the access of urban refugees in India to U.S. resettlement. (A start has occurred in the placement of a Resettlement Officer in the U.S. Embassy in New Delhi, where 300 refugees, mostly Afghans, are expected to be processed in the first quarter of FY 2001. This Officer was trained by JVA Pakistan, demonstrating the cost-effective use of that existing facility.) In Thailand, UNHCR reports that the authorities are becoming increasingly intolerant of the approximately 300 urban refugees in Bangkok. Refugee Council USA encourages the United States to offer access to its resettlement procedures to this population.

Urban refugees, particularly those with family or other ties to the United States or other resettlement countries, should not be denied consideration for resettlement just because they are dwelling in a signatory country. For example, as in Russia, Mexico’s recent ratification of the Convention has not yet resulted in effective measures to protect or integrate asylum seekers in Mexico City. In such circumstances, where refugees will not likely be able to integrate safely into a signatory country, resettlement should be considered and access facilitated.

In recent years, UNHCR has made enormous strides toward applying resettlement as a durable solution for urban refugees; however, the organization remains conflicted. Some offices, believing urban caseloads must not be “rewarded” with resettlement, still neglect it as a durable solution. UNHCR should ensure that all of its offices pursue resettlement whenever it is the most appropriate durable solution for the refugee—even if he or she is an “urban” asylum seeker living in a signatory country.

D. Long-stayer Populations

Finally, to its credit, UNHCR has emphasized that resettlement should be considered as soon as no other durable solution seems imminent—and not limited to refugees who have waited years in vain for repatriation or local integration. Indeed, to force refugees to become “long-stayers” before considering them for resettlement is unac-

ceptable. Nevertheless, there are many “long-stayers” in refugee camps who have been all but forgotten by the international community. We urge the United States and UNHCR to make it a priority to refer long-stayers for resettlement, while striving to end the long-stayer phenomenon altogether by pushing harder and sooner for resettlement and other durable solutions for these populations. UNHCR should constantly be referring long-stayers—and potential long-stayers—for resettlement. In addition to encouraging such additional P-1 referrals, we urge the United States to set an example for other resettlement countries and create a new “P-6 category” for long-stayers. This could ensure that, at the end of the fiscal year, any U.S. refugee slots that would otherwise have gone unused would instead have been allocated to long-stayers in desperate need of resettlement.

E. Refugee Women-at-Risk

UNHCR considers women-at-risk “those refugee women...who have protection problems and find themselves without the support of traditional protection mechanisms. Special needs of refugee women in such circumstances could derive from persecution as well as from particular hardships sustained either in their country of origin, during their flight, or in their country of refuge” (“Note on the Women-at-Risk Resettlement Criteria,” UNHCR, June 5, 2000). Because of their gender, women may face unique problems which hinder their ability to access the refugee determination and resettlement systems. These barriers include ambiguity in the way in which gender persecution is addressed during the status determination process; failure to provide gender-sensitive interviews; and cultural considerations that make it difficult for a woman to discuss gender-related abuses. In addition, women may not meet the resettlement criteria due to an inadequate socio-economic profile, a large number of dependents, or medical problems.

Some countries, such as Canada, have formally adopted women-at-risk resettlement programs to address these needs. While undoubtedly a certain number of women at risk are resettled in the United States, our resettlement system fails to identify them as such. Although we are pleased that women-at-risk are included within the P-1 category, the difficulties for such women in gaining access to protection demand that the United States adopt measures to ensure that women who have experienced particular protection problems are adequately identified by U.S. embassies abroad so that they have full access to the system. The State Department should also ensure that its reception and placement function is sensitive to the needs of women-at-risk, and that such women receive appropriate services beyond their initial reception and placement in the United States. Care should be taken that these women are not marginalized in the United States. Single women with children have specific needs that require special attention. Resettlement must be done with sensitivity and full assurances that the woman’s confidentiality is respected.

In FY 2000, the United States resettled from Pakistan 367 women-at-risk cases comprising 1,116 persons, about 800 of whom were Afghan women and their dependents. We commend the State Department for this initiative, and urge that it be expanded.

F. Refugees Who Are Victims of Torture

A significant percentage of refugees entering the United States are victims of torture. In earlier years they came from Central America and Southeast Asia; more recently, from Bosnia, Kosovo, Sierra Leone, Liberia, Iraq, Iran and elsewhere. These victims often require more than the standard health care provided to other refugees given the traumatic experiences they have undergone. With treatment, they can become productive members of their communities. In 1998, Congress recognized this need in adopting the Torture Victims Relief Act (PL 105-320), which, beginning in FY 2000, enables HHS's Office of Refugee Resettlement to support treatment centers and other service providers to assist victims of torture. Refugee Council USA recognizes the importance of providing specialized care to torture victims, and urges Congress and the Administration to bear this mind as the appropriations process for FY 2002 unfolds.

A large proportion of refugees who remain abroad are also torture victims, and also need specialized care. We encourage the State Department to be sensitive to this need, and commend its support for such programs in Guinea (for traumatized victims from Sierra Leone and Liberia) as well as its support for similar programs in the Balkans.

VII

Conclusion

Readers from the Administration, Congress, and humanitarian community, to whom this annual summary of views is directed, will notice that this year the Refugee Council USA membership is particularly concerned about certain negative trends. We have noted the tendency by the State Department to apply the resettlement processing priorities more narrowly, especially those facilitating family reunification; the State Department's increasing preference for overseas processing operations that do not involve the domestic voluntary agencies; the closing of doors to refugees and asylum seekers in Europe; and the international community's continued inability to induce warring factions from Sierra Leone to Colombia to stop the bloodletting that begets displacement in the first place.

The reader should not conclude, however, that we are discouraged. Congress' appropriation of \$700 million for refugees for FY 2001, the many signs of public support for refugees that spurred appropriators to allot a sum greater than that requested, the recent stronger focus of U.S. resources on Africa, the general determination to do more for the world's internally displaced people, and the dedication of thousands of good men and women in government and academia and voluntary organizations who have made refugees their life's cause—all these are reason for optimism. We intend to remain aware of the challenges while drawing inspiration from the obvious signs that success can and does attend many of our efforts.

Appendix 1: Description of U.S. Refugee Processing Priorities—FY 2001

PRIORITY ONE: The following UNHCR-referred or U.S. embassy-identified cases: persons facing compelling security concerns in countries of first asylum; persons in need of legal protection because of the danger of *refoulement*; those in danger due to threats of armed attack in areas where they are located; persons who have experienced persecution because of their political, religious, or human rights activities; women-at-risk; victims of torture or violence; physically or mentally disabled persons; persons in urgent need of medical attention not available in the first-asylum country; and persons for whom other durable solutions are not feasible and whose status in the place of asylum does not present a satisfactory long-term solution.

PRIORITY TWO:

Africa: Persons belonging to the U.S. State Department-identified refugee groups in consultation with NGOs, UNHCR, the INS, and other area experts. Groups are selected based on their individual circumstances.

Bosnia: Former detainees who were held on account of ethnicity, religion, or political opinion; persons in ethnically mixed marriages; victims of torture or systematic and significant acts of violence against members of targeted ethnic groups by governmental authorities or quasi-governmental authorities in areas under their control; surviving spouses of civilians who would have been eligible under these criteria if their spouses had not died in detention or been killed as a result of torture or violence. The P-2 registration deadline for Bosnians residing in Germany is February 1, 2001. For Bosnians residing elsewhere, the registration deadline is April 1, 2001.

Burma: Certain members of ethnic minorities who have actively and persistently worked for political autonomy; certain political activists engaged in the pro-democracy movement.

Cuba: In-country, emphasis given to former political prisoners, members of persecuted religious minorities, human rights activists, forced-labor conscripts, persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatment resulting from their perceived or actual political or religious beliefs or activities, and dissidents.

Iran: Members of Iranian religious minorities.

Former Soviet Union: In-country, Jews, Evangelical Christians, and certain members of the Ukrainian Catholic or Orthodox Churches. Preference among these groups is accorded to those with close family in the United States.

Vietnam: In-country, former reeducation camp detainees who spent more than three years in detention camps subsequent to April 1975 because of pre-1975 association with the U.S. government or the former South Vietnamese government; certain former U.S. government employees and other specified individuals or groups of concern; persons who returned from first-asylum camps on or after October 1, 1995 who qualify for consideration under the Resettlement Opportunities for Vietnamese Returnees (ROVR) criteria. In FY 2000, on a case-by-case basis, other individuals who have experienced recent persecution because of post-1975 political, religious, or human rights activities were eligible for P-2 processing. In addition, residual Orderly Departure Program (ODP) cases registered and previously determined eligible for consideration may be processed.

PRIORITY THREE: Spouses, unmarried children of any age, and parents of persons lawfully admitted to the United States as permanent resident aliens, refugees, asylees, conditional residents, and certain parolees; unmarried children at least 21 years of age of U.S. citizens; and parents of U.S. citizens under 21 years of age. (Spouses and unmarried children under 21 years of age of U.S. citizens and the parents of U.S. citizens who have attained the age of 21 are required by regulation to be admitted as immigrants rather than as refugees.)

PRIORITY FOUR: Grandparents, grandchildren, married sons and daughters, and siblings of U.S. citizens and persons lawfully admitted to the United States as permanent resident aliens, refugees, asylees, conditional residents, and certain parolees. (Not available for any nationality in FY 2001.)

PRIORITY FIVE: Uncles, aunts, nieces, nephews, and first cousins of U.S. citizens and persons lawfully admitted to the United States as permanent resident aliens, refugees, asylees, conditional residents, and certain parolees. (Not available for any nationality in FY 2001.)

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration. Compiled by the U.S. Committee for Refugees, Refugee Reports, December 2000, pg 13.

Appendix 2: Regional Refugee Ceilings and Admissions to the United States, FY 1988–2001

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99	FY 2000	FY 2001	TOTAL
Africa (Actual Admissions) (Ceilings)	1,588 3,000	1,922 2,000	3,494 3,500	4,424 4,900	5,491 6,000	6,969 7,000	5,856 7,000	4,779 7,000	7,512 7,700	6,069 7,000	6,662 7,000	13,038 12,000	17,549 18,000	20,000	85,353
East Asia ^a	35,015 38,000	45,680 50,000	51,611 51,800	53,486 53,500	51,848 51,850	49,858 51,000	43,581 45,000	36,926 40,000	19,235 25,000	8,590 10,000	10,848 14,000	10,204 9,000	4,561 8,000	6,000	421,443
Eastern Europe ^b	7,818	8,948	6,196	6,855	2,886	2,651 7,000	7,477 2,900	9,987 2,725	12,081	21,378	30,911	38,654 38,000*	22,551 27,000**	20,000	178,393
USSR/Former USSR ^b	20,421 30,000	39,553 50,000	50,716 58,300	38,661 46,500	61,298 61,400	48,627 49,775	43,470 53,000	35,716 48,000	29,536 45,000	27,072 48,000	23,349 51,000	16,922 23,000	14,542 20,000	17,000	449,883
Latin America	2,497 3,500	2,605 3,500	2,309 2,400	2,237 3,100	2,924 3,000	4,126 4,500	6,437 9,000	7,618 8,000	3,541 6,000	2,986 4,000	1,587 4,000	2,110 3,000	3,233 3,000	3,000	44,210
Near East and South Asia	8,415 9,000	6,980 7,000	4,991 5,000	5,359 6,000	6,844 6,850	7,000 7,000	5,861 6,000	4,464 5,000	3,788 4,300	3,990 4,000	3,197 4,000	4,078 4,000	10,079 8,000	10,000	75,046
Unallocated Reserve ^c					1,000	1,000	3,000	2,000	2,000	5,000	3,000	2,000	6,000***	4,000	
Privately Funded (Unallocated)	733 4,000	1,550 4,000	3,009 4,000	1,789 10,000	882 10,000	251 10,000	0 1,000	0 2,000	0 2,000	0 0	0 0	0 0	0 0	0	8,214
Total	76,487 87,500	107,238 116,500	122,326 125,000	112,811 131,000	132,173 142,000	119,482 132,000	112,682 121,000	99,490 112,000	75,693 90,000	70,085 78,000	76,554 83,000	85,006 91,000**	72,515 90,000***	80,000	1,262,542

Note: During the period FY 75–FY 87, the United States admitted 1,133,010 refugees from the following regions: Africa—17,057; East Asia—849,459; Eastern Europe—82,642; Soviet Union—108,878; Latin America—29,735; and the Near East and South Asia—45,239. These persons do not appear in this table. This chart shows the adjusted regional ceilings that were established at mid-year consultations in FY 87, FY 88, FY 89, FY 90, FY 91, FY 92, FY 93, FY 94, FY 96, and FY 99. The worldwide annual ceilings did not change, except in FY 88, FY 89, FY 92, and FY 99. (Although the FY 2000 ceiling did not officially change, the “unofficial” ceiling became 85,000.)

^a Ceilings and actual admissions figures for East Asia include both first-asylum resettlement and the Orderly Departure Program (ODP) from Vietnam. ODP figures include Amerasian immigrants.
^b In FY 91, FY 92, and FY 93, Eastern Europe and the Soviet Union had separate ceilings. In all other years, the regions have a combined ceiling. (The FY 1999, FY 2000, and FY 2001 sub-regional ceilings are represented.)

^c Beginning in FY 92, admissions numbers included an unallocated reserve. These unallocated places were incorporated into the adjusted regional ceilings, maintaining the overall admissions ceiling. For FY 97, FY 98, FY 99 and FY 2000, unallocated reserve numbers could be used only if funding could be identified within existing appropriations.

* Included 13,000 admissions spaces for “Kosovo-affected” refugees.

** Included 10,000 admissions spaces for “Kosovo-affected” refugees, although the numbers were largely unused.

*** Due to a funding shortfall in its Migration and Refugee Assistance account, PRM reduced the FY 2000 unallocated reserve from 6,000 to 1,000. The “unofficial” ceiling became 85,000.

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration. Tabulated by the U.S. Committee for Refugees, Refugee Reports, December 2000, pg 9.

Appendix 3: USCR Chart of DOS/PRM Priorities by Nationalities—FY 2001

P-1*		P-2 ⁽¹⁾	P-3	P-4	P-5
All Nationalities Eligible	Angolans		X		
	Bosnians ⁽²⁾	X			
	Burmese	X			
	Burundians		X		
	Congolese (Brazzaville)		X		
	Congolese (DROC)		X		
	Cubans	X			
	Former Soviet Union ⁽³⁾	X			
	Iranians	X			
	Sierra Leoneans		X		
	Sudanese		X		
	Vietnamese ⁽⁴⁾	X			

* Members of any nationality group—not only those listed in this table—may be processed for admission to the United States under Priority One (P-1) at any refugee-processing post. However, prior consultation with the Department of State and INS headquarters is required for certain nationalities determined before the beginning of each fiscal year.

¹ See explanation of those eligible as groups of special concern under Priority Two (P-2). (*See Appendix 1.*)

² P-2 processing for Bosnians is being phased out. The registration deadline for P-2 processing for Bosnians is April 1, 2001, except for Bosnians residing in Germany, who must register by February 1, 2001. Registration for P-3 processing for Bosnians ended on September 1, 2000. Registration for P-4 processing for Bosnians closed on November 1, 1999.

³ While all persons who were nationals of the Soviet Union as of September 2, 1991 are eligible to be considered for refugee processing by establishing a well-founded fear of persecution, Jews, Evangelical Christians, and Ukrainian Catholic and Orthodox religious activists may establish refugee status for U.S. admission by asserting a fear of persecution and asserting a credible basis of concern about the possibility of such persecution.

⁴ Vietnamese who were members of certain category groups identified by the INS in 1983 may establish refugee status for U.S. admission by asserting a fear of persecution and asserting a credible basis of concern about the possibility of such persecution.

Source: U.S. Department of State, *Bureau of Population, Refugees, and Migration. Compiled and formatted by the U.S. Committee for Refugees, Refugee Reports, December 2000, page 12.*

Appendix 4: Immigration and Nationality Act, Section 101(a)(42)

The term “refugee” means: (A) any person who is outside any country of such person’s nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or (B) in such circumstances as the President after appropriate consultation (as defined in Section 207 (e) of this Act) may specify, any person who is within the country of such person’s nationality or, in the case of a person having no nationality, within the country in which such person is habitually residing, and who is persecuted or who has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The term “refugee” does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion. For purposes of determinations under this Act, a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control programme, shall be deemed to have been persecuted on account of political opinion, and a person who has a well-founded fear that he or she will be forced to undergo such a procedure or subject to persecution for such failure, refusal, or resistance shall be deemed to have a well-founded fear of persecution on account of political opinion.

Appendix 5: Glossary of Acronyms for The U.S. Refugee Program

CIS	Commonwealth of Independent States
DOS/PRM	Department of State Bureau of Population, Refugees, and Migration
DRC	Democratic Republic of Congo
ERMA	Emergency Refugee and Migration Assistance
EU	European Union
FSU	Former Soviet Union
HHS	Department of Health and Human Services
IGAD	Inter-Governmental Agency for Development
INS	Immigration and Naturalization Service
IOM	International Organization on Migration
JVAs	Joint Voluntary Agencies
MRA	Migration and Refugee Assistance
MRS/USCC	Migration and Refugee Services/U.S. Catholic Conference
NATO	North Atlantic Treaty Organization
NCCB	National Conference of Catholic Bishops
NGO	nongovernmental organization
ODP	Orderly Departure Program
OPE	Overseas Processing Entity
ROVR	Resettlement Opportunities for Vietnamese Returnees
RUF	Revolutionary United Front
UNHCR	United Nations High Commissioner for Refugees
USCR	U.S. Committee for Refugees

Appendix 6: The Refugee Council USA

The Refugee Council USA is a coalition of U.S. non-governmental organizations focused on refugee protection. The Refugee Council USA provides focused advocacy on issues affecting the protection and rights of refugees and displaced persons in the United States and across the world. Particular areas of concern are adherence to international standards of refugee rights, the promotion of the right to asylum, political and financial support for UNHCR, and the promotion of durable solutions, including resettlement to the United States. The Refugee Council USA also serves as the principal consultative forum for the national refugee resettlement and processing agencies as they formulate common positions, conduct their relations with the U.S. Government and other partners, and support and enhance refugee service standards.

The members are:

Center for Victims of Torture
Church World Service/Immigration and Refugee Program
Episcopal Migration Ministries
Ethiopian Community Development Council
Hebrew Immigrant Aid Society
Immigration and Refugee Services of America
Institute of International Law and Economic Development
International Catholic Migration Commission
International Rescue Committee
Jesuit Refugee Service
Kurdish Human Rights Watch
Lawyers Committee for Human Rights
Lutheran Immigration and Refugee Service
Migration and Refugee Services/U.S. Catholic Conference
Southeast Asia Resource Action Center
U.S. Committee for Refugees
USA for UNHCR
Women's Commission for Refugee Women and Children
World Relief Corporation

The Refugee Council USA
3211 4th Street, NE
Washington, DC 20017-1194
ph: (202) 541-5402/04
fax: (202) 722-8805
email: rcusa2000@aol.com

