

U.S. Refugee Admissions Program

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U.S. Refugee Admissions Program: Improve Access for Those Fleeing Religious Repression WASHINGTON - The U.S. Commission on International Religious Freedom (USCIRF), has written Undersecretary of State Paul Dobriansky calling on the State Department to improve access to the U.S. Refugee Program for individuals fleeing religious freedom violations. Citing the plight of religious groups fleeing repression in Burma, China, Iran, North Korea, and Sudan, the Commission recommended that "systematic consideration of groups benefiting from improved access to the refugee program should, at the very least, be triggered when the Secretary, pursuant to Section 402 of IRFA, designates 'countries of particular concern' ('CPCs') to the United States on the basis of 'systematic, ongoing, egregious violations of religious freedom.'" "The United States Refugee Admissions Program helps more than just those individuals whom it resettles. Resettlement also serves a strategic purpose by drawing domestic and international attention to the human rights abuses that force refugees to flee, including severe violations of the right to freedom of religion or belief," wrote USCIRF Chair Michael K. Young. The text of the letter follows: Dear Undersecretary Dobriansky: On behalf of the United States Commission on International Religious Freedom, I am pleased to inform you that the Commission has adopted policy recommendations relevant to the recent Report to Congress on Proposed Refugee Admissions for FY2004. I hope these will inform State Department efforts to "identify populations and priorities that make achieving the FY2004 refugee admissions ceiling (of 70,000) possible." With Thanksgiving approaching, we are reminded that the earliest European settlers to North America risked their lives to sail across the ocean in search of religious freedom. The inextricable link between religious freedom violations and refugee flows continues to this day, and is acknowledged throughout Title VI of the International Religious Freedom Act of 1998 (IRFA). The United States Refugee Admissions Program helps more than just those individuals whom it resettles. Resettlement also serves a strategic purpose by drawing domestic and international attention to the human rights abuses that force refugees to flee, including severe violations of the right to freedom of religion or belief. With this in mind, the Commission encourages the Department of State to more systematically facilitate access to the Refugee Program for individuals fleeing religious freedom violations. We would propose this be done by taking into account information contained in reports of this Commission, as well as those of the Department of State's own Office of International Religious Freedom. Systematic consideration of groups benefiting from improved access to the refugee program should, at the very least, be triggered when the Secretary, pursuant to Section 402 of IRFA, designates "countries of particular concern" ("CPCs") to the United States on the basis of "systematic, ongoing, egregious violations of religious freedom." In countries designated as CPCs, the link between severe violations of religious freedom and refugee flows is clear. Last year, the Secretary designated six "Countries of Particular Concern." To name just a few examples demonstrating the link between CPC designations and vulnerable refugee groups in need of a durable solution: North Koreans in China, Chinese Uighur Muslims in Central Asia and Nepal, Tibetan Buddhists in Nepal and India, Chinese Christians and Falun Gong scattered throughout the world, Southern Sudanese in Egypt and Kenya, Iranian religious minorities in Europe, Turkey and Pakistan, Burmese Chin in India, and Iraqi Chaldeans and Mandaeans throughout the Middle East. The Taliban regime in Afghanistan was also designated to be of "particular concern" to the United States for severe violations of religious freedom, creating many refugees with religious persecution claims, even though they were of the same faith as the Taliban. The FY04 Admissions Document, however, indicates that only nationals fleeing religious persecution from one CPC - Iran - may apply for refugee status (under "Priority Two") without a referral from the United Nations High Commissioner for Refugees (UNHCR). Nationals of Burma and Sudan are also permitted to apply under the "Priority Three" designation, but only if they have a spouse, child or (in limited circumstances) parent in the United States. The Commission recognizes the delicate and complex issues raised by expanding access to the refugee program, and is not proposing that nationals from "Countries of Particular Concern" be granted the automatic right to apply for refugee status. Rather, the Commission recommends that the Department use its expertise to carefully consider each CPC designation and deliberate how the U.S. Refugee Program could strategically re-enforce U.S. policy to promote religious freedom, and to protect those who seek to exercise this fundamental human right. The Annual Report on Proposed Refugee Admissions, pursuant to section 601(d) of IRFA, already contains "information about the religious persecution of refugees eligible for consideration for admission..." It would be useful, however, if the document also included a review of each CPC designation, including an explanation of how the U.S. Refugee Program has considered processing priorities for those who have fled Countries of Particular Concern. Finally, the Commission would like to reiterate the concern, originally expressed in its May 2002 Annual Report, that the Refugee Program has yet to develop the guidelines mandated by sections 602(c)(1) and (2) of IRFA to eliminate hostile biases in refugee program personnel and ensure proper refugee case file preparation. The Commission would be pleased to lend its own expertise in support of the efforts of the Refugee Program to comply with these statutory provisions. The Commission would welcome the opportunity to work with the U.S. Refugee Program to identify populations and processing priorities and achieve its stated goals for FY2004. Sincerely, Michael K. Young Chair

Dean Michael K. Young, Chair

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