Hearing on Refugees Fleeing Religious Persecution
U.S. Commission on International Religious Freedom
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Thank you for holding this important and timely hearing on refugees who are fleeing religious persecution. At a time when nearly 80 million people are forcibly displaced around the world, the highest number in recorded history, strong U.S. leadership is needed now more than ever to provide humanitarian assistance and protection to those who are persecuted.

World Relief, the humanitarian arm of the National Association of Evangelicals, works in fourteen countries around the world to respond to humanitarian disasters and end extreme poverty, and we resettle refugees and serve other immigrants in seventeen communities across the United States. World Relief encourages the Biden administration to find ways to assist those fleeing religious and other types of persecution. The United States' ability to respond to such threats and offer protection through a strong and flexible U.S. refugee admissions program (USRAP) is a direct indicator of our commitment to human rights and international religious freedom and will have an impact on our ability to promote democracy and religious freedom abroad.

The U.S. refugee admissions program is a critical tool to offer safe haven to those who are in harm's way and do not have other options for protection. However, during the last several years, the refugee admissions target has plunged from the historic norm of 95,000 to 15,000, the lowest level in the history of the program. In FY20, fewer than 12,000 refugees were resettled in the United States. A report by World Relief and Open Doors USA, "Closed Doors: The U.S. Refugee Resettlement and Asylum Processes," found that, as a result of the dramatic reduction in the overall number of refugees admitted, only very few persecuted religious minorities have been able to access the USRAP. In order for the United States to offer genuine protections to these refugees, the administration must do more to rebuild and reform the USRAP to ensure that those who are fleeing religious persecution can find protection in the United States through the USRAP and asylum programs in accordance with international and U.S. law.

Global Displacement
Nearly 80 million people across the globe are forcibly displaced. 40% of them are children, and 80% come from countries struggling with food insecurity and malnutrition. 26 million meet the formal definition of a refugee, having fled their countries because of a well-founded fear of persecution based on race, religion, nationality, membership in a social group or political opinion. War, trauma, and other major social and economic disruptions drive millions more to migrate in search of better work opportunities and a safer place to call home.

The coronavirus pandemic has only aggravated existing conditions of hardship for the world's refugees and other displaced people. COVID-19 disproportionately affects the poor and underprivileged, and many of the world's densely-packed and underfunded refugee camps are ill-equipped to handle the medical needs of the many refugees they house. With 134 refugee-hosting countries reporting local transmission of COVID-19, the pandemic is an especially dangerous threat to displaced persons across the globe. But as many of the world's wealthier countries battle the pandemic domestically and tighten foreign travel restrictions, the political climate has become unfavorable to displaced people who desperately need global aid, exacerbating trends that began even before the global health crisis.

While the United States has made religious freedom a priority of domestic and foreign policy, religious persecution continues to drive the displacement of many forcibly displaced. The administration's commitment to religious freedom necessitates an equally enduring responsibility toward refugees and asylum seekers, and vice versa.

Global Religious Persecution

Religious persecution is worsening globally, with the Pew Research Center finding in 2018 that government restrictions on religion reached the highest level in more than a decade. Globally, more than 340 million Christians live in places where there are high levels of persecution on account of their faith, according to the estimates of Open Doors USA. As an organization founded by the National Association of Evangelicals in 1944, World Relief has a particular concern for persecuted Christians abroad. Christians face some of the most severe persecution in authoritarian countries, such as North Korea, Iran, Burma, China, and Eritrea. These and other oppressive governments restrict Christian freedom of religion and impose harsh, sometimes debilitating, penalties on Christian conduct and expression. Tragically, these religious antipathies often find expression in religious extremist violence against Christians.

The nexus between the lack of religious freedom and forced migration is undeniable. One fuels the other, and strong and effective U.S. foreign policy must address both together in order to be successful in promoting our values abroad. The USCIRF Annual Report 2020 highlights the daunting humanitarian challenges faced by those who do not enjoy religious freedom, and how the lack of religious freedom often results in individuals having to flee their home countries. The annual report also notes fourteen countries of particular concern in which there is restricted religious freedom.

In Burma, for example, ethnic Chin, including many Christian pastors, face violence and abductions. The mostly-Muslim Rohingya have fled Rakhine state in Burma in large numbers with an estimated 915,000 Rohingya refugees living in camps in the Cox's Bazaar area of Bangladesh; more than half of them (55%) are children. In Syria and Iraq, ISIS remains a threat to a myriad of religious minorities, including Christians and Yezidis. Over 5 million Syrian refugees have been driven from their homes over nearly a decade of conflict. In Iran, Christians are imprisoned for their faith and Baha'is and Mandeans face regular discrimination. In Eritrea, where only four religious communities are legally permitted to operate, individuals who practice their faith outside of these traditions are often targeted and arrested. In response to such restrictions on religious freedom, the USRAP admitted large numbers of Burmese, Syrian, Iraqi, Iranian, and Eritrean refugees in the past decade before significant restrictions were placed on the USRAP starting in 2017. Religious minorities make up the majority of refugees resettled from Burma and Iran over the past decade to the United States, and roughly 35% of those from Iraq. In addition, the State Department and Congress continue to highlight ongoing restrictions to religious freedom in countries like China, where at least 800,000 Uyghurs are detained in re-education centers and thousands of others have fled.

In Pakistan, blasphemy laws and forced conversions of Christians, Hindus, and Sikhs have led to violent attacks and detention in solitary confinement. Ahmadi Muslims face significant persecution from the government and harassment from local communities. A group of 1,647 Pakistani refugees, mostly Ahmadi Muslims and some Christians, are in Thailand with ongoing protection concerns. World Relief has been advocating for a Pakistani Christian man whose wife was resettled as a refugee to Spokane, WA, four years ago. This man was beaten for publishing Christian material on a website and has been waiting as a refugee in Sri Lanka to reunite with his wife in the United States. Individuals like this man and his wife demonstrate that behind each of the numbers represents an individual story.

Below are the countries of particular concern noted by USCIRF and refugee admissions (for those of all religious backgrounds) from each country from FY16 to FY20, which in all cases have declined, often dramatically. In order for the USRAP to be a nimble, life-saving program focused on protecting the most vulnerable fleeing persecution, including religious persecution, significant changes must be made to ensure it remains a viable option for protection for those who have nowhere else to go.

	FY20 Admissions	FY16 Admissions
Burma	2,115	12,347
China	0	57
Eritrea	475	1,949
India	2	4
Iran	137	3,750
Nigeria	0	7
North Korea	2	14
Pakistan	169	545
Russia	188	462
Saudi Arabia	0	2
Syria	481	12,587
Tajikistan	0	17
Turkmenistan	0	0
Vietnam	12	58

The U.S. Refugee Resettlement Program

Under both U.S. and international law, a refugee is an individual who has left his/her country of origin and who has a credible fear of persecution on account of their race, religion, political opinion, national origin, or membership in a particular social group. Refugees are unable to find protection from their local governments and must seek safety and survival elsewhere.

The USRAP was created under the Refugee Act of 1980 with broad bipartisan support in order to solidify a public-private partnership with capacity to respond to situations in which people are persecuted and without avenues for protection, including populations of particular humanitarian concern to the United States. The USRAP continues to maintain bipartisan support, as demonstrated by bipartisan resolutions, letters, and the bipartisan Congressional Refugee Caucus. The USRAP also enjoys broad support from faith, business, and national security communities across the United States.

While most refugees would prefer to return home if it were safe, in many cases the ongoing threat of persecution makes that impossible. Until they are either granted permanent protection in the first country to which they fled or are offered resettlement in a third country, refugees wait, either in refugee camps or in urban settings, where they usually lack permission to work and provide for themselves. Often refugees face additional persecution in transitional settings including discrimination and violent attacks targeting Christians and other religious minorities. Resettlement is a last resort for refugees who cannot safely return to their home country nor safely remain in the country to which they initially fled. Fewer than 1% of refugees will ever be resettled to a third country.

Since 1980, when the Refugee Act became law and formalized the U.S. refugee resettlement program, more than 3 million refugees have been resettled to the U.S. In the past, the U.S. has been the global leader in refugee resettlement. On average, from 1980 through 2016, that upper limit for resettlement

was set at roughly 95,000, with an average of approximately 81,000 refugees actually arriving annually. Over the past decade, the plurality of resettled refugees have been Christians, including many persecuted particularly for their faith. In FY16, the number of Muslim refugees reached a historic high as large numbers of Syrian and Iraqi refugee were resettled to the United States.

Each refugee undergoes a thorough security and health screening prior to resettlement. As a report from The Heritage Foundation notes, "refugees undergo more vetting than any other immigrants to the U.S." For the relatively small share of the world's refugees whom the U.S. government selects and approves for resettlement, the U.S. State Department partners with a variety of faith-based and other nonprofit organizations, including World Relief, to assist refugees in their process of cultural adjustment.

In recent years, however, the U.S. has dramatically reduced its commitment to refugee resettlement. In calendar year 2018, Canada surpassed the U.S. as the leader in refugee resettlement, welcoming approximately 28,000 refugees compared to America's 22,874, despite a far smaller population overall.

For FY20, the ceiling was set at a maximum of 18,000. Because of the COVID-19 pandemic and challenges in the program, the U.S. had a total of 11,814 arrivals with the largest nationalities coming from the Democratic Republic of Congo (DRC), Burma, and Ukraine. As of January 31, 2021, there have been 1,403 refugees resettled thus far in FY21. Out of this number, 786 refugees were resettled on account of having either experienced religious persecution or qualifying under the Lautenberg amendment, a number far lower than the historical norm.

While refugees of various religious traditions have been harmed by the sharp reduction in U.S. refugee resettlement, among those most disadvantaged have been Christian refugees from the countries where Christians face the most severe persecution in the world. From FY16 to FY20, the United States received 83% fewer Christian refugees from the top 50 countries on Open Doors USA's 2020 World Watch List for Christian persecution, from 16,714 Christian refugees from these countries to just 2,811. From Iran, Iraq and Burma – all countries from which the U.S. has historically welcomed large numbers of Christian refugees— the number of Christian refugees resettled declined by 97%, 92%, and 81%, respectively, between FY16 and FY20.

Other persecuted religious minority groups have been largely shut out of refugee resettlement in recent years as well. In FY20, arrivals from countries where refugees have been persecuted as religious minorities have declined by the following percentages compared to FY16:

- 100% among Jewish refugees from Iran and Iraq
- 99.7% among Sabean-Mandean refugees from Iran and Iraq
- 97.4% among Bahá'í refugees from Iran
- 98.2% among Zoroastrian refugees from Iran
- 96.4% among Yezidi refugees from Iraq and Syria
- 85.9% among Muslim refugees from Burma (primarily Rohingya)

The United Nations High Commissioner for Refugees estimates that 1.4 million refugees are in need of resettlement in 2020, yet only 22,770 refugees were resettled through UNCHR worldwide, the lowest refugee resettlement numbers in nearly twenty years. And the year before, in 2019, only 4.5% of global resettlement needs were met. As religious persecution around the world rises and the numbers of refugees accepted into the U.S. and other countries has drastically declined, more vulnerable people than ever before are facing religious persecution without any hope of resettlement.

In September 2019, the United States Commission on International Religious Freedom (USCIRF) warned against the consequences of further cuts to refugee resettlement numbers, encouraging the administration to restore the number of refugees to the historic norm of 95,000. The USCIRF commended the Trump Administration for its commitment to promoting international religious freedom abroad but urged it to extend these efforts to U.S. refugee resettlement policy so that the U.S. would continue to be a safe haven for refugees fleeing religious persecution. World Relief has welcomed these statements and advocacy to restore the U.S. refugee admissions program to a more historic standard.

Recommendations to Strengthen U.S. Refugee Resettlement

There continue to be many challenges within the USRAP. The low refugee ceiling as well as reduced overseas processing capacity has meant that the life-saving tools of the program have been significantly diminished. The U.S. Citizenship and Immigration Services (USCIS), the Department of Homeland Security agency that conducts in-person interviews with refugees being considered for U.S. resettlement, is facing severe financial shortfalls and almost furloughed most of its staff last summer. These challenges are on top of an already lengthy and arduous vetting process required for all refugees that has often ground to a standstill, including biometric and biographic checks; interagency intelligence sharing; screenings against multiple domestic and international terrorist and criminal databases; background investigations by the FBI, Department of Defense, State Department, and National Counterterrorism Center; and in-person interviews.

The most important steps that Congress and the administration can take to prepare for and operationalize refugee resettlement are to restore the USRAP to historic norms by raising the refugee ceiling and basing the program on vulnerability, and also rebuilding and robustly supporting USRAP overseas processing and domestic resettlement capacities.

President Biden's February 4th executive order, "Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration," will improve the refugee resettlement program's accessibility to all religious minorities around the world by putting in place enhanced reviews, creating more efficiencies in the program, and appointing senior White House staff to oversee the program. The executive order also rescinds several executive orders (EO 13888 and EO 13815) that placed undue restrictions on certain nationalities from coming to the United States as refugees and required local consent before a refugee was resettled to a certain area of the United States.

As a follow-up to the executive order, the White House sent a draft Emergency Presidential Determination proposing a revised refugee ceiling of 62,500 for FY21. The program will return to regional allocations proposing 22,000 for Africa; 6,000 for East Asia; 4,000 for Europe/Central Asia; 5,000 for Latin America/Caribbean; 13,000 for Near East/South Asia; and 12,5000 for unallocated reserve. For Asia, the State Department specifically mentions the Rohingya, an ethnic and religious minority group from Burma, to be resettled. The report also mentions the Uyghurs as an ethnic and religious minority group from China in urgent need of resettlement. The report also states that Iranian religious minorities who are waiting in Austria to access the program should be resettled, and that there are more Iranian religious minority refugees in the pipeline than there are available slots in the current Presidential Determination. In addition, the State Department lists several groups of religious minorities for priority consideration to the USRAP, including the following religious minorities:

- Turkic Muslim refugees who are nationals or last habitual residents of China;
- Rohingya Muslim refugees who are nationals or last habitual residents of Burma (Myanmar);

- Iraqi and Syrian nationals who are members of a religious or ethnic minority

These much anticipated reforms will make the U.S. refugee admissions program a stronger program that will provide more placements for those fleeing religious persecution and create a more efficient program by addressing log jams and capacity issues that have hampered the program for many years. But there are several additional steps that are necessary to rebuild the refugee resettlement program.

First, the White House and State Department must follow through on their recent commitment to raise the refugee ceiling in FY21 to 62,500 and 125,00 in FY22 after appropriate consultations with Congress. The higher refugee ceiling should be considered a goal to be reached, and the administration should commit every resource available to making sure we reach that number. The proposed emergency presidential determination that bases refugee admissions on vulnerability is a step in the right direction for restoring the program back to its intended goals.

Second, Congress should work with the administration to increase the processing capacity for refugees to be admitted to the United States. The acceptance of UNHCR referrals, as well as boosting U.S. Embassy and NGO referrals, are critically important. USCIS must schedule ongoing circuit rides to various regions of the world and break through other logjams in processing. In-country processing, evacuations, chartered flights, transporting refugees to a second location for processing, and alternative pathways to protection should all be considered. The recent executive order that sets forth various reviews of the program and ensures our vetting processes are streamlined and efficient will help make the program nimbler and more effective. Fortunately, the USRAP has dealt with similar realities in the past and, with the leadership of the State Department's Bureau of Population, Refugees, and Migration, has been able to navigate them to bring people to safety, including in the cases of Amerasians resettled from Vietnam in the 1980s, Kurds fleeing Saddam Hussein in the 1990s, refugees from Kosovo in the early 2000s, and Cubans who were fleeing a Communist regime over several decades.

Third, Congress must act to continue funding the USRAP at robust levels for FY21 into FY22, including $4.35 billion for the Migration and Refugee Assistance (MRA) account, $4.52 billion for the International Disaster Assistance (IDA) account, $100 million for the Emergency Refugee and Migration Assistance (ERMA) account, and $6.34 billion for the Refugee and Entrant Assistance (REA) account. Such public funding is leveraged through public-private partnerships through the nine refugee resettlement agencies. Just through World Relief's network alone, we currently partner with more than 1,100 local congregations, 3,700 active volunteers, and raised more than $10 million in in-kind contributions to serve newly arrived refugees and other vulnerable community members in FY20. And we're confident that our church and volunteer network will continue to grow if the number of refugees allowed to be resettled increases once again.

Lastly, in order to ensure that refugees fleeing religious persecution are granted asylum in the United States, and not improperly denied, banned, or turned away, the administration should rescind the regulations and policies that ban, block, and deny asylum to asylum-seekers, including bans or proposed rules that deny asylum to refugees who transit other countries on their way to the United States and deny asylum to people who fled "brief detentions," repeated threats not yet carried out, or persecution deemed not sufficiently "extreme."

Thousands of people across the United States, from local business owners to church volunteers, are eager to welcome their newest neighbors. The USRAP is a core expression of our common values as Americans- to show hospitality, to stand with those fleeing persecution, and to offer hope to those who

have nowhere else to go. The United States should not only strengthen its own refugee and asylum processes but work with countries like Australia, Canada, Germany, the United Kingdom and others to keep other pathways of protection open.

These policy and programmatic changes, in addition to creative thinking regarding mechanisms for the resettlement of refugees fleeing religious persecution, are essential to meeting the humanitarian and foreign policy objectives of international protection. At this time of unprecedented forced migration, the United States has a moral responsibility to do as much as it can to meet the needs of our vulnerable neighbors.

The U.S. Asylum Process

Whereas refugees who are resettled to the U.S. are identified and screened abroad – and subject to the annual ceiling on refugee resettlement set by the president – the Refugee Act of 1980 also formalized the process by which an individual who reaches the U.S. can request asylum. An asylum seeker is someone who professes to meet the definition of a refugee – having fled his or her country of origin because of a well-founded fear of persecution on account of their race, religion, political opinion, national origin, or membership in a particular social group – but whose claim has not yet been verified by an appropriate governmental authority. Because asylum seekers haven't been given an official status yet, they are often vulnerable to hardship, exploitation and injustice as they wait to be recognized by a host country.

Under U.S. law, there is no limit on the number of individuals who can receive asylum in a given year. The U.S. has committed itself, both in the Refugee Act and as a party to an international convention, not to return someone who can establish that they qualify for asylum to a situation of potential danger. However, because one must physically reach the U.S. – whether on an airplane, a ship or by reaching a land border – asylum is generally accessible only to those who are geographically proximate to the U.S. or who are among the relatively few who qualify for a tourist or other non-immigrant visa, which is generally necessary to board an airplane.

An individual in the United States may request asylum either "affirmatively," submitting a request to the Department of Homeland Security if they are already present lawfully in the U.S. on a temporary visa, or "defensively," when facing a removal hearing before an immigration judge. In FY18, close to 39,000 individuals were granted asylum either by the Department of Homeland Security or by an immigration judge, an increase of nearly 90% just since FY16.

Asylum cases can be difficult to win, even when the asylum seeker has legitimately fled persecution, because the burden of proof in an asylum case is on the asylum seeker, and often they lack documentary evidence of what they claim to have experienced. While an asylum seeker has the right to an attorney at their own expense, they are not provided with an attorney by the immigration court, and those without representation – who are generally seeking to navigate a complex law in a foreign language – are roughly five times less likely to be granted asylum than those represented by counsel.

While data on the religious demographics of asylum seekers or on the particular legal ground(s) of persecution on which asylum requests were based are not readily available, asylum has certainly been an important tool for persecuted religious minorities able to escape their countries of origin and reach the United States. For example, of the roughly 15,700 individuals granted asylum by an immigration judge in FY20, 27% were from the fourteen countries of particular concern identified by USCIRF, based on Department of Justice records obtained by Syracuse University's TRAC project.

However, in the past few years a series of new policies reinterpreting how U.S. asylum law is to be applied have made it much more difficult for individuals seeking asylum to access due process and, thus, to be granted asylum. For example, a policy known as the "Migrant Protection Protocols" requires most asylum seekers who arrive at the U.S.-Mexico border to remain in Mexico – in dangerous conditions with very limited access to U.S.-based legal representatives – while they await their asylum hearings. While the Biden administration has halted new entrants into the MPP program, many individuals remain in vulnerable situations.

The COVID-19 crisis has further endangered asylum seekers. In March 2020, the Department of Homeland Security largely closed the U.S.-Mexico border, citing the need to mitigate the dangers of COVID-19; the border closure was subsequently extended indefinitely. As a result, even asylum seekers in the most dire situations, with credible fear of persecution if returned to their country of origin, are currently not allowed to cross the border to request asylum. While the Biden administration has indicated it will review this policy set by the Trump administration, it remains in effect as of today.

Most troublingly, in June 2020, the Department of Justice and the Department of Homeland Security proposed dramatic new changes that would significantly redefine eligibility criteria for asylum, both for those who arrive at a land border *and* for those who arrive via airplane. These regulations, which were finalized in December 2020 but have since been preliminarily enjoined from going into effect by a federal judge, would:

- Change the standard for the evidence necessary to request a hearing before an immigration judge, such that those who have not yet fully gathered evidence of the credibility of their fear of persecution could be deported before they have the time to assemble evidence.
- Significantly redefine key terms contained within longstanding U.S. law, including "persecution," "well-founded fear," "torture," "political opinion" and "particular social group," to dramatically reduce the number of individuals who could be found eligible for asylum.
- Severely restrict the opportunity to be granted asylum for any individual who transited through other countries en route to the U.S.

This new rule, if allowed by the courts to proceed and not reversed by the new administration, could dramatically reduce the number of persecuted religious minorities and others who would meet the eligibility guidelines for receiving asylum. Responding to these proposed changes, National Association of Evangelicals Vice President of Government Relations Galen Carey commented, "Under cover of COVID-19 the Statue of Liberty is being pulled apart, limb by limb... our proud tradition as a beacon of hope for those fleeing persecution is at grave risk."

Call to Action

We believe the United States has an important role to play in providing protection to those fleeing religious persecution.

We encourage the Commission to:

- Continue highlighting in its research and reporting the intersection between religious freedom and forced displacement
- Make public statements regarding any changes in refugee and asylum policy that would help or harm those fleeing religious persecution

- Engage in ongoing diplomacy with foreign governments to open up avenues of protection for those fleeing persecution because of religion
- Work with the White House to pursue reform of the refugee resettlement program to rebuild domestic infrastructure and ramp up overseas processing to protect refugees fleeing religious persecution
- Work with Congress to provide robust oversight of the U.S. refugee admissions and asylum programs, including encouraging them to hold hearings, write letters, and pass robust appropriations in support of both programs
- Work with the UN High Commissioner of Refugees to continue to offer protections for those fleeing religious persecution

We encourage the U.S. government to:

- Consistently prioritize the advancement of international religious freedom and leverage diplomatic pressure to urge all countries to reduce religious persecution.
- Restore the U.S. Refugee Resettlement program to at least a historically normal ceiling for refugee resettlement and to ensure that those persecuted for their faith continue to have access to the program alongside those persecuted for other reasons.
- Reject and reverse changes to asylum processing that would reduce access to due process and present new barriers to those with credible fears of persecution from accessing protection in the United States.

The United States has long set the standard for the global agenda on refugees and asylum seekers. The U.S. refugee resettlement and asylum programs are crown jewels in U.S. humanitarianism. At this time of unprecedented forced migration, the United States has a moral responsibility to do as much as it can to meet the needs of our vulnerable neighbors. As the Commission explores the challenges and opportunities associated with helping refugees fleeing religious persecution, World Relief looks forward to working with you to meet these objectives.

About World Relief

World Relief is a global Christian humanitarian organization that brings sustainable solutions to the world's greatest problems – disasters, extreme poverty, violence, oppression, and mass displacement. We partner with local churches and community leaders in the U.S. and abroad to bring hope, healing and transformation to the most vulnerable. Founded in 1944 in response to a situation of mass displacement in Europe, World Relief has worked in more than 100 countries, including partnering with the U.S. State Department and with thousands of local churches to resettle approximately 300,000 refugees to the United States since 1979. Learn more at www.worldrelief.org.