

U.S. REFUGEE ADMISSIONS FOR FISCAL YEAR 2007

REFUGEE COUNCIL USA (RCUSA) RECOMMENDATIONS FOR AFRICAN REFUGEES

By the end of 2005, Africa, like the rest of the world, witnessed a slight decrease in the number of refugees. Three of the nationalities that took part in UNHCR-facilitated resettlement were Somalis (5,900), Liberians (4,700), and Sudanese (3,200). Many African refugees also voluntarily repatriated to their countries of origin, with the largest populations going to Liberia (70,300), Burundi (68,300), and Angola (53,800). Considerable efforts were also made in the eastern region of Africa to promote and implement the repatriation of thousands of refugees to Somaliland, Burundi and the Democratic Republic of the Congo.

However, during the past several months, the mass influx of refugees in the eastern region of Africa almost destabilized that region. The outflow of Sudanese to Uganda and Kenya, Congolese to Uganda and Rwandans to Burundi present new challenges for 2007. The continuing refugee crisis in Chad and Darfur puts considerable strain on refugee protection elsewhere in Africa, while the present conflict in Somalia could trigger a humanitarian disaster, sending hundreds of thousands of refugees fleeing to neighboring countries.

Amid these new flows of refugees on the continent there are hundreds of thousands of refugees in protracted situations notably in the East, the Horn of Africa, and countries in southern Africa. These refugees have languished for years in crowded camps with no hope of repatriation or local integration. There are segments of those populations with special needs and vulnerabilities. There are long-separated family members whose dreams of reunion with resettled relatives remain unfulfilled. And there are African refugees stranded in urban centers around the world in countries like the former Soviet Union and India, where they are denied access to employment or educational opportunities, subjected to discrimination and abuse, and who desperately seek a place to call home.

For the majority of these groups, resettlement is the only viable alternative. Resettlement of African refugees has proved to be an effective tool of protection, a dependable durable solution, and a meaningful expression of international solidarity and burden sharing.

WEST AFRICA

◆ Liberian Refugees throughout West Africa

Since the start of facilitated repatriation in October 2004, UNHCR has assisted some 58,000 Liberians repatriating, and another 150,000 are estimated to have returned independently. Given the improvement in the political climate since the elections in fall 2005, UNHCR began the “promoted” phase of its repatriation efforts in February 2006. While we are pleased that many are able and willing to return home, it must be recognized that repatriation will not be a viable option for some Liberian refugees. The political improvements in Liberia occur against a fragile backdrop and an infrastructure that has been largely destroyed through years of civil turmoil. This will make it difficult for Liberia to receive all those displaced by the years of civil strife.

It is estimated that over 250,000 Liberian refugees are still scattered throughout the region, primarily in Sierra Leone, Guinea and Ghana. Many of these refugees have been awaiting the outcome of the election to decide whether to return, as well as the end of the school year. Other particularly vulnerable or traumatized refugees are not expected to be willing or able to repatriate regardless of the political climate in Liberia given the ongoing tensions among particular ethnic groups and the lack of prospects for reintegration of certain types of cases. These include women-at-risk, single-headed households, unaccompanied minors, victims of severe violence or torture, and Mandingo and Krahn ethnicities who are associated with the former Doe regime.

Refugee Council USA (RCUSA) maintains that with the right safeguards in place, repatriation and resettlement can be pursued simultaneously. Those for whom repatriation will never be an appropriate durable solution should be considered immediately for resettlement and not made to wait unnecessarily.

◆ **Sierra Leonean Refugees throughout West Africa**

Throughout West Africa, there are roughly 20,000 Sierra Leonean refugees who comprise a significant residual caseload following the largely successful repatriation effort that ended in 2004. It is widely believed that those who have not availed themselves of repatriation opportunities have strong reasons for not returning. Most have no homes to go back to or are too traumatized to return, having experienced significant violence and trauma themselves and having lost family members. RCUSA believes that resettlement would be an appropriate durable solution for many of these cases.

◆ **Mauritanian Refugees in Senegal**

An estimated 20,000 Mauritanian refugees remain in precarious situations in Senegal. Most live in rural settlements along the river valley with few integration prospects. UNHCR has expressed its intention to refer a small number of these for resettlement, approximately 250 individuals, although it is focused primarily on negotiating a facilitated repatriation arrangement with the government of Mauritania. The refugees have expressed that conditions for return must include official recognition of their status by the government, the right to recover their lost properties and to enjoy their political, civil and social rights. The State Department has indicated its support for increased referrals of this group, believing that there are many who will be unable or unwilling to repatriate. RCUSA concurs with the State Department's assessment and believes that greater urgency should be applied to identifying cases in need of resettlement.

◆ **Nigerian Ogoni Refugees in Benin**

Roughly 1,250 Ogoni refugees in Benin remain in need of a durable solution, having arrived in that country a decade ago as activists of the Movement for the Survival of the Ogoni People. Some 238 are officially registered at the Kpomasse Camp, while an estimated 1,000 are unregistered. The Ogoni complain of ongoing cross-border harassment by the Nigerian authorities and discrimination by the Benin government. UNHCR has indicated that it will refer the registered cases for resettlement but has no plans as of yet to revisit the remaining cases, many of which were denied refugee status by the government. RCUSA recommends that UNHCR reopen these cases and consider them for resettlement in the United States.

◆ **Togolese Refugees in Ghana and Benin**

Some 34,000 Togolese fled into Ghana and Benin in 2005 in the wake of post-election riots and violence. These new arrivals join several thousand longstayers who fled in the early 1990s (mainly political dissidents, former military, and human rights activists). UNHCR has published its intention to refer some 150 Togolese for resettlement from Ghana. RCUSA welcomes this development and encourages resettlement processing of the protracted population to proceed, with different approaches taken toward the longstayers and the new arrivals.

◆ **Congo-Brazzaville Refugees in Gabon**

There are some 11,000 Congolese (ROC) refugees in Gabon, of which UNHCR estimates 1,000-2,000 are in need of resettlement based on their previous status as civil servants or ex-military associated with the former deposed governments. The situation is still precarious in the areas from which they originate—mostly the area of Pool and the south of the country—making repatriation improbable. The Gabon government has thus far denied local integration and does not permit refugees to work or enjoy freedom of movement. Resettlement referrals should be expedited to extend the possibility of a durable solution to these refugees who have been in limbo since 1997.

EAST AFRICA

◆ **African Refugees in Ethiopia**

UNHCR estimates that at the beginning of 2006, Ethiopia hosted 101,000 refugees. Of these, 74,000 were from Sudan, 16,000 from Somalia, 10,700 from Eritrea, and the remainder from various countries, with the majority coming from the Democratic Republic of the Congo (DRC). Sudanese refugees are located in five camps in western Ethiopia. Somali refugees reside in Kebribeyah camp near Jijiga, a town in Somali Regional State, while the Eritrean refugees reside in Shimelba camp in Tigray Regional State. Refugees of other nationalities live mainly in Addis Ababa, although new arrivals from the Great Lakes region in need of assistance were directed to Sherkole camp due to funding constraints in the urban program. While UNHCR is pursuing voluntary repatriation for some of these groups, we urge the Department of State to use resettlement as an alternative durable solution for these refugees, including the Eritrean Kunama currently in the Shimbella camp and all those who are in urban areas.

◆ **Refugees in Kenya**

Kenya hosts over 240,000 refugees, mostly Somalis, Ethiopians and Sudanese. Although Kenya is a signatory to the 1951 Refugee Convention and its 1967 Protocol, the Kenyan 1973 *Alien Restriction Act* requires all “aliens to reside and remain within certain places and districts” and allows freedom of movement to refugees only in times of war or during a great emergency. Hence, most refugees are confined to the Kakuma and Dadaab refugee camps located in harsh, semi-arid areas of the north. These camps lack adequate security and resources, and the waste of human potential is significant.

Refugees are permitted to reside in urban areas only on an exceptional basis. However, urban areas are fraught with protection problems. For example, some refugees who reside in Nairobi have been subjected to violent attacks. Prospects for local integration are non-

existent, and repatriation in safety and dignity is not an imminent possibility for some refugee groups, as indicated below:

- **Sudanese Refugees in Kakuma Camp**

For 2006, UNHCR anticipates that 10,000 of the 69,000 Sudanese refugees in Kakuma camp, will return to southern Sudan. We are encouraged by the improved situation in south Sudan. We are also mindful that conditions for return in safety and dignity may not yet be in place. Many areas are still mined, the infrastructure has been decimated, and livelihood opportunities are scarce. Additionally, for some Sudanese refugees return may be impossible. These include women-at-risk, single-headed households, unaccompanied minors, victims of severe violence and/or torture. The United States should consider resettlement for these vulnerable groups.

The United States should also consider resettlement for Sudanese unaccompanied girls in Kakuma. This effort has become more complex as the years have elapsed. Most of the young girls are now young women, i.e., over 18-years-old. Some have “married” and have children. Others, taken in by foster families in the camp, are being kept for their potential to attract dowry. In addition, there are siblings of Sudanese boys and girls, already resettled in the United States, who continue to languish in the camp and are in need of a durable solution for whom we recommend resettlement in the United States.

- **Somali Refugees in Dadaab Camp**

In Kenya, we remain concerned about the fate of over 140,000 Somali refugees in the Dadaab camp, including a group of over 2,000 Somali Benadiri. As clan conflict and turmoil have re-escalated recently in Somalia, many refugees are still being pushed over the border with Kenya toward Dadaab, and the refugees in the camp feel it unsafe to return. They continue to live a bare subsistence. Most of the refugees came from the southern regions of Gedo and the Juba River Valley in Somalia. We recommend increased efforts to assess the need for resettlement of all women-at-risk, most of whom are subjected to female genital mutilation and have lived in the camp since 1992, the year the camp opened. We also recommend resettlement for Somali nationals from South-Central Somalia who have continuously resided in Dadaab since 1992 and lack prospects for local integration.

- ◆ **Sudanese Refugees in Chad**

Eastern Chad hosts approximately 200,000 Sudanese refugees from the Darfur region. While smaller numbers of refugees from Darfur have settled in communities along the border with Sudan, many are living in 12 refugee camps. The security situation in Darfur remains dire, and the prospect of voluntary repatriation remains nonexistent. We urge UNHCR to monitor the protection needs of the estimated 20,000 Darfurians settled in villages along the Chad/Sudan border. In addition, we urge that resettlement to the United States be considered for vulnerable groups including women-at-risk, unaccompanied minors, and victims of severe violence and/or torture.

GREAT LAKES/CENTRAL AFRICA REGION

We continue to recommend that the State Department and UNHCR conduct a systematic study of refugees from the Great Lakes region who are in need of urgent protection and a durable solution, including resettlement to a third country. These include Congolese, Burundians and mixed marriage cases.

◆ **Refugees in Tanzania**

Tanzania hosts more than 400,000 refugees from neighboring countries. Tanzania is a signatory to the 1951 Geneva Convention and 1967 Protocol; however, the Refugees Act of 1998 regulates refugee matters. Yet, the provisions of this Act breach international obligations and severely curtail refugees' rights. Refugees are confined to refugee camps and/or settlements in western Tanzania where their freedom of movement, educational opportunities, and access to employment are restricted. In addition, Tanzania has a significant urban refugee population that has been in limbo for years.

We urge UNHCR and resettlement countries to assess the refugee situation in Tanzania and make resettlement an option for those who are unable to return to their home countries and for whom resettlement is needed for their protection or is the appropriate durable solution, as indicated below.

• **Burundian Refugees**

We recommend the United States offer resettlement to Burundian refugees in Tanzania. This includes multiple flight Burundian refugees who departed Burundi in 1971, fled to Congo and Rwanda, and then to Tanzania in the 1980s and 1990s. These refugees have spent three decades in refugee camps, have few remaining ties to Burundi and lack local integration prospects.

• **Batwa Refugees**

Batwa refugees are indigenous inhabitants of Central Africa and come from Burundi, Rwanda, and the Democratic Republic of the Congo. There are approximately 600 Batwa in Tanzania for whom life in the camps is extremely difficult. They lack representation and rarely are able to voice their issues and concerns to refugee leaders, UNHCR and implementing partners. We recommend UNHCR assess the protection needs of this group and determine the appropriate durable solution.

• **Mixed Ethnic Marriages**

Resettlement should be considered for refugees of ethnically mixed marriages, Hutus and Tutsis, which often puts them at risk within the refugee community. This is particularly relevant to the Kibondo district, where most of the Rwandans, Burundians and Congolese refugees are in mixed marriages or are of mixed ethnicity.

◆ **Congolese in Zambia**

In Zambia, there are more than 50,000 Congolese refugees (mostly Banyamulenge and Bembe) registered with UNHCR, many of whom are from the Kivus and other regions to which repatriation is unforeseeable. We know very little about the situation in Zambia due to the lack of a UNHCR resettlement officer, and the fact that very little processing is

conducted. We strongly recommend that PRM look at persecution claims and firm resettlement issues in Zambia. In addition, we encourage the use of a Rapid Response Team to augment UNHCR's ability to increase refugee referrals.

NORTH AFRICA

African Refugees in Egypt

The African refugee population in Egypt is mainly in urban areas according to the Global Refugee Trends - 2005. Some of the refugees in Egypt have been provided access to resettlement as P-1s. However, many more with compelling cases continue to live in deplorable situations without UNHCR support/protection.

The tragic events of December 30, 2005, in which some 26 refugees lost their lives in violent clashes with the police following a three-month protest highlight the need for an urgent solution for those refugees in Egypt in need of international protection. Some 500,000 urban Sudanese refugees and asylum-seekers in Cairo, for example, have languished for years with minimal humanitarian assistance and since April 2004 no access to either resettlement opportunities or even refugee status determinations, which would make their stay in Egypt less harrowing. Systematic discrimination, harassment, and lack of access to formal employment, education and healthcare relegate these refugees to lives of extreme hardship and insecurity.

At a minimum, the State Department should urgently consider designating the population of 2,000-3,000 Darfurians living in Egypt as a P2 group. This group clearly cannot repatriate and suffers severe harassment by the local population and authorities. They are seen as traitors to the Khartoum government, which Egypt supports, allies of the West, and by extension, traitors to Islam.

Additionally, for the Southern Sudanese, UNHCR's policy of no referrals is based on an assumption that these refugees can all repatriate following the signing of the Comprehensive Peace Agreement. NGO representatives, however, agree that it is premature for many Southern Sudanese to repatriate given the precariousness of the peace, the prevalence of uncleared landmines, the decimated infrastructure, etc. For those who will not be able to return home in the near future due to either the conditions in their area of origin, severe past trauma, or particular vulnerabilities, resettlement opportunities should continue to be made available.

The introduction of an NGO referral mechanism in Egypt would help alleviate the chronic backlog of UNHCR interviews and provide an important avenue to more timely protection for these neglected refugees among whom frustration is running very high.

SOUTH AFRICA

Urban Refugees in South Africa

Most of the refugees hosted by South Africa reside in urban areas; the country has no refugee camps. UNHCR on February 23, 2006, estimated that South Africa hosts approximately 29,000 recognized refugees and 110,000 asylum seekers whose asylum applications are not finalized. They come from all over Africa, including the Democratic Republic of the Congo, Burundi, Somalia, Ethiopia, Eritrea, Sudan, Congo Brazzaville, and Zimbabwe. Service delivery is further complicated by systemic delays caused by mixed populations of illegal immigrants, economic migrants and victims of human trafficking, all of them competing for the same resources in urban

areas. ECDC has been in correspondence with some of the refugees in South Africa and their stories confirm that these refugees live in deplorable situations, are harassed by the police and continue to be victims of hate crimes. Given the plight of the refugees in South Africa, we recommend that UNHCR continue to work with the South African government to provide those refugees with compelling cases access to the U.S. resettlement program as P-1 referrals.

OTHER URBAN REFUGEES

We recommend that UNHCR refer urban refugees with compelling cases to the U.S. resettlement program under the P-1 category, including the following groups:

◆ **Urban Refugees in Burundi**

Over a period of 25 years, some 18,000 refugees from the Democratic Republic of the Congo became urban refugees in Bujumbura, the capital of Burundi. Some left their country more than 20 years ago during the dictatorship of the late Congolese president, Mobutu Sese Seko; others fled more recent conflicts between the DRC army and rebel groups in the northeastern part of the country. Regardless of the circumstances that led them to Bujumbura, the refugees share a determination to remain in the city, despite the difficulties they are enduring. Given the situation of this group, RCUSA recommends that UNHCR provide P-1 referrals, particularly to the longstayers and those with compelling cases, to have access to the U.S. refugee program.

◆ **Ethiopian and Eritrean Refugees in Urban Areas of Sudan**

There were 80,000 Eritreans and 14,000 Ethiopian refugees in Sudan at the end of 2004, with a significant number being urban based. That number has most likely increased given the oppressive regimes of the two countries.

◆ **Urban Refugees in Kenya**

There are 4,000-5,000 registered African refugees in Kenya urban settings, mainly in Nairobi, and it is estimated that over 15,000 are without authorization. Most of the refugees are Somalis, Ethiopians and Sudanese. Currently the unregistered refugees are subjected to arrest and threats of deportation by the Kenyan authorities.

◆ **Urban Refugees in North Africa**

According to the UNHCR Global Appeal 2005, Mauritania hosts 475 refugees mostly from Sierra Leone, Liberia, DRC and Côte d'Ivoire; Morocco hosts 350 refugees from Liberia, Côte d'Ivoire, Sierra Leone and DRC.

◆ **Urban Refugees in Côte d'Ivoire**

There are almost 5,000 Liberian urban refugees remain in the Côte d'Ivoire.

AFRICAN REFUGEES OUTSIDE OF AFRICA

◆ **African Refugees in Moscow**

On the basis of ECDC's communications with some African refugees in Moscow, their situation has not changed much since the Testimony of Bill Frelick, the former Director of Policy at the U.S. Committee for Refugees, in February 12, 2002. UNHCR gives refugees identification cards that carry no legal weight. Also the police and municipal authorities

usually do not accept them, leaving refugees without access to registration or social services. Many of the African refugees do not have steady jobs and usually work washing dishes for next to no pay. Due to this situation, the UN gives single men \$70 per month, which is insufficient to meet their needs. By the time a refugee pays \$50 for rent they are left with \$20 (600 rubles). Racism and abuse are a daily occurrence in the lives of refugees. This situation is supported by reports ECDC has received from the Moscow Protestant Chaplaincy. The racism is so bad that Russia has “refugee accommodation centers.” The refugees say that in these areas they are not afraid to venture out on the streets because they do not have to worry about harassment by police or violent skinheads. We urge the UNHCR to expedite processing those African cases eligible for resettlement as P-1 cases.

◆ **African Refugees in Yemen**

According to the Yemen Times (December 2005), the officially registered number of refugees in Yemen is around 76,000, even though some sources say that most of these have left Yemen to neighboring countries in search of employment; 36,000 of these refugees are from Somalia, and about 2,000 are from Ethiopia, Eritrea and the Sudan. The condition of Somali and other African refugees is worsening according to the Yemen Times, because of their bad economic conditions. They cannot assimilate in the Yemeni community, because the Yemenis think that many of them carry dangerous diseases. Many are also subjected to racial discrimination and abuse despite their immigration status. This is why on November 19, 2005 there was an uprising by the Somali refugees demanding better living conditions or aid to move to a third country. Given the plight of these refugees, we urge UNHCR and resettlement countries to assess the refugee situation in Yemen and provide resettlement to those who are unable to return to their homeland and for whom resettlement is needed for their protection or is the appropriate durable solution.

◆ **Sudanese Refugees in Israel**

According to reports from Israel, some 220 Sudanese men and women fled to Israel from massacres and religious persecution in the war-torn Darfur region and in southern Sudan. Israeli authorities consider the Sudanese ineligible for asylum because Israel considers their country, an Arab League member, to be an “enemy state.” These Sudanese are currently in prison while UNHCR documents their stories and simultaneously tries to find them refuge in a third country. One thing the detainees have in common is a fear of being returned to Sudan, whose Islamic government has executed citizens for entering Israel. We urge the Department of State, UNHCR and resettlement countries to expeditiously assess the situation of this group for referral to the resettlement program, including cases of Eritrean and Ethiopian refugees who have not been able to integrate into Israeli society for various reasons.

◆ **African Refugees in India**

According to the 2004 UNHCR Country Report, there were African refugees living in Delhi, the majority of whom were Somalis and Sudanese. Because India has not adopted any domestic law on refugees and asylees, once the refugees’ certificates from UNHCR expire, they have no legal status in India and no clear protective measures. It is also believed that the Indian government discriminates among refugees depending on their country of origin. We urge the United States to assess UNHCR’s African caseload in India to refer those that qualify to the United States resettlement program.

OTHER RECOMMENDATIONS

◆ Assistance for UNHCR

According to UNHCR Global Resettlement Needs for 2007, 26,790 refugees in Africa have been identified to be in need of resettlement in a third country. The agency has the capacity to refer only 17,900 of these refugees for resettlement. Considering the especially difficult circumstances these refugees endure on a daily basis and the fact that the longer people remain in camps and other limbo situations, the more difficult their resettlement and integration process is later, we strongly recommend that adequate assistance be provided to UNHCR to build its capacity, so that all 26,900 refugees could be referred for resettlement.

◆ Case-by-Case Inclusion of Non-Nuclear Family Members

The contradiction between nuclear family and extended family continues to provide the basis for separating members of many African families that lived as one economic unit. This makes it necessary to assess the concept of family (for the purposes of resettlement) based on its ethnic, socio-cultural, and economic dimensions as manifested in every region. This way, many African families would be able to remain intact and resettle together.

◆ Expanding Priority Nationalities for Family Reunification

Many refugees experience exceptional hardship and emotional strain as family members are separated from one another for the purposes of resettlement. We urge that the P-3 category be expanded to embrace all nationalities so that refugees from every country will have the opportunity to reunite with their loved ones.

◆ NGO Referrals

Currently, the State Department has involved some NGOs in some regions of the world to refer prospective resettlement candidates for consideration by U.S. authorities. While RCUSA recognizes the inherent challenges with NGO referrals, we advise the program be expanded to all regions.