

STATEMENT OF
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FOR THE
HEBREW IMMIGRANT AID SOCIETY (HIAS)
AT THE
PUBLIC HEARING OF THE BUREAU OF POPULATION, REFUGEES, AND
MIGRATION, DEPARTMENT OF STATE
ON THE
U.S. REFUGEE PROGRAM FOR FISCAL YEAR 2007
JUNE 28, 2006

My name is Mark Hetfield, Senior Vice President for Policy and Programs at the Hebrew Immigrant Aid Society (HIAS). Thank you for allowing me to present HIAS' views on the fiscal year 2007 refugee admissions program.

HIAS is the international migration agency of the American Jewish Community – a community that has long viewed the U.S. Refugee Program as a central component of our country's humanitarian and foreign policy. Our community deeply values its public-private partnership with the U.S. government to provide protection and assistance to vulnerable refugees around the world – including over 400,000 Jewish and non-Jewish refugees who, since the 1970s, have been integrated into American society by local Jewish communities.

Before I begin my general remarks, I cannot over-emphasize that there is no issue which puts refugee protection in greater jeopardy than that of material support. We have just passed the Silver Anniversary of a landmark in refugee protection – the Refugee Act of 1980. Unfortunately, this event was marked by the implementation of the Material Support Bar – which has done more to undermine refugee protection than any other development in the history of the Act. The harm caused by the material support bar is no longer hypothetical – the United States government has now put asylum and refugee cases on hold to exclude *victims* of terror who pose no threat to us. Refugees remain in harm's way because of this provision, and asylum seekers in the United States remain in limbo. We are punishing victims – victims of rape, robbery, extortion, mutilation – for “knowingly” – even if unwillingly – providing support to the terrorists who persecuted them. We are also punishing those who supported – even on the sidelines - efforts to overthrow the most brutal of regimes.

The U.S. Refugee Program and the United States Government must stop treating “material support” as though it is some monster which it cannot control. If it is a statutory problem the Administration should demand that Congress fix it, through the Leahy-Coleman Amendment or some other legislative solution. This has not happened, however, and the Administration has opposed Leahy-Coleman.

If the material support bar is a problem of implementation, a broad delegated waiver policy needs to be implemented without any further delay. This has not happened. The waiver for the Tham Hinh Camp is a welcome development, but barely scratches the surface of the problem. The refugee community has produced real stories of the victims of material support, many op-eds, many news stories, all the while trying to hide this problem from the international community. We do not want it to become known that the United States has labeled refugees and victims of terror as terrorists. This will only undermine the leadership of the United States in the realm of refugee protection, and will ultimately undermine the international regime of refugee protection.

Only the Administration can slay this monster, and we urge that the Administration hasten its pace. One of the concerns raised with this public meeting is that the representatives of the United States Refugee Program listen – but do not answer questions. My only two questions to you are – has the President been thoroughly briefed

on the material support bar? And does he support the manner and pace in which this problem has been addressed?

On July 5th of last year, nearly 60 American Jewish organizations reconfirmed this commitment to refugees in a statement, *A Jewish Vision for the Future of American Immigration and Refugee Policy*. In this document, the signatories declared, “It is in our national interest that refugees fleeing persecution continue to look to the United States as a champion of refugee protection. The United States should develop effective programs to assist and protect refugees in locations around the world, such as the Sudanese refugees in Chad who fled genocide in their homeland. The U.S. should also provide generous access to resettlement for refugees in need of this durable solution, including Jews from the former Soviet Union and Iran; and should offer compassionate and fair asylum policies that recognize the particular vulnerabilities of refugees who enter the United States seeking safe haven from persecution. Victims of gender violence, children, persecuted religious minorities and other particularly vulnerable migrants should receive special attention and protection by the United States.”

Today, I would like to discuss two populations of refugees – religious minority refugees from Iran and the former Soviet Union. Protection of these refugees has been a vitally important part of the U.S. Refugee Program and a dramatic example of America’s core mission to protect religious liberty.

Former Soviet Union

Political instability, economic pressure and social strife continue to result in frequent attacks on religious and ethnic minorities in the former Soviet Union (FSU). While many of the successor states to the FSU have made some progress towards protecting civil and human rights and no longer target religious minorities under the pretext of combating "religious propaganda," Jews and Evangelical Christians continue to be victims of non-state persecution, and in some cases direct persecution by governments in the region. Additionally, discriminatory laws against minority religions severely impede the ability of many to practice their faith. Furthermore, ethnic minorities from regions of the former Soviet Union, as well as refugees from outside the region, continue to require protection through the U.S. Refugee Program.

While some officials in the FSU are now making public gestures of religious tolerance, the central and regional authorities have often failed to investigate and prosecute recurring incidents of discrimination, violence, arson and other attacks. In the past few years Jews were victims of hate crimes, and across the region, synagogues, schools, community centers, cemeteries, Holocaust monuments and other Jewish sites suffered arson and other attacks of vandalism. Notwithstanding laws against the promotion of inter-ethnic hatred, virulently antisemitic publications are available across the FSU.

Among the most recent examples of the persistent problem of antisemitism in the FSU are a series of public letters in Russia calling for the banning of Jewish organizations. These letters also called for the government to prosecute the publishers of a Russian

language edition of a 16th century code of Jewish law. While antisemitism in society is of great concern, the fact that 19 members of the Russian parliament signed the first of these letters – a document that cited the traditional “blood libel” against the Jews and referred to Judaism as a “Satanic” religion -- demonstrates that these views have penetrated into the central institutions of the Russian government. Based on these antisemitic appeals, the Moscow District Prosecutor opened an investigation into the allegation that this Jewish religious text was itself a source of racism. Though ultimately this investigation was dropped, the idea that Russian Jews could be prosecuted for publishing a core text of the Jewish Faith, and that the prosecutors have refused to act to punish the instigators of this antisemitic campaign, typify the dangers faced by Jews in the FSU.

Also in recent years, acts of discrimination and violence against minority Christian churches – particularly in Uzbekistan and Turkmenistan -- have been reported including efforts to ban certain religious groups, block building permits for churches, deny registration, interrogate church members and deport clergy. Highly restrictive religion laws have been enacted in many FSU states that frequently deny official recognition on the pretext that they are not indigenous, and often have to exist as unregistered entities subject to harassment and extortion by corrupt authorities. Of particular concern are reports that a Pentecostal Christian was tortured in police custody and coerced to renounce his Christian faith. Other Protestants in Uzbekistan have reportedly been harassed, interrogated and detained in many regions of the country.

Iran

The Department of State and the U.S. Commission on International Religious Freedom continue to designate Iran as a “country of particular concern for its severe and egregious violations of religious freedom.” Religious freedom conditions in Iran have further deteriorated since the installation of Iran’s new President. The U.S. government’s program to assist Iranian religious minorities, particularly members of the Jewish, Christian, Baha’i, Mandaean and Zoroastrian faiths, who have fled Iran and sought U.S. resettlement is an essential statement of our country’s principled commitment to protecting religious liberty around the world.

Religious minorities in Iran constitute two percent of the population. While it is the official policy of the Islamic Republic of Iran is that members of the recognized non-Muslim religions enjoy religious freedom, Iran’s Constitution nevertheless declares that the “official religion of Iran is Islam” and in practice does not protect the religious liberty of these minority groups.

Jews face close official scrutiny and widespread discrimination and harassment. Moreover, since its inception, the Islamic government has been hostile to the State of Israel, and has consistently failed to distinguish between individual Jews in Iran and Israel. Additionally, reports of an increase in antisemitic coverage and programming in government-run newspapers and television and antisemitic threats and propaganda by leading Iranian clerics reinforce the precarious nature of the Iranian Jewish community.

Other religious minority groups, particularly Baha'is, have faced high levels of persecution. Baha'is have been subject to limitations on their freedom of worship, employment and educational discrimination, destruction of religious properties, limitations on property rights, and unwillingness by the state to recognize marriages and divorces. Reports indicate that Iranian Baha'is have also been subjected to detention, interrogation, and physical abuse based on their minority religious status.

Despite a proclaimed commitment to tolerance, there is widespread discrimination and persecution of members of all Christian denominations in Iran. Severe treatment occurs in areas including education, housing and employment, and Christians have suffered harassment and imprisonment by the Iranian authorities.

Concerns over the treatment of Iranian religious minorities has been heightened by the ongoing international tensions over Iran's nuclear ambitions, support for terrorism and human rights record, and by the recent election of hard-liner Mahmoud Ahmadinejad as president of Iran.

Specter Amendment

Based on the United States' historic commitment to the protection of religious liberty, and the history of persecution and discrimination faced by religious minorities in the FSU and Iran, Congress enacted the Specter (formerly Lautenberg) Amendment in 1989 to facilitate the consideration of these cases. Over the years this legislation has been extended on an annual basis, and continues to provide protection to vulnerable religious minorities in these troubled regions.

Recommendations

HIAS urges:

That the Administration support the Leahy-Coleman Amendment, and take immediate interim action to stop barring refugees and asylum seekers as supporters of terrorism when they pose no threat to the security of the United States.

That the Administration continue to support strong programs for Jews and Evangelical Christians in Moscow and for Jewish, Christian, Baha'i, Mandaean and Zoroastrian cases from Iran in Vienna;

That at least 6,000 admissions slots be provided for the processing of Iranian religious minority refugees in Vienna, as well as in Istanbul and other locations as part of the Near East/South Asia program; and

That the Administration support a one-year extension of the Specter Amendment.

Conclusion

In addition to these specific comments I would like to express HIAS' great appreciation for steps taken by the Bush Administration to reverse the dramatic decline in the U.S. Refugee Program over the past two years. That progress, however, is already being rapidly undone by the material support bar.

While we are encouraged by the progress seen in the U.S. Refugee Program, we are painfully aware that each unused slot represents an individual life left to waste in a refugee camp or urban underground. The Jewish faith teaches that, "to save one life is to save the entire world and to lose one life is to lose the world entire." Based on the values of refugee protection that are common to both the Jewish and American humanitarian traditions, HIAS strongly recommends that the Administration continue to build on this year's program, and that a target of 90,000 refugee admissions be set for fiscal year 2007, and that the problems with the material support bar be addressed without delay. Otherwise, the U.S. Refugee program will quickly dwindle to a fraction of that target.

The Jewish Community remains strongly supportive of a compassionate and generous refugee admissions program that, while maintaining the secure nature of the U.S. Refugee Program, can reach out and offer safe-haven to a greater variety of refugees in need.