

**STATEMENT OF MELANIE NEZER
FOR THE RCUSA MEMBERS OF THE
LATIN AMERICA-CARIBBEAN REGIONALWORKING GROUP**

**AT THE PUBLIC HEARING OF THE BUREAU OF POPULATION, REFUGEES,
AND MIGRATION, DEPARTMENT OF STATE**

REGARDING THE U.S. REFUGEE PROGRAM FOR FISCAL YEAR 2007

June 28, 2006

My name is Melanie Nezer, Migration Policy Counsel of the Hebrew Immigrant Aid Society (HIAS). Thank you for allowing me to present the views of the RCUSA representatives of the Latin America/Caribbean Regional Working Group on the fiscal year 2007 refugee admissions program.

In my brief remarks, I would like to highlight two populations of refugees in this hemisphere that RCUSA believes should receive expanded access to the United States as refugees in fiscal year 2007: Colombians and Haitians.

Colombians

Until the material support issue is resolved, the U.S. will be precluded from offering protection to Colombian refugees in desperate need of protection. With the current policy, we are not even coming close to meeting the needs of persecuted Colombians that are scattered throughout our part of the world.

There is little disagreement that Colombian refugees are a population in need. According to the State Department's 2005 Human Rights Report, the good news in Colombia last year was that killings decreased by 10 percent, terrorist massacres by nearly 4 percent, killings of trade union leaders by 67 percent, and forced displacements by more than 27 percent. However, paramilitaries continued to violate the cease-fire, recruit soldiers, and commit human rights abuses. The following violations by paramilitaries were reported during the year: political killings and kidnappings; forced disappearances; torture; interference with personal privacy; forced displacement; suborning and intimidation of judges, prosecutors, and witnesses; infringement on citizens' privacy rights; restrictions on freedom of movement; attacks against human rights workers, journalists, and labor union members; recruitment and employment of child soldiers; and harassment, intimidation, and killings of teachers and union leaders.

Also according to the State Department, the FARC and ELN committed the following human rights violations: unlawful and political killings; kidnappings; forced disappearances; killings of off-duty members of the public security forces; killings of local officials; massive forced displacements; suborning and intimidation of judges, prosecutors, and witnesses; infringement on citizens' privacy rights; restrictions on

freedom of movement; widespread recruitment of child soldiers; attacks against human rights activists; harassment, intimidation, and killings of teachers and union leaders; and use of female conscripts as sex slaves.

Violence and instability displaced at least 131,716 last year according to Colombian government estimates; NGOs estimate that as many as 252,801 persons were displaced during the first 9 months of the year. UNHCR estimates that more than 2.5 million persons in the country had been displaced at some point during the last 15 years.

Costa Rica hosts some 9,800 Colombian refugees; Ecuador hosts nearly 47,000. It is estimated that 180,000 Colombian refugees are in Venezuela; thousands more are in countries throughout the Americas and Europe. Local integration in the region can be difficult to achieve and safe return is not possible.

Although Ecuador has a functioning asylum system and has been able to offer real protection to thousands of Colombian refugees, the number of refugees in need of resettlement due to their particular vulnerability and protection needs is increasing. The safety of Colombian refugees in Ecuador as well as in Venezuela is regularly endangered by the cross border interventions of the actors of the Colombian conflict—sometimes in direct pursuit of a refugee. This situation gives rise to many cases of physical insecurity and serious protection problems requiring resettlement as the primary tool of protection. In addition, single women, often responsible for young children (some 20% of all Colombian refugees in Ecuador are children), are particularly vulnerable because of gender biases against them. Access to housing, education, and health care are limited and present a major obstacle to local integration. For these refugees, resettlement may be the only option.

Costa Rica has also been a destination for many Colombian refugees. However, the government has been unwilling or unable to protect Colombian refugees from the illegally armed Colombian groups that operate in the country. As a result, Colombian refugees in Costa Rica have been the victims of extortion, kidnapping, and shootings perpetrated by these groups. In addition, because of economic difficulties in Costa Rica, local integration is often not a viable durable solution. According to UNHCR, Costa Rica does not have the capacity to absorb and integrate such a large number of Colombian refugees. Resettlement from Costa Rica is crucial, due not only to the Colombian refugees' legal and physical protection needs, but also due to their inability to locally integrate in Costa Rica, which leaves them in a continuing state of vulnerability.

Also of great concern are Colombian refugees in Panama. More than 800 Colombians have been living in the country under a precarious temporary status for more than six years, with no right to work or to move freely. Panama has in the past forcibly returned Colombians to Colombia. We urge the State Department to evaluate the protection needs of these refugees and to offer resettlement when necessary.

Haitians

Turning to the volatile situation in Haiti, we remain deeply concerned about unmet refugee protection needs. The State Department's human rights report on Haiti confirms that serious human rights abuses, political violence, killings, and social turbulence continue to occur. Despite the state of lawlessness in Haiti and the stream of incidents of extreme violence, there have been no refugee admissions of Haitians in recent years.

We urge the State Department to engage in meaningful refugee processing that is grounded in the promotion of appropriate durable solutions, including resettlement; establish mechanisms for identifying and assisting unaccompanied minors and other vulnerable individuals or groups; and to cooperate with UNHCR to assure that all refugees fleeing Haiti are provided with protection and assistance. We also urge the State Department to assist UNHCR to ensure that it has a direct presence in the region through the deployment of protection officers to Caribbean states that are receiving significant Haitian asylum seekers.

We also urge the State Department to support Temporary Protected Status for Haitians. Flooding in May 2004 killed 1,191 Haitians; 1,600 are missing and presumed dead. In September 2004, Tropical Storm Jeanne killed 3,006 Haitians and left 300,000 homeless. The effect of these deadly natural disasters combined with the volatile political situation makes it impossible for Haitians to safely return to Haiti at this time.

Conclusion

While we appreciate the steps taken by the Bush Administration to reverse the dramatic decline in the U.S. refugee program over the past three years, we fear that unless the material support problem is resolved quickly—which will require additional use of the waiver authority as well as a legislative fix—we will lose the momentum that we all fought so hard to achieve.

Colombians and Haitians have continued to experience violence on a daily basis, and incidences of severe persecution continue to be widely documented and acknowledged. We owe it to our neighbors—both the refugees themselves and the host governments in the region—to make sure that we accept the refugees and asylum seekers from these two countries that are truly out of options. We urge the U.S. government to take its role as a safe haven seriously, and to make sure that U.S. policy and admissions targets take into consideration the realities of daily life for our region's most persecuted and vulnerable individuals.