

STATEMENT OF MITZI SCHROEDER  
FOR THE RCUSA MEMBERS  
OF THE NEAR EAST SOUTH ASIA WORKING GROUP

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

REGARDING THE US REFUGEE RESETTLEMENT PROGRAM  
FOR FISCAL YEAR 2011

On behalf of the RCUSA members of the Near East South Asia Working Group, I thank you for this opportunity to address the resettlement needs of the refugees in this region.

It will come as no surprise that the resettlement needs of Iraqi refugees remain a priority concern. Despite some continuing improvement in the security situation in Iraq over the past several years, political and social conditions still remain so unsettled that the vast majority of Iraqi refugees are still not prepared to risk return at this time, and indeed, many minority members, victims of violence, Iraqis with close US associations and other vulnerable persons will never feel able to do so. The humanitarian situation faced by Iraqi refugees in the Middle East continues to be difficult, many refugees having exhausted their resources, finding few opportunities for employment, and little or no prospect for local integration. This situation has only worsened over time.

Given these circumstances, resettlement must continue to provide a vital part in the overall humanitarian response needed to provide protection to the most vulnerable within the Iraqi refugee population. In saying this, we would like to acknowledge the progress made by the US resettlement program over the past several years in working with UNHCR to expand the capacity for refugee processing in the region. We especially commend the efforts that have been made to identify and rescue vulnerable individuals within the population, including especially women at risk, persecuted minorities, and Iraqi Palestinians – one of the most vulnerable refugee groups in the world.

Despite these achievements, several problems continue to limit the effectiveness of the program. Extensive delays in the Security Advisory Opinion process still negatively affect the departure of too many cases. These delays, and a lack of effective communication with the applicants regarding this problem, undermine the ability of the refugees to plan their lives and care for their families. Many refugees prematurely withdraw their children from school and sell their belongings in preparation for resettlement, only to have their departure deferred due to delays in this process, which for some can take up to two years. Delays can also make it necessary for refugees to undergo repeated medical examinations and can increase their housing rental costs. We look forward to an opportunity to discuss this issue with PRM in

greater detail, in the hope that these problems can be mitigated either by improvements in the process itself or by providing more information about the length of the process to applicants.

A second issue that requires attention is the number of Iraqi cases that are being denied refugee status or having their approvals revoked because of travel back to Iraq by one or more individuals in the case. The rationale for revoking status for temporary return to an indisputably dangerous country where the US presently conducts in-country processing is questionable. The fact that an entire family can lose refugee status when only the male head of household has traveled back to Iraq, generally for the pressing reason of providing for his family, and at considerable risk to his own life, is troubling. We urge the US Refugee Admissions Program to reconsider this policy, and, at the very least, to refrain from revoking offers of resettlement unless it can be shown that all adult members of the family have voluntarily returned to Iraq.

We also remain very disappointed that this Administration has not yet fully resolved issues relating to the so-called "material support" bar. It is a great injustice that the victims of terrorism, and those who have fought terroristic regimes, continue to be excluded from the US for this reason. This is painfully apparent in the case of Iraq, where groups that were supported by the US government and are not considered to be terrorists in any other context continue to be labeled as "Tier III" terrorist organizations under the USA Patriot and REAL ID Acts. These include all Iraqi groups that rose up against Saddam Hussien in conjunction with the US military intervention in Iraq, as well as such other groups in the region as the Afghan Mujahaddin that fought the Soviet invasion, and any group that has used force against the regime in Iran since the invasion of 1979.

It is shocking that those who have fought on the same side as the United States are now excluded from this country as terrorists. The present waiver authority for Tier III groups has proven to be slow and unworkable. Tier III exemptions should instead – like those for duress – be done on a case by case basis under a "totality of the circumstances" test.

Moving to another issue, we would also like to express concern that Iranian political dissidents who have fled violence in that country, and other vulnerable minorities and stigmatized social groups face serious danger in Turkey and other countries of first asylum in the region where they have sought refuge. UNHCR and the US Refugee Program presently do not have the resources or the procedures in place to process such cases expeditiously. The US needs to work with UNHCR and NGOs serving these populations to identify cases facing immediate danger and to ensure that they are processed on an expedited basis or removed to a safer place for processing. Prior to September 11, 2001, emergency processing procedures had been developed to coordinate the actions of the US and UNHCR in order better to respond to urgent situations. We urge the US to re-activate urgent refugee processing procedures for these groups.

Finally, we would like to express our appreciation for the progress made in resettling the Bhutanese refugees from Nepal. Some 30,000 persons, constituting over one quarter of this group have now departed for new lives thanks to US generosity and leadership.

Other long staying groups in the regions, however, remain underserved. We call upon PRM to work with the Department of Homeland Security to expand access to resettlement to vulnerable refugees in Yemen, Pakistan and elsewhere in the region where we recognize that security and other barriers continue to present significant challenges. We also call upon you to maintain access to resettlement for vulnerable Burmese, Afghan, and Tamil refugees residing in India and other countries in the region for whom resettlement continues to provide the only available durable solution.

In closing, we would like to commend to your attention the helpful findings of the "Refugee Crisis in America Report – Iraqis and their Resettlement Experience" published by Human Rights Action in association with Georgetown University Law Center.

We also welcome and support the recommendations put forward by the USCIS Ombudsman on expediting cases, articulating reasons for denial, and issuing guidance for requests for reconsideration. Collectively, these recommendations would enable all refugees to have better access to resettlement, and improve the transparency, clarity and fairness of the US resettlement process.

Thank you once again for the opportunity to bring our concerns to you today.