

26 March 2009

Secretary Janet Napolitano
Department of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Napolitano:

We write to ask you to take action to end the discriminatory policies inhibiting the resettlement of one of the most vulnerable displaced groups impacted by the war in Iraq: Palestinians from Iraq.

Unlike most other refugees from Iraq, the majority of these individuals have been denied entry by neighboring countries. They are currently stranded in three desert camps along the Syrian and Iraqi border. One group, over 850 individuals, is situated in the no-man's-land between the Iraqi and Syrian checkpoints. For three years these families have endured extreme heat and cold, fires, flash floods, and dangerous truck traffic, which has killed many children. The UN High Commissioner for Refugees (UNHCR) has stated that third country resettlement is the only option for these refugees, as they cannot return to Iraq nor continue to live where they are currently located.

Many traditional and non-traditional resettlement countries have recognized the extraordinary humanitarian need for resettlement of this group of refugees and have agreed to resettle small numbers from the camps. These countries include Chile, Finland, Canada, Australia, Norway, Sweden, Switzerland, Iceland, the Netherlands, Denmark, the UK and France.

Under the Bush Administration, however, Secretary Chertoff subjected Palestinian and North Korean refugees to a discriminatory and unnecessary policy that required Department of Homeland Security concurrence before these refugees could be considered for referral to the U.S. refugee admissions program. Recognizing the need to refer cases to the U.S. program, DHS established two criteria that all Palestinian refugees from Baghdad must meet before any such case is referred and considered.

First, the person had to be born in Iraq or moved to Iraq prior to the establishment of the Saddam Hussein government. Second, in no capacity—be it as a teacher or janitor—could the applicant have worked under the Saddam Hussein government. These criteria have not been applied to any other of the over 20,000 Iraqi refugees admitted to the U.S. in the last two years.

Moreover, many of these Palestinians were forcibly displaced from Kuwait after the first 1991 Gulf War and were only able to find asylum in Baghdad after losing their jobs, homes, and work permits in Kuwait. Families that sought asylum in Baghdad in the early 1990s should not be arbitrarily denied access to the U.S. admissions program if they are determined to be bona fide refugees and have met all other criteria required for admission to the United States.

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Finally, the requirement of DHS concurrence prior to the admission of any members of this group has led to significant processing delays and resulted in considerable harm to the applicants.

We urge you to reverse this unnecessary and discriminatory policy and allow Palestinians and North Koreans, like all refugees globally, to have equal access to the U.S. program should they be deemed in need of third country resettlement. These applicants would still be required to comply with the same processing procedures and pass the rigorous security reviews to which all refugees are subjected.

We are pleased that the United States has indicated its interest in considering Palestinian refugees from Baghdad stranded in the desert camps for resettlement. We urge that the discriminatory policy governing their referral be ended and that they be accorded equitable consideration under the United State's established guidelines delineated in the worldwide processing priority system for refugees.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Robert J. Carey". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert J. Carey
Chair, Refugee Council USA

cc:
Michele Gabaudan, Representative, United Nations High Commissioner for Refugees, Washington Regional Office
Esther Olavarria, Deputy Assistant Secretary for Policy, Department of Homeland Security
Lori Scialabba, Associate Director, Refugee, Asylum, and International Operations, U.S. Citizenship & Immigration Services
Samuel Witten, Acting Assistant Secretary, Bureau of Population, Refugees, and Migration, Department of State