

Testimony of
Anastasia K. Brown
on behalf of
Migration and Refugee Service/U.S. Conference of Catholic Bishops
on
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I am Anastasia Brown, Director of Resettlement Services of Migration and Refugee Services of the U.S. Conference of Catholic Bishops (MRS/USCCB). I am pleased to be here today to speak with the Bureau of Population, Refugees, and Migration (PRM) of the U.S. State Department (DOS) regarding the issue of refugee protection. I would like to speak today to several vulnerable populations, including refugees throughout East Africa, especially unaccompanied minors, Colombians in Central and South America, Chin Burmese in India, the Rohingya Burmese in Bangladesh, and Somalis in Kenya. Although I highlight specific populations, they do not represent the totality of our concerns. As a member of Refugee Council USA, we support the recommendations made in that organization's testimony for today's meeting.

As the administration works to resolve the bureaucratic impediments in the refugee clearance process, PRM should proactively seek to identify and resettle refugee caseloads that are not delayed due to security clearances. According to PRM, "The Administration has worked closely with the Congress to invest the resources necessary to reach smaller numbers of the most desperate populations who find themselves in seemingly forgotten locations." We would like to see this statement to translate into more arrivals of these individuals into the United States

Refugees in East Africa

In October 2011, USCCB traveled to Ethiopia, Kenya, and Uganda where we identified multiple caseloads of refugees in need of resettlement. With ongoing and increasing violence in the Democratic Republic of Congo, Somalia, and Sudan these groups will not be able to return home. However, the protection needs of unaccompanied refugee minors, urban refugees, and female headed households continue to be inadequate. While host countries have thus far been accommodating to these populations, integration is not an option. The humanitarian and security situation in places of origin and host countries continue to decline and access to third-country resettlement is critical to meeting their protection needs

Congolese in Uganda

Thus far, the Ugandan government has been quite welcoming to refugees by providing them with land for refugee camps. However, of the 140,000 refugees in Uganda, nearly 40,000 reside in the capital city of Kampala. More than half of the refugees in Uganda are from the Democratic Republic of Congo, and roughly 19,000 of them live in Kampala. Congolese refugees have migrated from the settlement camps to Kampala in search of work and better protection. However, because there are no shelters for refugee women or unaccompanied refugee minors (URMs) in Kampala, women and children have instead made themselves vulnerable to human trafficking rings and prostitution. Some NGOs are able to provide psycho-social counseling to female victims, but many of their health needs go untreated. Likewise, refugees, especially those from female-headed households, cannot afford rent for steady housing or school fees for their children's education. For URMs, NGOs have attempted to find them foster families, but the children often flee when they are placed in abusive settings. While Best Interest Determinations

(BIDs) were being utilized, the focus was on determining placement in foster care, rather than durable solutions.

The possibility of repatriation back to the DRC is unlikely, as civil war continues to spread and displace thousands of civilians each month. While refugee protection is more robust in settlement camps, third country resettlement for populations that have been identified, such as residents of Kyangwali camp, should be actively pursued and expanded to other settlements in Uganda.

Eritreans in Ethiopia

Ethiopia hosts over 250,000 refugees, of which 32,000 are from Eritrea. Approximately 1,000 new Eritrean refugees arrive each month and UNHCR has an estimated 1,000 URM's under its protection. Without proper shelter or supervision, URM's in the Ethiopian camps are out of school and engage in risky behavior, such as drinking and gambling. In Mai Aini camp, a few NGOs provide psychosocial support for children, but in Adi Harush camp that was built to handle overflow from Mai Aini, these services are not provided. Likewise, both Mai Aini and Adi Harush no longer have the capacity to handle the growing population and some children are forced into extended stays at Endabaguna reception center, which is meant to be temporary and does not have educational or recreational resources.

There are scarce opportunities for local integration in Ethiopia. Local communities near the camps are extremely poor and inhabitants perceive the refugees as receiving more support for basic needs than they do- straining their relationship. Repatriation to Eritrea is not an option and has not occurred since 2009. Eritrea is one of the most political repressive regimes in the world and refugees have indicated risk of detention or even death at the hands of the government if this was to occur. As a result of limited options, some refugees, including children, try to leave for third countries, either on their own or with the help of professional smugglers. This is a dangerous trip and if they are lucky enough to arrive alive, they have to live as illegal immigrants with no legal protection and the risk of exploitation.

The situation in Eritrea will not improve in the foreseeable future. In the absence of repatriation and local integration, third country resettlement should be pursued for URM's when a Best Interest Determination has indicated this to be the most appropriate durable solution, while family reunification efforts continue.

Somalis in Kenya

Kenya is one of the largest refugee-hosting countries in the world, with well over half a million refugees currently- the majority of them Somalis. The number of Somalis refugees is increasing by 1,000 per day as people flee increasing political violence and drought. Dadaab refugee camp is the largest in the world- housing more than 460,000 refugees, though it was built for 90,000. It is dangerously overcrowded and faces a myriad of problems, including lack of sufficient resources, funding, and infrastructure. In October 2011, due to rising insecurity, UNHCR was forced to halt the registration process for refugees.

In Kenya, refugees are confined to camp settlements, but the conditions in Dadaab are unsustainable and continue to worsen. There are serious concerns about violence against women and girls, and their ability to report cases of gender-based violence as well as seek services. A new camp is desperately needed for new arrivals and to address the increasing need for assistance. We commend your ongoing efforts and those of your colleagues at PRM to press the Government of Kenya to make more land available to relieve the dramatic overcrowding in Dadaab. We urge you to continue to make this issue a top humanitarian priority of the Department of State and the US government.

Kakuma camp houses 86,000 refugees of which 60% are Somalis (some moved from Dadaab to reduce overcrowding and provide them better protection). The rest of the refugees in Kakuma are a mix of Sudanese, Congolese, Ethiopians, Eritreans, and Burundians. UNHCR estimates that there are 4,000 URM in Kakuma, overwhelming the current capacity of UNHCR and partner NGOs to conduct Best Interest Assessments (BIAs) and BIDs to help them decide how to proceed in the case of each child. Many of those who are currently young adults entered the process as minors. Though they are now over the age of 18, their circumstances have not changed. Foster families should not be the final determination of the best interest of the child. In many cases, children are being abused in their placements or suffer long waits and lured into trafficking situations. BIDS should be initiated as early as possible in the child's displacement, and while family reunification is prioritized, resettlement as a durable solution should also be considered. There is certainly room to expand resettlement out of Kakuma, and any effort should include those young adults who are in fact aged out unaccompanied minors.

In Nairobi, there are approximately 100,000 refugees from surrounding nations. They are provided basic services by NGOs, however many live in hiding because the Kenyan government does not grant refugees legal status outside of the camps. These diverse circumstances make these groups vulnerable to exploitation and trafficking.

For Somalis especially, the humanitarian and security situation in Somalia and the settlement camps continues to decline. A more complicated security process implemented in the US has led to delays in the refugee pipeline, especially for Somalis. We were made aware of cases that were unable to attend interview even though they had clearances, because individuals on cross referenced cases were not yet clear. In some instances these cross referenced cases are not immediate relatives. In many cases, Somalis already approved for travel to the US have been later denied because of expired security clearances. This process needs to be examined for accuracy and efficiency. Further, those who are denied based on security reasons should have a transparent appeals process that permits them to provide additional information to refute any evidence against them.

As has been done in other circumstances, resettlement can be used strategically to encourage Kenya to keep its doors open to refugees seeking asylum, and should also be used to provide urgently needed protection to those Somalis who have been in the camp for extended periods, some as many as 20 years, with no durable solutions in sight. USCCB encourages the State Department to work with UNHCR to conduct group resettlement of long-staying Somalis and other vulnerable individuals in Dadaab. We urge PRM to grant a Priority-Two designation for long-staying Somalis in Kenya. While UNHCR staff have been referring cases as P-1, the need

is very high, and a large scale P-2 would enable them to concentrate on identification of the most vulnerable under P-1.

Colombians in Central and South America

The U.S. Catholic bishops hold special concern for Colombians who have fled civil war and strife in their native Colombia. They are located in several countries, including Ecuador, Panama, Venezuela, and Costa Rica. They flee violence at the hands of rebel groups and are often the victims of forced support for these groups. It is not safe for them to return home, as deadly violence continues and Colombians are regularly displaced and killed inside Colombia. As part of a Refugee Council USA delegation, MRS/USCCB staff visited Ecuador and Panama and found that a number of Colombian refugees are unable to integrate into their host countries due to fear for their safety, lack of economic opportunities, and xenophobia. While increased assistance to support the efforts of countries like Ecuador to integrate Colombian refugees is needed, particularly vulnerable Colombians should have access to third-country resettlement in order to meet their protection needs.

Colombia's violence has spread beyond its borders, making it so that many of those who have fled to nearby countries are still not safe from persecution. Because resettlement of Colombians has come to a near standstill, even those who are not safe in their countries of first asylum and cannot return home have no way to escape violence and insecurity. We urge PRM to once again look at the plight of Colombians and restart a meaningful resettlement program for this vulnerable population.

Chins from Burma in India

Widespread human rights abuses in Burma's Chin state have caused over 140,000 Chins to flee Burma to surrounding countries, primarily India and Malaysia. Many young Chins have fled to India to avoid conscription into the Burmese army, which commits most of the human rights violations against the Chin. Altogether an estimated 100,000 Chins have fled from Burma to neighboring Mizoram state, India, while up to 10,000 have journeyed onward to New Delhi. Both locations have serious protection and integration problems and lack adequate access to employment, education, and basic necessities such as food and shelter.

India is not a signatory to the Refugee Convention and does not recognize Chins as refugees. UNHCR does operate in New Delhi and provides refugee certification for Chins which enables them to get Indian government permission to remain in India. Chins in Mizoram have no access to humanitarian assistance or protection from UNHCR and the international community. In Mizoram, they are also at risk of arrest, detention and deportation at the hands of the Indian authorities. Chin refugees are not able to return to their home country, as they are part of a persecuted ethnic and religious group that is subjected to forced labor, religious persecution, arbitrary arrest and imprisonment, torture, rape, and murder inside Burma.

Given the fact that this population cannot return home and is not safe in India, we strongly believe that the Chin in New Dehli should receive a Priority Two designation from the U.S. government, allowing them to be resettled as members of a persecuted group. The Chin in Malaysia and other refugee minorities from Burma in Malaysia and Thailand have received a Priority Two designation. There is no reason the Chin in India should be treated differently from these other groups, as they face the same persecution if returned and have no viable prospects for integration.

Rohingya Burmese

In October of 2008, a delegation of the U.S. Conference of Catholic Bishops visited Bangladesh to examine the conditions and plight of thousands of Rohingya refugees located in southeast Bangladesh. These refugees, primarily of the Muslim faith, have fled persecution from the government in Myanmar/Burma, which does not consider them true Burmese citizens. They have experienced widespread abuses, including forced relocations, murder, and rape. Within their home country, the Rohingya have no government-issued identity documents, cannot move freely around the country, endure forced labor, see their land confiscated, and require government permission to marry.

They are not listed among Burma's official minorities, the regime's way of indicating that they have no right to citizenship, despite their residency in Burma for generations. They are stateless people.

Within Bangladesh, the Rohingya population for years was not recognized with any legal status or identification documents. While refugees in the camps have now been registered by the United Nations High Commissioner for Refugees (UNHCR), those living outside the camps continue to live without documentation. Many are ostracized by the local communities, who also are poor and view the Rohingya as competitors for limited resources. In addition, they experience horrid living conditions, often without sufficient water and food. In some parts of Rakhine State, the malnutrition rate is 25 percent.

Of the over 200,000 Rohingyas in Bangladesh, only 28,000 officially registered Rohingya refugees live in two camps in (Nayapara and Kutupalong) near the Burmese border, which are administered by UNHCR. An estimated 200,000 or more stay in the villages and towns of southeast Bangladesh, near the city of Cox's Bazar, or live in unofficial refugee settlements. The quality of life in Cox's Bazar district is quite low for the host community, creating tension between themselves and refugees. In Burma/Myanmar's Rakhine State, where the Rohingya live, about 800,000 attempt to survive. They still arrive in Bangladesh in small numbers, but, should circumstances worsen, many more could be driven to Bangladesh. Significant numbers have already fled to Malaysia and Thailand. Thai authorities regularly deport Rohingya asylum seekers, interdicting them at sea and then detaining them or turning them back.

The most important hope for the Rohingya in Bangladesh and other places is that they achieve a status that will allow them to leave normal lives. Given the limited options for this population, we strongly believe that the Rohingya in Bangladesh should receive a Priority Two designation

from the U.S. government, allowing them to be resettled as members of a persecuted group. While the Rohingya have not received this designation, other refugee minorities from Burma have. There is no reason the Rohingya should be treated differently from these other groups, as they face the same persecution if returned and have no viable prospects of integration.

We applaud the U.S. government's resettlement of a small number of Rohingyas out of Malaysia and Bangladesh. However, the need is much greater than this, and we believe that a P-2 designation for those in the camps would enable UNHCR staff to concentrate on referrals of the more vulnerable cases. We would encourage the resettlement of vulnerable cases (unaccompanied children, women head of household, and the elderly) first, but believe that all registered in the camps should be given resettlement consideration. Refugees living outside the camps should be given identification documents and legal status in Bangladesh.

Recommendations

- We encourage PRM to grant a Priority-Two designation to Rohingya Burmese in southeast Bangladesh and to Chins from Burma in India. Special attention and priority should be given to vulnerable cases, as designated by UNHCR.
- We recommend that PRM grant a Priority-Two designation for long-staying Somalis in Dadaab camp in Kenya.
- Resettlement of Congolese women at risk and other vulnerable individuals should be expanded in Uganda.
- We urge PRM to increase resettlement of vulnerable Colombians fleeing the 40 year long civil war.
- PRM should use best interest determinations for unaccompanied refugee minors in all refugee situations and increase the number of URM's considered for resettlement.
- PRM should intensify its efforts to identify and protect vulnerable refugee minors in both urban settings and camps.

In conclusion, MRS/USCCB values the relationship with PRM and views it as a partnership. We look forward to working with you in the year ahead, so that lives can be saved and the United States can show leadership to the rest of the world in the area of refugee protection.

Thank you.