ISSUE **21** VOLUME II

# June 1, 2020

# **Policy & Advocacy Report**

## this issue

Upcoming Meetings & Events

#### BEING BLACK AND ASIAN DURING COVID-19 – JUNE 4

On Thursday, June 4 at 1 pm EDT, the organizations NAKASEC and the Undocublack Network will hold the final event in their series "Being Black and Asian During COVID-19." The event will be broadcast on Facebook Live <u>here</u>.

#### RCUSA GRASSROOTS ADVOCACY WEBINAR – JUNE 5

On Friday, June 5 at 12 pm EDT, Refugee Council USA will hold its next grassroots advocacy webinar. Topics will include COVID-19 and refugee policy updates, World Refugee Day actions and more. To register, click here.

#### BEYOND THE BORDER – JUNE 8

On Monday, June 8 at 2 pm EDT, the Migration Policy Institute will hold a roundtable on "Beyond the Border: U.S.-Mexican Migration Accord Has Ushered in Sweeping Change in Mexico in Its First Year." For more information and registration, click here.



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# Mentos and Coke: How the United States Pulled the Bottle Cap on Peace in the Middle East

#### By Kelly Ann Whelan

As a kid, you may have gotten a big bottle of Coca-Cola and a pack of Mentos candies and gone into your driveway. You put as many Mentos as possible into the Coke and, if you were daring, put the bottle cap on and shook it. Then you opened it and ran away as the mixture exploded 20 feet in the air and your parents yelled at you to never do that again.

What is the point of this story of childhood science experiments?

Essentially, the United States has shaken the volatile bottle of Coke in the Middle East and started to pull the bottle cap off an already unstable situation by defunding the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

The Middle East currently holds the largest population of stateless refugees in the world, some having been stateless for more than four generations. As we have discussed in some of our previous publications, Palestine refugees remain the most warehoused group of refugees globally, living in camps and settlements in interminably protracted situations for decades. UNRWA provides vital life-saving services, health care, and education to these persons in the face of a lack of a durable solution. For more than 70 years, the United States was a significant donor to the UNRWA and its mission to support stability in the Middle East and provide for the most vulnerable.

Up until 2016, the United States funded UNRWA with several million dollars in funding annually. In 2017 and 2018, this funding was reduced by more than half in each year, respectively. In 2019, all funding was cancelled and has not been reintroduced. As a result, the services that UNRWA provides are threatened, poised to leave a void. Lack of aid directly contributes to instability in the region and undercuts efforts for enduring stability and peace. In effect, by defunding UNRWA, the United States has both removed itself from the most crucial area of peacebuilding in the region and hurt its own national security interests.

In this brief, we discuss UNRWA generally, the impact that defunding it has and will have, and why it is important for the United States to refund it.

Read this week's full brief here.

# Ongoing Issues

#### USCIS EXTENDS OFFICE CLOSURE UNTIL JUNE 4

U.S. Citizenship and Immigration Services (USCIS) has announced that it will reopen its offices on June 4, 2020. For the latest information on the status of an office, check here.

#### USCRI COVID-19 RESOURCES

Nonprofit Organizations and the CARES Act

COVID-19 Bill #1: Coronavirus Preparedness and Response Supplemental Appropriations Act (March 6)

COVID-19 Bill #2: Families First Coronavirus Response Act (March 18)

COVID-19 Bill #3: Coronavirus Aid, Relief, and Economic Security (CARES) Act (March 28)

<u>COVID-19 Bill #4: Paycheck</u> <u>Protection Program and Health</u> <u>Care Enhancement Act</u> (April 23, 2020)

Executive Order: Suspension of Immigration Following COVID-19 Outbreak (April 23)

<u>Flores Enforcement Actions and</u> COVID-19 (April 27)

The HEROES Act (May 12, 2020)

# **Issue Updates**

### Administration Extends Border Closure Indefinitely

On May 19, the Center for Disease Control and Prevention (CDC) announced the indefinite extension of its prior Order Suspending Introduction of Certain Persons from Countries Where a Communicable Disease Exists. The CDC had previously extended the order for 30 days. Although the order originated with the CDC, it was announced by DHS Secretary Chad Wolf. Read the extended border closure order <u>here</u>.

## • Administration Releases Legal Justification for Border Closure

Last week, the Administration's legal justification for the border closure was made public. The release comes in the context of an exchange of letters with Democratic lawmakers. Read the Administration's letter <u>here</u>.

# • Sixth Circuit Upholds Domestic Violence as Rationale for Asylum

On May 19, the Sixth Circuit Court of Appeals overturned rulings by an immigration judge and the Board of Immigration Appeals (BIA) in the case *Juan Antonio v. Barr.* The Sixth Circuit returned the case to the BIA for reconsideration of Juan Antonio's asylum application, which had previously been denied. In so doing, the Sixth Circuit asserted that "*Matter of A-B-* has since been abrogated," referring to former Attorney General Jeff Sessions's ruling that limited asylum claims on behalf of domestic violence survivors. Read the ruling <u>here</u>.

### • Government Submits Plan to Process Unlawfully Delayed SIV

### **Applications**

On May 21, the U.S. government submitted a proposed plan to address the delayed applications of an estimated 10,000 Special Immigrant Visa (SIV) applications for Afghans and Iraqis. A court order in 2019 ruled the delay in processing SIV applications for Afghans and Iraqis who supported U.S. missions in their home countries was unlawful. The judge had rejected the government's previous plan, filed in February; this plan was developed in conjunction with the plaintiffs on the case. Read the plan <u>here</u>.

# • USCIS Announces Furloughs Unless Congress Grants Emergency Funding

On May 26, USCIS Deputy Director for Policy Joseph Edlow announced that the agency would furlough "a portion" of its workforce unless Congress grants emergency supplemental funding. USCIS handles citizenship and visa applications, naturalization, and refugee and asylum claims, among other duties. The shortfall results from a drop in applications (application fees fund USCIS) and Administration transfers of funding to other agencies within the Department of Homeland Security.

# **USCRI** Time Machine

In a week where Hungary has made it dramatically more difficult to receive asylum and Guatemalan President Alejandro Giammattei has criticized his country's Asylum Cooperative Agreement with the U.S., we turn to USCRI's 1997 report At Fortress Europe's Moat: The 'Safe Third Country' Concept. The report describes the negative repercussions for people in need of protection when states try to foist protection activities on other states.

"Highest on the list of negative repercussions of safe-third country laws is that they risk initiating a series of chain deportations whereby an asylum seeker is passed on from one country to the next, each refusing to take responsibility for reviewing his or her claim to refugee status. Eventually the journey ends, either in a country that fails to offer effective protection to the person—or worse—in his or her country of origin." If refoulement does occur, the countries that participated in the act have abrogated the most basic provision of the 1951 Refugee Convention, which is to ensure that those who have suffered persecution are not victimized once again."

"The problem is that the current safe third-country regime enables most states in the chain to sidestep responsibility for such egregious violations. Once an asylum seeker is refused entry or deported, he or she is out of sight and out of mind to the deporting state. How can the deporting state expect the safe third country to admit

the asylum-seeker to its asylum determination procedure when the deporting state failed to do so itself? Unfortunately, lip service to the nonrefoulement principle and 'general conditions of safety' given by officials in the deporting state will do little to help those who are being mistreated in a country farther down the chain because few mechanisms or safeguards now exist to provide accountability for those violations..."

"Another ECRE-documented case concerned a family of five Iraqi Kurds who traveled through Lebanon, Jordan, and Italy before reaching Slovenia, where they requested asylum. After less than 48 hours in Slovenia, the authorities rejected the family's request on the grounds that they should have asked for protection in Italy, despite the lack of a legal basis in Slovenian law for the decision. The Italian authorities immediately deported the family to Jordan. Although UNHCR's Rome office communicated this to the UNHCR office in Amman, due to closing times of the Amman office, UNHCR staff in Amman were not able to meet the plane on which the Iraqi family was traveling. The UNHCR representative in Amman learned the next day at the airport that the family 'had decided to return to Iraq.'"

# Global Gigabyte

When Innocent Havyarimana, a Burundian refugee living in Kenya, first heard handwashing was crucial in preventing coronavirus, he did something few businessmen would do – he lowered his prices.

Havyarimana fled conflict in Burundi in 2013 and received a loan to start his business two years later from UNHCR. Fellow refugees, aid workers and Kenyans in the local community buy the products made at his small workshop in the Kakuma refugee camp.

"Everyone needs soap. I decided to reduce the price so that everyone would be able to afford it," Havyarimana says. "I vary the containers, starting from 100 milliliters to 1 liter, so that even those with only 50 cents can buy some soap so that they can protect themselves from the virus."

Havyarimana has a diploma in chemistry and worked for a chemical company before fleeing. He also makes and sells hand sanitizer with aloe vera, which he has planted at his workshop and outside his house.

Read more here.

If you have any questions or comments, please contact Kelly Ann Whelan at <u>kwhelan@uscrimail.org</u>.

