Migrants, Refugees, and Asylum Seekers

Forum on Democracy in Action
Educational Forum on Post-Election Federal Policies
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Two Crisis: Refugees and Immigrants

• 1951 UN Convention on Refugees: Refugee and Asylum Seekers must demonstrate they were persecuted on account of “race, religion, nationality, membership in a particular social group, and political opinion”

• **Refugees:** Refugee status is granted before arrival in the US; extreme vetting by FBI, State Department, and Homeland Security
  • Political decision: Vietnamese and Cuban versus Mexican and Central American
  • **Crisis I:** Current Syrian Refugee situation

• **Asylum Seekers** enter the country legally or illegally, and then seek asylum after they have arrived in the US. Must prove persecution and apply within one year.

• **Immigrants:** People who move from one country to another in hope of a better life.
“Undocumented Refugees”

- **Crisis II:** What about the Mexicans and Central Americans?
- Many are “refugees” because they were fleeing persecution and violence. But do not possess legal refugee status.
- Many are “undocumented” because applying for asylum is extremely difficult. There is no mechanism set up to process the large influx.
- Without legal representation: only 1-2% gain asylum.
- Time for an asylum case: about 5 years. Legal cost is extremely expensive.
- If rejected, asylum petitioner is deported. As a result, many remain undocumented.
- Based on these policies, I propose the term “Undocumented Refugee” to describe the special circumstances of the Central American and Mexicans migrants to the US.
Global Refugee Crisis in Context: Global Migration Industry—”Coyote Capitalism” (J. Kaye)

• Causes: War and conflict, totalitarian regimes, climate change, etc.
• Millions of people on the move: we are connected globally
• 200,000,000 people live outside country of birth
• Remittances are important GDP of many countries
• “Illegal Alien” is a 20th century creation of restrictionists.

• Global Migrant Workers today: 90 million (Illegal Migrant: 45 million)
  • E.g. Growing Filipino Nurses for Export
  • Past examples: Enslaved Africans for the Americans; Chinese coolies for the railroad and agriculture; Bracero Program.
Any Hope for the “Undocumented Refugees”? Historical Context

• Executive Order 9066 Feb 19, 1942 (75 years anniversary)
  • Reparation; Japanese American helping Muslims after 9/11/2001
• American Opinions of Immigrant Workers (Pew Research 2016/12/15):
  • 1990: 63% (negative) 31% (positive)
  • 2016: 27% (negative) 63% (positive)
• Greater Political Engagement: Current Movements and Protests
  • Women’s March, Muslim Ban, Day without an Immigrant, Scientists March
  • Monarca: Mexican Government Program on legal representation on deportees
• Difficult Logistics of Deporting 12 million Immigrants
  • Need Workers during harvest time
  • Government lacks budget and manpower to deport 12 million
  • Checks and balance in the nation
  • Backlog in the courts to adjudicate immigration cases
What can you do to help?

• Know Your Rights: DRC/CHIRLA actually saved a student from arrest

• Study the history/culture/power relations and country condition to help attorneys prepare cases on the undocumented/asylum seekers, e.g. Mexican and Central Americans

• Protect our civil rights; Stop the stigmatization of the “Others”

• Defend Your/Our American Democratic Rights
  • Run for Office
  • Write your political representatives
  • Work against human rights abuses
  • Set good examples of good human rights practices for others