



After Three Years: Somali Bantus Prepare to Come to America

By Sasha Chanoff, International Organization for Migration

In 1999, Africa's top resettlement officials filed into a sunlit room in the Joint Voluntary Agency (JVA) compound in Nairobi, Kenya for an important meeting. The topic: Do we resettle the Sudanese "Lost Boys" or the Somali Bantus first? History plays out in such moments, and destinies of thousands of people are shaped and changed. The Sudanese boys would go first (see *Refugee Reports*, Vol. 22, No. 4). The Somali Bantus would wait three more years.

Whenever groups are selected for resettlement from among Africa's millions of refugees, the chosen ones become imbued with a special significance. All sorts of questions come up: Who are they? How do they live? What cultural traits do they have? What life experiences inform their understanding of the world? And how will all this translate into living in America? What will they need to help them acculturate into their new society? They will become our newest citizens. But what kind of Americans will they be? Their everyday rituals and actions suddenly become charged with meaning, as if by watching and listening one could discern answers to such questions.

Who are the Somali Bantus?

Dadaab's Somali Bantus are living reminders of the once-

vast Indian Ocean slave trade. Their history as a distinct group began around the turn of the 18th century when their ancestors—from Malawi, Tanzania, and Mozambique were captured by the Sultan of Zanzibar and other slave lords and sold into Somalia, victims of the millennia of human trafficking in East Africa. Some were freed after many years, while others staged uprisings to gain their independence. Hereditary farmers, they eventually settled into Somalia's arable regions along the Juba River.

With a population of around nine million, pre-civil war Somalia contained about 900,000 Bantu people. Most of these Bantus were integrated into society. Some arrived thousands of years ago as migratory farmers and see themselves as original Somalis. The Italian and British colonial administrations brought other Bantu people in as a workforce. All these Bantus were part of the fabric of Somali society and contributed to their country in political, religious, and artistic ways both during and after Siad Barre's post independence regime of 1969 to 1991.

The Somali Bantus who will soon be resettled to the United States are different. They are the descendants of slaves and originate from one of six main tribes: Majindo, Makua, Manyasa, Yao, Zalama, and Zigua. They

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are collectively known as Mushungulis (a term taken from the Zigua tribe's word for people-Mzigula). The word holds multiple implied meanings including worker, foreigner, and slave.

Their slave origins, as well as their ethnic and cultural differences from native Somalis, always kept them a marginalized minority. (Somalis are Cushites, a mixture of African with Middle Eastern and Asian populations that occurred thousands of years ago. Bantus are an African people, often shorter, darker, and stockier than typical Somalis.) These Mushungulis did not integrate with other Bantu people before the Civil War. Very few have found opportunity beyond subsistence farming. Discrimination and poverty prevented access to schools, land ownership, and everyday rights.

In 1991, as civil war tore through Somalia, hostile militias descended on the Mushunguli farms. Isolated, without any clan affiliation or other protection, they suffered widespread massacre and rape. Thousands fled to Kenya, alongside other Bantu and ethnic Somali refugees. Non-Mushunguli Bantus started returning to Somalia as early as

1993. But the Mushungulis could not return. Warring militias had possessed their farms along the Juba River. They knew that inequity, menace, and death awaited them in the land in which they had sojourned for two centuries.

For over a decade, Dadaab, Kenya has been their home, where, ironically, they have found themselves among a Somali majority and again subject to discrimination and danger. A report by the UN High Commissioner for Refugees (UNHCR) indicates that Somali Bantus are attacked more frequently in Dadaab than other refugees.

In 1997, UNHCR forged an agreement with the Mozambique government in an attempt to resettle the group to their ancestral homelands. The initiative went as far as a registration activity in Dadaab—all interested Somali Bantu signed onto Mozambique resettlement lists—before cancellation at the eleventh hour. A change in government and a lack of resources were cited as the main reasons.

Finally, in 1999, the U.S. government recognized the Somali Bantu plight and pledged to take these twice-displaced people. But an updated list, based on the origi-



A Somali Bantu mother with her seven children. The father and oldest daughter are missing from the picture. Photo: IOM/S. Chanoff

nal Mozambique list, would be needed. In November and December 2001, UNHCR carried out a resettlement verification exercise in Dadaab to identify all of the Somali Bantus who had indicated interest in going to Mozambique. These would be the “chosen ones” who would be given access the U.S. resettlement program.

Somali Bantu Interview Site

It's a two-hour flight from Nairobi to the small town of Dadaab, situated 60 miles from Somalia in the corner of Kenya's northeastern province. Three outlying refugee camps, Ifo, Hagadera and Dagahaley, sprawl across the windswept, desolate landscape.

In these camps, which are collectively referred to as Dadaab, 130,000 refugees cohabit with scorpions, snakes, and poisonous spiders. A vast sea of humanity lives within winding thorn-walled compounds and mud huts that bake under a blistering hot sun. Bandit attacks and malaria bouts are ordinary occurrences. One experienced aid worker dubbed Dadaab, “the worst place in the world.”

The Somali Bantus have survived in Dadaab for ten years. In November 2001, hope swept through the community—the old promises and rumors of resettlement were finally taking concrete form. A UNHCR team had arrived to conduct resettlement interviews.

Walking into the interview site in the nongovernmental organization (NGO) compound of Dadaab refugee camp, the heat at eight o'clock in the morning crept over 100 degrees. On the scene: one thousand Somali Bantu refugees spread out in a small field, patiently waiting for their interviews. Women wearing vibrant and brightly colored wraps and hijabs brought an exceptional animation to the otherwise unremarkable area of land. An overwhelming number of infants and runny-nosed children were nursing, playing, sitting quietly, sleeping, squatting, and crying. They far outnumbered the adults. None of the children had footwear. Their bare, cracked, dust-covered feet were attached to spindly legs and small bodies covered by ragged, oversized shirts—the only article of clothing many wore.

“A woman is giving birth!” a young man yelled, running towards myself and Andrew Hopkins, the UNHCR Somali Bantu team leader. “OK, take her over to the hospital,” Andrew replied with a calm tone that suggested he'd dealt with this before. “No, I mean the baby is coming now. The woman is on the floor ready to go,” panted the man. We looked at the crowd standing around a small thatch-roof hut, where women shielded the windowless openings with colorful lengths of cloth, and raced off to

find a doctor or midwife. The baby was born before we returned.

During the next five days, five women went into labor at the interview site. Somali Bantu women normally give birth at home, so the dirt floor of that hut at the edge of the field was not such an unusual place. Almost every woman of reproductive age in the group was either breast-feeding, pregnant, or both.

The Intake (Transporting Refugees to the Interview Site)

Security guards open a metal gate and a bus roars into the NGO compound at 4:30 in the morning. Twelve policemen armed with rifles pile in, followed by the UNHCR officials. Gunshots had ripped through the night air as I slept and I was feeling a little nervous—the reputation for insecurity and the shots fueled the sense of danger surrounding Dadaab. We are heading to Dagahaley camp, about 11 miles from the compound. This is a perilous hour—a time when bandits strike. Vehicles are never allowed into the camps without armed escorts, and special security arrangements needed to be made for a pre-dawn trip.

The bus rumbles through a sleepy Dadaab town with its sandy roads, dozing goats and little wooden kiosk-like shops, and then we are out on the still plain, bumping along through desolate parched country that becomes impassable mud during the short rainy season. We pass “MSF corner”, a spot informally named for the NGO workers who were attacked and raped by bandits six years ago.

Thousands of Somali Bantus are lined up in Dagahaley camp in an impressively ordered and quiet manner. The sun is starting to peek over the horizon, just beginning to light the tops of acacia trees that spot the plain. The UNHCR intake officers start calling out names, checking ration cards and boarding people—women and children—onto the bus, men on the lorry. The policemen roam around, somewhat disinterested, rifles swinging by their sides creating an eerie and incongruous contrast with the wide-eyed children.

There are many non-Bantus waiting anxiously among these Somali Bantus who have been selected for resettlement. Going to America is the holy grail of refugee life. People will cajole, bribe, threaten and kill for the opportunity. Dadaab's other desperate refugees are angry that they have been neglected in this resettlement process. People have been devising schemes and strategies to access the program. When the resettlement interviews began, urban refugees from Nairobi arrived in

droves, looking for opportunities to buy ration cards from people scheduled for an interview.

I watched as a UNHCR officer barred a family of five, a mother, father and three young children, from stepping onto the bus. “I’m sorry, you’re Somali, not Somali Bantu. Even though you have the right ration card you’re not getting on this bus, bye-bye.” There were an estimated 25,000 people who tried to board the busses over the course of the interviews. About 15,000 were permitted to board the busses, which brought them to the verification site where they were interviewed. A total of 11,860 of these were approved for resettlement (although by the time that figure became public it had already changed due to the soaring birthrate).

Resettlement Interviews

All the interviewing officers were struck by the naivete of the Bantus. The majority had never been exposed to resettlement in a way that would influence their stories and responses. In Nairobi, urban refugees pay for coaching lessons before resettlement interviews. They often present stock stories and rehearsed responses, and there is never an empty slot in a family. If a real family member has passed away or is not present at the time of interview that slot can be sold for as much as \$5,000. The Bantus spoke honestly about the people who had passed away or left Dadaab. To avoid fraud and to insure that the right people would continue the resettlement process, UNHCR staff took photos of every approved and rejected individual.

The Bantus’ answers highlighted their disregard for time, dates and places. Most of the women did not know their age, the age of their children, the time when they arrived in Dadaab or the town names along their route of flight from Somalia to Kenya. The men were a little sav-

vier about such details. In the first interview I observed, the interviewer asked the woman, “How old are you?” The woman responded, “30.” The interview followed up with, “Are you 30 now, or were you 30 during the Mozambique registration?” The woman responded, “I was 30 then.” “So how old are you now?” asked the interviewer. “I don’t know. You can give me an age,” said the Bantu woman to the interviewer.

They used events as time signifiers, often giving confusing responses to simple questions. “When was this child born?” was a question asked every day. “During the big rains,” was a common response. Or, “During the cholera outbreak.” The “big rains” turned out to be El Nino in 1997 to 1998. The cholera outbreak referred to any one of a number of outbreaks in southern Somalia since 1992.

“Where did you enter Kenya?” was another standard question. “At the big metal poles,” or “where everyone else entered,” were the primary answers. We quickly learned that the “big metal” was a reference to the border town of Liboi, where metal telephone towers reach into the sky. Gleaning even the most basic information required dexterous and lengthy questioning and became a chore of patience.

Home Visit

I interviewed Mohamed Mberwa, his wife Jamila, and their eight children on my first day. This was a fairly common sized family (four to six children is the norm, but eight is not unusual). They were representational in many ways—a large family with parents who were rural farmers, spoke no English and had no education—and agreed to my overture to come to their house the following morning.

The first visit to Dadaab refugee camp imprints itself on the memory. The sheer volume of human beings, all living in collapsing, disintegrating mud huts, is over-

Bantu Ages at Time of UNHCR Verification

Somali Bantu	0-5 yrs	6-17 yrs	18-25 yrs	25-55 yrs	> 56	n/a*	TOTAL
Female	1,794	1,595	973	1,443	67	13	5,885
Male	1,873	1,813	769	1,431	69	20	5,976
TOTAL	3,667	3,408	1,742	2,874	136	33	11,860

whelming. The heat is brutal. The poverty is an in-your-face reality at every turn. Ragged masses of children covered in dust swarm any stranger venturing in. Some of the children cry, terrified by the ghostly alien in their midst, while others sidle up to bravely touch an arm or leg.

The Mberwa family's living block (block D section B, Dagahaley camp) sits in a configuration and style unique to the Bantus. About 150 refugees live throughout this maze of chest-high mud-walled lanes, courtyards and huts. Multi-colored floral designs decorate the exterior of many shelters. The outer walls to this block are made of intertwined live thorn trees, which help to protect the inhabitants from roaming bandits and hyena after dark. The Mberwas lived off of one courtyard, with a sleeping hut and a kitchen hut, a nearby pit latrine, and a small area where some plants grew in what is commonly referred to as their "kitchen garden."

I walked into the courtyard at mealtime. The three youngest boys were sitting in the dirt around a large pot filled with cooked corn, eating with their hands. There were no utensils in sight. Many of the Bantus have never used a fork or a knife. Corn, beans, oil, salt and sometimes lentils sustain the family in a tasteless, barely adequate and non-variable refugee-ration diet. They would not recognize 99 percent of the food in American supermarkets.

The 10 by 14 foot sleeping hut held a raised hard mud bed covered by traditional Bantu mats. The whole family slept here, the youngest children on the bed with the mother and the rest spread out across the floor. "You see, we don't even have a door. A hyena could come in any night and steal one of my children," said Jamila, voicing a relentless and irrevocable nightmare that has plagued her since her youngest baby was taken by a hyena during their flight to Kenya. A twin child of Jamila's four year-old boy died of malaria as an infant.

Mohamed, the father, was out roaming the Somali blocks and staying near the NGO compounds in the hopes of being hired for some menial job.

Somali Bantus are self-described hard workers, ready to take on any manual labor jobs. "The Somalis here don't let us start our own businesses," Mohamed had told me. "In Somalia, we were only allowed to be farmers and manual laborers, and it's the same kind of thing in Dadaab." Bantus make up slightly more than 10 percent of Dadaab's 130,000 refugees, but they occupy over 90 percent of the construction, cooking, cleaning and other manual labor jobs provided by NGOs. Urban Bantus in Somalia have earned reputations as skilled mechanics and technicians.

The three oldest boys—18, 16, and 12 years old—were out socializing at the Dagahaley market area. Muslima, the 13 year old daughter, was home helping her mother take care of the children. Muslima, tall for her age and thin, wore a bright red, white, and black home-made dress (one of her two pieces of clothing) and a green head covering. A traditional Bantu white bead necklace hung loosely around her neck. Her bare feet and hands were thick and calloused.

I followed Muslima through her litany of daily chores and watched the activities that had swollen and hardened those hands despite her young years. She pounded the corn rations into meal with a heavy, flat-headed three-foot stick. Then we walked two hundred yards out of the block to the water spigot. After filling up two five-gallon jerry cans of water, she tied a rope through one and looped it across her forehead so the weight rested on her head and shoulders. This water would be used



A Somali Bantu mother and her seven-day old baby. Traditional Bantu mats hang on the wall. Photo: IOM/S. Chanoff



A Somali Bantu family at a resettlement interview with the UN High Commissioner for Refugees. Photo: IOM/S. Chanoff

today and tomorrow morning to cook and bathe. Lifting the other can into her arms she gracefully walked back to the kitchen and then went to fetch firewood from a pile nearby.

Before 1998 Dadaab's refugees needed to forage up to three miles from their compounds in order to collect enough firewood to survive. Bandits attacked and raped women regularly. Men were killed so they simply refused to go out. The devastatingly high number of attacks motivated the U.S. government to fund a firewood program, which helped to reduce the high incidence of rape. Most women would never report rape because doing so would lead to rejection and ostracism from the community.

Muslima bundled wood into her arms and then showed me the cooking routine. Flames heated pots that rested on tripods of rocks. Neatly stacked cookery and plastic water basins sat on the dirt and ash kitchen floor. There was no refrigeration, no stove, no water tap, and no cabinets. Everything about an American kitchen will be alien.

Schooling

Muslima goes to school sporadically, when she can find the time between all her house chores and watching the children. She's managed to attain a fourth grade education. But in three years she will have reached marriage age (16 is the norm for these Bantus) and might start bearing her own children. Her brothers have been in school in Dadaab. Two of them speak some English. Most of the school-age boys attended primary or secondary education. Not many of the girls have time for school, as most had chores similar to those of Muslima.

Some of the younger adults have finished high school. The majority have never been to a day of school in their lives. Holding a pen between fingers is an unknown sensation for Mohamed and Jamila. Mohamed said that he started working on the farm in Somalia when he was eight. His schoolhouse was the sun, wind, rain and corn crops. He learned how to work all day, how to judge weather and how to pay careful attention to the quality of the corn. He knows that the lack of education

Some Facts on the U.S.-bound Somali Bantus

- About 60 percent of the Somali Bantus are 17 years old or younger.
- One out of every four Somali Bantu women gave birth in 2001 (607 births to approximately 2,416 women of reproductive age).
- The International Organization for Migration moved 526 babies born in 2002 from Dadaab to Kakuma.
- The average family has four to six children.
- Somali Bantus have lived for ten years on World Food Program rations of maize (corn), beans, lentils, oil, flour and salt. They will not recognize 99% of the food in American supermarkets.
- Approximately 40 percent of the group has never lived anywhere other than Dadaab refugee camp.
- Somali Bantus make up about 10 percent of the 130,000 refugees in Dadaab, yet they hold over 90 percent of the heavy labor, construction, cooking, cleaning, and other manual labor jobs.
- Most Somali Bantus are Muslim, although a small minority converted to Christianity in Dadaab (there is at least one Bantu church in Dadaab).
- Somali Bantus originate from Malawi, Mozambique, and Tanzania.
- The six main Somali Bantu tribes are Magindo, Makua, Manyasa, Yao, Zalamo, and Zigua. Each tribe has many clans and sub-clans.
- Less than 5 percent of Somali Bantus speak English.
- Between 50 and 70 percent of Somali Bantus speak the Bantu version of the southern Somali dialect Maimai (also spelled Maymay, or Af May).
- Between 30 and 50 percent of Somali Bantus speak Somali (others understand Somali but prefer to speak Maimai).
- Some 10 to 20 percent speak Kizigua, a Bantu language similar to Kiswahili.
- The majority of adults have never attended school and do not read or write in their own language.
- Most Somali Bantus have never lived with electricity, used a flush toilet, or been exposed to any other aspect of modern living.
- Somali Bantus practice cupping and other traditional medicinal procedures that leave burn-scars.
- Most Somali Bantus are not familiar with the use of dates or time.

is what has kept the Mushungulis in subsistence, poverty-stricken lives. “We never had a chance for education in Somalia. They didn’t want us to go to school. Because of this we could only work in the manual jobs.”

Medical Practices

If you look closely you can see three burn marks in Mohamed’s forehead. Two of his children have the same scars. This is how the Somali Bantus (and many other rural Somali people) counter hydrocephalus, a condition in which a child is born with an enlarged head due to fluid accumulation. A searing hot flat piece of metal is applied three times to the baby’s forehead in the belief that these burns will help to reduce the head back to normal size.

Mohamed’s oldest son, Abukar, had round scars on his chest. The practice of cupping—heating a cup and placing it on a sore part of the body—is common throughout the community. The marks of this traditional practice, employed to alleviate pain, are visible on many people.

Jamila tended a small area near the kitchen where plants sprouted delicately from the ground. Some of the greenery was used to supplement the food rations on special occasions, while other plants were used for medicinal purposes. One plant served to ease headaches, pains and fevers when ground up and boiled. The special Bantu-bestowed named for this plant was Solbokojini, which translates loosely into “fight with the Djini.”

Superstitious Beliefs

Spirits and a belief in the preternatural play a powerful role in the lives of the Bantus. Mothers with infants under 40 days old often carry around a metallic object that serves to protect the newborn from evil spirits.

Witchmen are the go-between for the Bantus and the world of spirits, demons and magic. If a Bantu wants something in particular he will go to a witchman, who can be hired to curse, bless, kill, cure, tell the future or for a variety of other uses. According to the Bantu belief system a witchman can withhold your sexual appetite for months on end or measure out your footsteps and cast a spell that will make you disappear. A witchman can charm a crocodile to capture a woman fetching water on the opposite bank of the river and bring her to you. These wielders of magic speak the tongue of the Djinn, a language known only to themselves. If a witchman splashes mongoose blood on your camel, your kettle, or another possession and utters the right incantations, you will die.

These are some of the examples of the rich world of spiritual magic that inform the Bantus’ daily life. Such

beliefs serve as a mechanism to understanding incomprehensible or improbable occurrences, to explain behavior, and to justify hardship or happiness. This is not a Bantu-specific worldview. Many refugees and immigrants across the United States have arrived with similar beliefs.

Departure Preparations

The witchmen have cast spells that help to protect the Bantus during this time of excitement and increased tension and danger. The U.S. government also played its part to insure the Bantus’ safety. It was decided that security concerns involved in extricating this minority group from a vast and resentful refugee population in Dadaab dictated extraordinary measures.

Instead of processing the resettlement applications of the Somali Bantus in Dadaab, the decision was made to move them to the Kakuma refugee camp, a 900-mile, three-day road trip across bandit-ridden northeastern Kenya. Dadaab’s proximity to Somalia and possible future antiterrorist strikes against Somalia lent credence to this processing plan. The International Organization for Migration (IOM) was charged with building a new camp in Kakuma and transporting the Bantus whose cases could be considered.

By the end of December 2001, the verification exercise was complete. A total of 11,860 Bantus had been carefully selected. In May 2002, UNHCR forwarded the list and photos to the Joint Voluntary Agency, which in turn, provided IOM with the information. By June, the largest single group of African refugees to be considered for U.S. resettlement in America’s history began to move.

IOM posted the transport list and held a travel verification check, calling in the heads of families and asking if they were ready to go. A transit center in Ifo camp had been constructed with barbed-wire fencing, a generator to keep the lights on throughout the night and eight large structures, each of which could accommodate well over 100 people.

On June 26, about 300 Bantus lined up outside the transit center. They carried old, 100-pound corn sacks bursting with pots and pans, mattresses, clothes, hand-woven mats, lanterns, a rare disassembled bicycle, the occasional disassembled donkey cart and other goods. They did not seem nervous or anxious, but rather maintained a calm presence that the resettlement team was starting to associate with these Bantus. At nine o’clock in the morning the final process began.

Family by family the Bantus passed through the only entrance to the transit center and lined up at a table

for a photo match. Almost every woman held an infant in her arms. The small children clutched the edge of the table and peered up at the IOM staff. Then the families passed through a medical screening. The sick, the pregnant women, the newborns and other elderly or handicapped were identified for a future flight to Kakuma. In all, 269 were fit to travel. The others would wait for the first plane transport. Once the screening was finished, it was time for lunch and diaper training.

A group of mothers and children gathered around the diaper trainer. A test baby was selected from the group. As the trainer wrapped this strange and unknown disposable white diaper around the baby, it started screaming in terrified protest. The mothers looked on, amused and interested. Little children hid behind their mothers' legs and peeked out with fear and curiosity. The diapers quickly became known as "little shorts." Throughout the three months of convoys, no matter how often we explained the intended use of these "little shorts," the mothers always kept them clean, removing them when an infant needed to go to the bathroom.

On June 27, the IOM team arrived at the Ifo transit center before sunrise in order to board everyone and get through Dadaab town as quickly as possible. Tension had been mounting among the greater refugee population not identified for resettlement and among locals. One day earlier a human roadblock had formed in Dadaab town, stopping the IOM vehicles and pelting them with fruit and stones. Someone had spread false rumors, saying that IOM had brought in some 200 foreign staff instead of hiring locals. (In fact, more than half of the 15 staff employed for the first movement were from Dadaab and the outlying area.) The incident had scared the team. The convoy wanted to be far away from Dadaab by the time the town woke up.

Seventy gun-toting police officers had been deployed to patrol the camps at night, watch over the transit center and escort the busses up to Kakuma. A group of police was on hand as the final boarding began. In a wonderful display of organization and quiet discipline, the Bantus lined themselves up, went through a final photo ID and stepped onto the busses. Two little girls screamed



Mealtime: Somali Bantu children finish eating from a pot of maize (corn). Photo: IOM/S. Chanoff

in protest as their parents tried to carry them into what they perceived as behemoth alien machines. One old woman sat in her seat backwards, legs facing the backrest.

Convoy to Kakuma

The convoy passed through Dadaab town without incident. As the refugee camps faded into the distance, unusual thoughts and sensations swept over the group. People threw up, unused to the motion and bump of the bus. These Bantus were effectively leaving behind a history of discrimination and a decade of terror. The relief, sense of liberation, and excitement were tangible. One man turned to me and said, “The Somalis in Dadaab are saying ‘who will build our latrines now?’ They even want to marry us now, which is strange because they never wanted to marry us before.”

For one woman, a first flavor of the world beyond her 10-year exile presented itself in the form of a coke

bottle passed into the bus by a vendor. She took a sip and grimaced; she’d never tasted a soda in her life. Ten other women around me admitted to never having tried a soda either. No one on my bus had ever watched television. Sodas and television are small but obtainable luxuries in Dadaab. Movie houses (wood and thatch structures with generator-run electricity) cost about ten cents. The lack of knowledge of such small comforts spoke to their extreme level of destitution.

As we entered Garissa, a large town two hours from Dadaab, faces were glued to windows, taking in the typical Kenyan town scene. “Have you ever been outside of Dadaab?” I asked one woman. “No,” she said, “In the last ten years, I’ve never even been into Dadaab town (four miles from her camp). I’ve stayed in Ifo for most of my life.”

Many of these Bantus have never seen a two-story building, let alone electricity, a paved road, or anything that relates to a modern city. The next day, as we traveled through Nairobi, you could see their eyes soak in the traffic, the tall buildings, the constant bustle of crowds, cell phones, and numerous other trivial and mundane details that appeared extraordinary.

Two overnight stops and three days on the road took their toll. The unfamiliar cold weather—dipping down into the low 60s near Nairobi—added to the weariness. After 900 miles, stretches of indescribably dysfunctional road, lots of motion sickness, and a beautiful tour of Kenya’s countryside, Kakuma camp, with its 80,000 refugees, loomed in the distance.

The various Kakuma-based NGOs were prepared. The 269 Bantus flowed quickly through medical checks and registration activities and were assigned homes in the new camp of 2,500 mud-brick huts. Kakuma was as hot as Dadaab, and the strong wind blew dust in everyone’s face. The Bantus settled into their new homes. The next day, they began building small additions in a remarkable display of industry, adaptability, and acceptance of their surroundings.

Over the following months, the transports grew to more than six hundred people. On September 27, 2002, the final busses arrived in Kakuma, where the intake process was repeated for the last time. The first Bantus had arrived to an empty camp ready to accommodate 12,000 people, but a massive cheering crowd welcomed the final group. The first step was complete.

The Bantus knew that they would be taken from Dadaab to Kakuma where their applications for U.S. resettlement would be processed. Despite this common



A Somali Bantu teenage girl standing in a typical kitchen area. Photo: IOM/S. Chanoff

knowledge, three women stepped off the last convoy buses, looked around, and asked, "Is this America?"

U.S. Refugee Processing

The JVA staff encountered some glitches as they started preparing the Bantu cases for their Immigration and Naturalization Service (INS) interviews. Related cases usually move through the system together as "cross referenced" cases. Everyone seemed to be cross-referenced (related to someone else in the group). The father of a family of ten, for example, has five siblings, each with his or her own eight-person family, while many of the children have married and begun separate families. An average cross-referenced extended family is around 130 individuals.

These Somali Bantus from Dadaab are a Priority Two (P-2) group—a U.S. designation meaning that they are a distinct and definable refugee population with compelling resettlement needs. A total of 590 Kakuma-based Bantus also make up a part of this P-2 group.

INS officers interviewed the Kakuma Bantus in September, 2002. The first Dadaab Bantus began interviews at the end of October. The first to arrive should begin landing in the United States sometime in the early months of 2003. The prerequisite medical exams, security checks, and other final requirements before travel are already underway.

Cultural Orientation Classes

IOM's Cultural Orientation classes are designed to provide accurate information about life in the United States and to help refugees develop realistic expectations about resettlement. Teachers address refugee concerns and questions and lead classes through exercises on filling out job applications, budgeting money, and other hands-on training activities.

But where should the trainers begin with the Bantus? Where does one begin with people who have never held a pen or read a sign, who have no support network in the United States, and have no previous information about life in the United States? Is it realistic to tell people that they must become "self sufficient" when one or even two entry level jobs will not support a family of eight or ten in the United States? How does one begin to teach the relevance of time and dates and schedules? What about sensitizing people to the nuances of shopping, and cooking, and eating, when they won't recognize the food in supermarkets? How does one prevent children from sticking a finger into an electric socket or gar-

bage disposal, falling down stairs, scalding themselves with a faucet, or straying into the road? And if people can't read the orientation material, how will they keep in mind the myriad important laws, some of which seem so bizarre to new arrivals?

The cultural orientation team has been planning classes that will address these and other issues. After 80 hours of a combination of orientation and literacy lessons, some seeds of understanding will be planted. But the orientation themes will need to be continually reinforced during the first months after arrival.

Arrival Prospects

Refugees who share a similar lack of U.S. knowledge, literacy, and cultural understanding have resettled in the United States before, and do so fairly regularly. But, perhaps with the exception of the Hmong, never en masse, as these Bantus will do.

With the low literacy and English levels, large families, no U.S. support system and an almost total lack of exposure to technology and urban life, Somali Bantus will struggle to gain self sufficiency and a foothold in U.S. society. Through the trials of Dadaab, they have proven that they are resilient. In the 100-degree heat, their work ethic has won them the admiration of the NGO community.

The Bantu have already established themselves in Kakuma with a tenacity, flexibility, and industry that bode well for their fast-approaching resettlement. They will soon need to transfer their survival skills to a completely foreign setting.

No people should have to endure the fusion of such evils—a refugee experience of rape, murder and flight, ten years in Dadaab, and a background of slavery and oppression—that the Bantus have faced. These refugees are rural farmers who yearn for a safe and quiet life. The dichotomy of their innocence and experience sharpens the importance of helping them. They finally have a chance to find their niche and redefine themselves.

The Mberwa family may be among the first to arrive in the United States. Mohamed, with his work ethic, Jamila with a fierce love for her surviving children and her nightmares, and Muslima with her responsibility—they are the cornerstones of an intact family ready to take on the challenges ahead. They will need intensive guidance and support to navigate through the intricacies of America. With a little luck and the same perseverance and patience that they have shown, they will be capable of rebuilding their lives. Their exile is almost at an end.

Recent Developments

INS Policy of Deterrence: Haitian Asylum Seekers in the United States

(In October, Wendy Young, director of government relations for the Women's Commission for Refugee Women and Children, offered written testimony at a hearing on the treatment of Haitian asylum seekers before the Senate subcommittee on immigration. Young recently traveled to Haiti with a delegation of refugee and Haiti experts to evaluate the treatment of Haitian asylum seekers in the United States and the Dominican Republic. Delegates interviewed Haitian asylum seekers and their families, as well as nongovernmental organizations and government officials working with the refugees, in both countries. Below, Young summarizes the findings from the delegation, which included representatives from the National Coalition for Haitian Rights, the Florida Immigrant Advocacy Center, the media, as well as the Women's Commission.)

On October 29, a freighter carrying about 200 Haitians ran aground just off the coast of Key Biscayne, Florida. Their arrival was captured live on national television, as the beleaguered men, women, and children jumped ship, waded through the water, and flagged passing cars in an attempt to get to Miami before being caught by the U.S. Coast Guard. After apprehending as many of the Haitians as possible, the Miami police bussed them to nearby detention centers, where they will most likely remain until they are either deported or granted asylum.

Their arrival brought a storm of media attention to the ongoing plight of Haitian asylum seekers and their treatment by the U.S. Immigration and Naturalization Service (INS). Under a policy exclusive to Haitians, the INS detains Haitian asylum applicants who pass an initial "credible fear" interview pending the dispositions of their cases (see below). All others are returned to Haiti. In addition, the United States has begun sending Haitian refugees who are intercepted by the U.S. Coast Guard outside the territorial United States to countries in Central America for "resettlement," rather than allowing them to enter the United States.

Haitian asylum seekers routinely encounter a lack of access to the asylum systems in both the United States and the Dominican Republic. In both countries, asylum

seekers with potentially strong refugee claims are frequently unable to obtain the assistance they need to present their asylum claims, and suffer difficult conditions that threaten their safety and well-being while waiting for decisions on their refugee claims. Haitians are also at risk of forced return to their home country, despite the fact that the human rights situation in Haiti is deteriorating.

INS Policy: Prolonged Detention

Until last December, the practice of the INS Miami District was to release asylum seekers who establish that they have a credible fear of persecution. In fact, this continues to be the case for all other nationalities other than Haitians, who are subjected to disparate treatment that includes prolonged detention and expedited processing of their asylum cases.

In December 2001, a boatload of almost 200 Haitians ran aground off the coast of Florida. Included in the group were approximately 26 women and 14 children. Most of the Haitians were rescued by the U.S. Coast Guard and taken into custody by the INS. Pursuant to the expedited removal system (see *Refugee Reports*, Vol. 21, No. 5), they were interviewed by INS asylum officers, who found that all but two of the Haitians had a "credible fear" of persecution in Haiti.

Shortly after the December 2001 boatload of Haitians arrived, INS Headquarters in Washington, D.C. issued a directive to its Miami District not to release Haitian asylum seekers without its explicit approval (see *Refugee Reports*, Vol. 23, No. 3). The INS's stated rationale for the directive was to deter Haitians from making the dangerous voyage by boat. However, this rationale was undermined by the INS's initial decision to also detain Haitians who arrived by plane.

After issuing this policy, the INS detained male Haitians in the Krome Service Processing Center; families and some unaccompanied children in a local Miami hotel, other unaccompanied children in the Boystown Children's Shelter, and the women in two county facilities. Only unaccompanied children and pregnant women were deemed eligible for release.

The Haitian women were initially detained for eight months in the Turner Guilford Knight (TGK) Correctional Center, a maximum security Miami-Dade county prison. The Women's Commission has documented numerous problems with conditions of detention in TGK. Such problems include inadequate medical care to address even critical conditions such as diabetes, a lack of accessible translation services, inedible food, extremely

limited access to the outdoors, and separation of families. Attorneys representing the women often wait hours to visit their clients and are not provided private interview rooms to conduct confidential interviews.

Finally, responding in part to pressure from the Miami community and refugee advocates, the INS Miami District transferred detained women asylum seekers, including Haitians, to the Broward County Work Release Center on August 26, 2002.

Four days after the transfer, the Women's Commission toured of the Broward County facility and interviewed Haitian women detainees. Overall, the facility generally provided a more open living environment. The women were allowed to wear street clothing rather than prison uniforms. They were provided with multiple activities, including English, acculturation, and life skill classes. The outdoor exercise area was spacious and equipped with sports equipment. The women themselves described Broward County as a significant improvement over the TGK facility. While the women were not allowed to leave the premises and were monitored by staff, the Women's Commission concluded that the facility was sufficient for the short-term detention of asylum seekers pending a finding that they have a credible fear of persecution.

However, the INS continued to hold the Haitian women from the December boat arrival, even after they established a credible fear of persecution. Regardless of the improvements in the conditions of their detention after the transfer to Broward County, the Haitians were singled out for prolonged detention.

In addition, the Broward facility—like Krome—has a history of sexual harassment problems. The facility has taken steps to ensure that such abuses do not reoccur. Monitoring by nongovernmental organizations (NGOs), the UN High Commissioner for Refugees (UNHCR), and the INS will be required to ensure that such abuses are not repeated.

The Broward facility staff have agreed to help attorneys to visit their clients and to speak with new detainees. However, the Florida Immigrant Advocacy Center (FIAC) reports that the INS Miami District has not shared this openness. For example, the INS often discourages attorneys from visiting their detained clients by placing onerous paperwork requirements on them before every visit.

The INS routinely splits families who are detained, often moving members thousands of miles apart. For example, the Women's Commission interviewed a Haitian father whose common-law wife and child had been transferred thousands of miles away to a family detention

center in Pennsylvania. They had not seen or spoken to each other for almost three months.

Fast-Tracked Asylum Adjudications

In addition to the prolonged detention, the Haitian asylum seekers who arrived in the United States in December 2001 encountered accelerated scheduling and processing of their removal proceedings. Additional immigration judges were posted to the Krome Service Processing Center to hear Haitian cases. As a result, the Haitians were subject to very quick calendaring of their cases, and most were forced to appear before a judge without legal representation. Many prepared their English-language asylum forms without legal or translation assistance.

According to attorneys based in Miami, immigration judges conducted cursory hearings that lasted 30 minutes to one hour, including time for translation. The overwhelming majority of the claimants were denied asylum.

By June 2002, FIAC had filed almost 100 appeals with the Board of Immigration Appeals, most for claimants who had appeared before an immigration judge without legal counsel.

Legal representation is critical to the ability of asylum seekers to successfully gain refugee protection in the United States. Georgetown University has found that asylum seekers are four to six times more likely to win their asylum cases when they are represented by counsel.

"This new policy is not only unfair, it means that the United States is likely returning bona fide refugees to persecution, a breach of the 1951 Refugee Convention," commented Mary Diaz, Executive Director of the Women's Commission for Refugee Women and Children

Returned Haitians Subjected to Human Rights Abuses

Of the 167 Haitians from this initial group who were subjected to prolonged detention, at least 50 have since been deported. The INS deported them in groups, handcuffed and shackled during transport. Once returned, they were transferred to the custody of Haitian authorities.

There is increasing evidence that returned Haitians are subject to further human rights abuses upon their return. Haitians deported by the INS reported that Haitian authorities met them at the airport in Port-au-Prince. The returnees were then transferred to Delmas 33, a prison known for its extremely hazardous living conditions.

“Adiana,” a woman whom the Women’s Commission interviewed, reported that, while in Delmas, she was held in one cell with more than 60 women, some of whom had committed violent crimes. Others were very sick or pregnant. One woman was there with a newborn infant. The women had only one cot for every three women. They were provided no food or water. There were no toilet facilities, forcing the detainees to urinate and defecate on the floor.

Adiana was held at Delmas 33 for two days until her family located her and paid a large fine (approximately U.S. \$400) to obtain her release. Adiana reported that

there were two other women in a similar situation who were deported at the same time as she, who were also jailed and fined.

Upon her release, Adiana returned to Gonaives, where she and her family resided. She reported that she experienced significant abuse and harassment from CIMO, a security force supported by the government of Haitian President Jean Bertrand Aristide. Her mother’s restaurant was sprayed with gun fire. Adiana and her brother-in-law were later stopped by the same group, which hit her on the back and chest with their rifles. She was hospitalized after she began to spit up blood. She reported

Recommendations To Improve Access to Asylum for Haitians

On October 1, the Women’s Commission for Refugee Women and Children presented the following recommendations to the Senate Committee on the Judiciary’s Subcommittee on Immigration to ensure that “the United States and countries in the Caribbean region allow full access to Haitian asylum seekers and offer protection to those found to have a well-founded fear of persecution.”

The United States should:

- Discontinue the prolonged and arbitrary detention of Haitian asylum seekers and facilitate their release in keeping with the parole policy in place for asylum seekers of other nationalities who are held in the custody of the Miami INS District.
- Discontinue the interdiction policy for Haitian asylum seekers under which asylum seekers are generally denied a meaningful opportunity to present their asylum claims.
- Provide a credible fear screening for Haitians who are interdicted on the high seas before they are repatriated. Such screenings should ideally occur on land, after the asylum seeker has been provided an opportunity to rest and prepare for the interview.
- Consider implementing in-country refugee processing in Haiti, in light of the danger posed by boat travel to the United States.
- Stop any use of expedited or summary asylum interviews and/or proceedings that involve a Haitian asylum seeker before either an INS asylum officer or an immigration judge.
- Stop dividing Haitian families while in detention. Such families should either be released or housed together.
- Work with the UN High Commissioner for Refugees to encourage the government of the Dominican Republic to implement a meaningful asylum process.
- Consider offering resettlement to Haitian refugees residing in the Dominican Republic.

that her brother-in-law suffered more injuries, including a blow to his head.

Adiana has since gone into hiding. She said she will likely try to flee Haiti again because she fears for her life.

Other returnees report similar experiences. Nonetheless, the INS continues to deport Haitians from the December boat arrival in the face of the deteriorating human right situation and political instability now going on in Gonaives, from where the vast majority of the asylum seekers originate. It appears that the latest boat arrival will face similar treatment.

U.S. Policy Based on Goal of Deterrence

According to the INS, the decision not to parole Haitian asylum seekers is designed to deter a mass exodus from Haiti to the United States. Advocates state, however, that detention as a means to deter the arrival of asylum seekers violates international law and undermines U.S. asylum policy as a tool of protection.

On November 8, the INS released a statement indicating that Haitians and others (except Cubans) who attempt to enter the United States illegally by sea will be detained and subject to expedited removal proceedings. Asylum seekers will be detained at the discretion of the Justice Department pending the outcomes of their asylum hearings and appeals. According to the INS, the policy is designed to discourage mass migration by sea to the United States. "Any message that may encourage a mass migration and detract federal resources from our homeland defense is unacceptable," the INS said.

"This is terribly disappointing news," FIAC's Cheryl Little told the *Miami Herald*. "Our government is changing the rules so they can justify their discriminatory treatment of Haitians," she added.

According to the UN High Commissioner for Refugees (UNHCR), detention as a deterrent contradicts international standards. In response to an advisory opinion request by the Florida Immigrant Advocacy Center, UNHCR noted, "the detention of asylum seekers in furtherance of a policy to deter future arrivals does not fall within any of the exceptional grounds for detention and is contrary to the principles underlying the international protection regime." UNHCR further concluded that detention of asylum seekers based on their national origin is discriminatory and constitutes arbitrary detention under both the International Covenant on Civil and Political Rights and the 1951 Convention Relating to the Status of Refugees.

To further deter and prevent an influx of Haitian refugees, the U.S. Coast Guard interdicts Haitian asylum

seekers on the high seas before they reach U.S. territorial waters. Once on board, the Coast Guard immediately returns them to Haiti, interviewing only individuals who affirmatively step forward and express a fear of return. An INS asylum officer travels to the Coast Guard cutter to conduct a credible fear interview for these limited few.

Haitians who establish a credible fear of persecution during the ship board interview, however, are prevented from coming to U.S. shores. Instead, the United States transfers them to the U.S. Naval base at Guantanamo Bay, Cuba where another INS asylum officer interviews them, without legal counsel. The few individuals recognized as refugees through this process are again prevented from coming to the United States. Instead, they are resettled in Central American countries such as Guatemala and Nicaragua.

Treatment of Haitian Asylum Seekers in the Dominican Republic

The Women's Commission interviewed more than a dozen Haitians who applied for asylum in the Dominican Republic, including former journalists, political documentary film makers, social service advocates, and political candidates who had run against the ruling party. All reported having experienced political persecution in Haiti. Many were residing in the Dominican Republic with their families.

Despite having entered the Dominican Republic in 2001, none had received a decision on their asylum applications. Service providers working with the Haitians reported that the board charged with adjudicating asylum claims rarely met, resulting in a backlog of several hundred pending claims.

Haitians who applied for asylum were not provided authorization to work in the Dominican Republic. As a result, the asylum seekers reported that they and their families were barely able to subsist. In addition, their children were often not able to attend school, because they could not afford the school fees.

Several asylum seekers also said they were subjected to repeated harassment and abuse both from the general Dominican population as well as from government authorities. However, when they reported such abuses, the Dominican police reportedly did not follow up on their claims.

One father who was accompanied by his wife and three young children concluded, "I don't want asylum in the Dominican Republic anymore. It's no different here than in Haiti."

U.S. Legislators Seek to Admit North Korean Refugees

Members of both chambers of the U.S. Congress have introduced legislation to facilitate the potential granting of refugee or asylum status to North Koreans.

On October 16, House International Relations Committee Chairman Henry Hyde (R-Ill.) introduced H.R. 5649, a companion bill to S. 3122, introduced the same day by Senator Sam Brownback (R-Kans.), then-ranking Republican on the Senate immigration subcommittee. Both bills state, in their entirety, that for purposes of eligibility for asylum status or for admission to the United States as a refugee, a North Korean national shall not be considered a national of South Korea.

The legislation is necessary, according to its sponsors, because U.S. refugee law, like the UN Refugee Convention on which it was based, provides that a refugee must fear persecution from each country of which he or she is a national. Under South Korean law, anyone born on the Korean Peninsula to an ethnic Korean parent is automatically entitled to South Korean citizenship.

The U.S. Immigration and Nationality Act defines a refugee as someone “outside any country of such person’s nationality.” This is similar to the wording of the Refugee Convention, which defines a refugee as being “outside the country of his nationality.” The Convention further states that an individual who is a national of more than one country must have a valid reason, based on fear of persecution, for not availing himself of the protection of one of those countries.

The *Handbook on Procedures and Criteria for Determining Refugee Status*, a document of the UN High Commissioner for Refugees (UNHCR), states that in the case of dual or multiple nationality, it is necessary “to distinguish between the possession of nationality in the legal sense and the availability of protection by the country concerned.” National protection, says *the Handbook*, may be “ineffective” if it does not entail the protection normally granted to nationals. As a rule, *the Handbook* continues, “there should have been a request for, and a refusal of, protection before it can be established that a given nationality is ineffective.”

In the United States, this issue is relevant to both the admission of refugees from overseas and grants of asylum status to persons already on U.S. soil, because both require the individual to meet the refugee definition.

North Koreans, therefore, could be viewed as ineligible for either status because South Korea considers them its citizens and presumably provides “effective” protection to any North Korean who enters South Korea.

At an October 1 consultation between the State Department and the Senate Judiciary Committee prior to the establishment of the FY 2003 refugee admissions ceiling, Secretary of State Colin Powell raised the issue in response to a question from Brownback about the possibility of admitting North Korean refugees to the United States. According to sources present at the consultation (which was not open to the public), Powell said that the dual nationality provision of U.S. refugee law prevented the United States from admitting North Koreans as refugees.

In the State Department’s view, the availability of South Korean citizenship would block U.S. refugee status not only for North Koreans who had entered South Korea before seeking U.S. protection but also for North Koreans who escaped to and remained in China or any other country.

Brownback decided to introduce legislation to remedy this potential barrier. His bill was co-sponsored by Senator Jesse Helms (R-N.C.), chairman of the Senate Foreign Relations Committee, of which Brownback is also a member. In the House, Representatives Jim Leach (R-Iowa), Mark Kirk (R-Ill.), Christopher Smith (R-N.J.), and Eni Faleomavaega (D-American Samoa) co-sponsored the Hyde bill.

While action on the bills awaits the new Congress that will come to Washington in January, the issue is largely theoretical. Virtually no North Koreans have access to refugee processing posts overseas, and very few are able to get to the United States to apply for asylum.

In May, a North Korean family sought protection at the U.S. consulate in Shenyang, China (the second such incident at the consulate that month, following a similar request at the U.S. embassy in Beijing in April). In response, a State Department spokesperson told reporters that foreign nationals could not seek asylum at U.S. diplomatic missions because, contrary to widespread belief, those missions do not constitute U.S. soil. He also noted that while the UN High Commissioner for Refugees (UNHCR) refers persons to the U.S. refugee program in many parts of the world, UNHCR does not do so in China.

The response avoided the question of whether UNHCR would take such action if assured the cooperation of the U.S. and Chinese governments. Currently, North Koreans are one of three nationalities—along with

Palestinians and Libyans—for whom UNHCR must obtain prior approval from State Department officials in Washington D.C. before referring them to the U.S. refugee program. Although the United States admits certain refugee groups without a UNHCR referral, it has taken no steps to do so in the case of North Koreans in China. This is most likely due not only to the potential legal barrier but also to China's probable refusal and to potential security issues.

North Koreans in China

Human rights groups estimate that as many as 200,000 to 300,000 North Koreans are living underground in China, mostly in the northeast border region. Refugee advocates believe that many, if not most, would qualify as refugees under international law.

Widely regarded as one of the world's most repressive regimes, North Korea harshly punishes real or suspected dissidents. A famine has wracked the country since the mid-1990s, but rather than weakening the regime, it has created a new mechanism for persecution. The government categorizes the population based on its perceived loyalty and usefulness, and channels food aid accordingly. The government often denies international aid groups access to the country's most vulnerable people, and has reportedly blocked aid to parts of the country that have seen anti-government rebellions in recent years.

Under North Korean law, defection or attempted defection is a capital crime. Defectors who are returned to North Korea are often subjected to torture and forced labor. If the defectors, while in China, had contact with South Koreans, Christians, or foreigners, they are given the death penalty.

China officially regards North Koreans who flee across the border as "food migrants" and forcibly returns them to North Korea under the terms of a bilateral treaty. China does so despite its obligations as a signatory to the 1951 UN Refugee Convention, which prohibits the forced return of refugees to a country where they may face persecution. During the past three years, China has forcibly returned large numbers—perhaps tens of thousands—of North Koreans. Since 1999, China has refused to allow UNHCR to monitor and assist the border population.

In recent months, dozens of North Koreans have sought protection at various foreign embassies and consulates in China. In most cases, the Chinese government has eventually permitted them to travel to South Korea. However, China has also taken steps to prevent such incidents, including increasing patrols along the North Korean border and beefing up security outside embassies. In

one case, Chinese police forced their way into the South Korean embassy to arrest a North Korean who had taken refuge there. In June, China sent a letter to all diplomatic missions in Beijing, demanding that they hand over North Koreans to the Chinese.

In 2001, more than 580 North Koreans were "defectors" (as South Korea labels them) to South Korea. Because the border separating the two Koreas remains tightly sealed, many North Koreans transit through China, and then through other countries such as Thailand or Burma (or, more recently, Mongolia), before traveling to South Korea. However, despite its citizenship law and official statements of welcome, South Korea does not warmly regard all North Koreans. The government harshly interrogates North Koreans it suspects of spying, and turns away many asylum seekers who can provide no valuable intelligence information. In recent years, South Korea's burgeoning relations with North Korea have caused it to be even less inclined towards a generous asylum policy.

In talking points accompanying the House legislation, its sponsors noted: "South Korea will remain the logical destination of choice for most North Korean refugees due to familial, linguistic, and cultural ties, and South Korean government subsidies for North Koreans." However, said the document, "North Koreans should have the same ability to request U.S. refugee and asylum protection as people from other countries, particularly in light of the fact that as many as 500,000 Korean-Americans may have relatives living in North Korea."

North Carolina Welcomes

900 Newly Arrived Montagnards

by Scott Larson

Rong Nay knows what it's like to flee home for a new life in a strange and distant land. In 1986, he was one of 213 Vietnamese hill people, collectively known as Montagnards, who resettled to North Carolina after escaping ethnic and religious persecution in the central highlands of their homeland.

"It's a very difficult thing," Rong Nay said, recalling the years of homesickness, depression, and loneliness that followed his arrival in the United States. "At the time, there were no Montagnards in North Carolina."

Today there are nearly 3,000, and that number is on the rise. In June, a handful of local resettlement agen-



Montagnard refugees and Joint Voluntary Agency staff in Ban Thai Samart Camp, Prachinburi, Thailand, 1986. Left to Right: Y Bhuat Eban—who became president of the Montagnard Human Rights Organization in North Carolina; James Lynch; Y Tlur Eban—who currently serves as vice-president of MHRO, Jack Price, and Sresong Dim. Photo/IRSA: S. Dennett

cies and service providers began resettling a group of 907 Montagnard refugees who had been stranded in Cambodia, caught in a 15-month tug-of-war over their status. The first of the new group arrived in the state on June 4, and they continued coming in irregular streams of one or two to 20 for nearly two months. By the end of July, more than 800 had been resettled, with the remainder slated to arrive by the end of the year.

These recent arrivals represent just the latest wave of Montagnard refugees to settle in North Carolina over the past decade and a half. After the group that included Rong arrived in 1986, a second group, numbering 400, followed in 1992, and third group of 38 came in 2001. As a result, North Carolina is now home to the largest concentration of Montagnards outside of Vietnam.

Like those earlier groups, the latest group of refugees brought with them tales of systematic discrimination and abuse at the hands of the Vietnamese government. One of the ethnic minorities that inhabit Vietnam's

central highlands, Montagnards are predominately Christian hill tribes that fought alongside American troops during the Vietnam war. Since, they've faced steady discrimination, religious persecution, and repeated government attempts to force them off their lands. Montagnard protests over such mistreatment have led to often violent crackdowns by Vietnamese authorities, which in turn have resulted in regular streams of refugees into Cambodia.

The End of a Journey

For some in the latest group, resettlement ends a year-and-a-half long odyssey. Many of the Montagnards began crossing into Cambodia in March 2001, following yet another cycle of protest followed by the inevitable government crackdowns. Once across the border, the group came to the attention of the international community, and in January, the UN High Commissioner for Refugees (UNHCR) brokered a tripartite repatriation agreement between Vietnam and Cambodia.

A pair of camps were established to temporarily house the Montagnards. However, in March more than 400 Vietnamese—including nearly 100 government agents—entered one of the camps and “threatened and manhandled refugees and UNHCR staff trying to protect them,” according to UNHCR. The refugee agency announced it would no longer be associated with repatriation efforts for this group. That prompted the Cambodian government, whose relations with Vietnam were strained by Cambodia’s granting of temporary asylum to the Montagnards, to demand the camps be closed by the end of April. Cambodia also declared that any person entering the country in the future without proper documentation would be regarded as an “illegal entrant” and returned to Vietnam.

On March 22, the U.S. government agreed to consider Montagnards already in Cambodia for resettlement, and the refugees were transferred to a transit center—an abandoned garment factory—on the outskirts of Phnom Penh, where they awaited interviews with officers of the U.S. Immigration and Naturalization Service (INS). (See *Refugee Reports*, Vol. 23, No. 3.)

North Carolina Communities Welcome the Montagnards

Initially, State Department and Office of Refugee Resettlement officials considered assigning some or all of the refugees to groups outside of North Carolina for resettlement, fearing that new arrivals might overwhelm communities that had taken in previous groups. But intensive lobbying by resettled Montagnards, refugee groups, and state agencies in North Carolina, convinced the government that the presence of existing refugee communities—which include established churches, businesses, and associations—in Charlotte, Raleigh and the Triangle area of Greensboro, Winston-Salem, and High Point would help ease the transition for newcomers.

As a result, the resettlement plan calls for the Montagnards to be resettled in five communities. Once all have arrived, the largest number—430—will be in Greensboro, High Point, and Winston-Salem, with 290 resettling in Charlotte, 157 in Raleigh-Durham and Louisburg, and 80 in and around New Bern.

“What was most significant is there is an established [Montagnard] community in North Carolina, particularly in the Triangle area,” said Pat Priest, state director of refugee resettlement and immigration services for Lutheran Family Services, one of six local agencies that worked closely with North Carolina’s Department of Health and Human Services’ Division of Human Services and county

officials to coordinate the resettlement. “They became an important extension of our office in providing a welcome and a significant amount of service,” he added. “That has been one of the keys to our success so far.”

The Montagnard Human Rights Organization, for instance, under the leadership of Rong and Y-Bhuat Eban, was instrumental in asking the U.S. government to resettle this latest group of refugees. In July 2001, Rong was part of a Lutheran Family Services delegation that visited the refugee camps in Cambodia. For years, members of the delegation wrote letters, met with State Department representatives and members of Congress, and testified at hearings and international human rights conferences in support of the Montagnards.

In Charlotte, the existing Montagnard community was involved from the beginning of the resettlement effort by participating in the initial planning process and then providing transportation, translation, furnished homes, as well as moral support once the refugees arrived.

In addition, support from local communities has been overwhelming, according to Kay Reibold, director of the Vietnam Highlands Assistance Project for Lutheran Family Services. “There was almost a feeling of, ‘we want the Montagnards in North Carolina,’” she said. “There is the reality that resettlement creates jobs [with local agencies]. But there was also this sense of urgency and desire, especially among county social services offices, veterans groups, and churches.”

One veterans group, the Special Forces Association based at nearby Fort Bragg, supplied truckloads of furniture and food, and outfitted apartments. Add in donations of furnishings, housewares, clothing, bicycles and food, and so far the group, many of whose members fought with Montagnards in Vietnam, has contributed an estimated \$2 million to the effort, Priest estimated.

Agencies involved in the current resettlement—which include World Relief Refugee Services, the Montagnard Dega Association, Interfaith Refugee Ministry, and the North Carolina division of the Hebrew Immigrant Aid Society—also point out that their work has been made easier by past experience.

“The value of having experienced the initial resettlement in 1986, then what was essentially a crisis situation in 1992, helped prepare relief agencies with the health, political and cultural issues,” said Reibold.

Nonetheless, the large number of refugees coming in such a short time made the resettlement task particularly challenging. Often, for instance, new groups of refugees arrived with only a week or several days notice, forc-

ing coordinating agencies to scramble for housing, furnishings, food and sponsors. Lutheran Family Services alone handled the resettlement of 500 refugees in just over two months.

“We knew that when you’re dealing with so many overseas factors, when you’re dependent on so many other people, you have to be ready at a moment’s notice,” said Cira Ponce, director of the Catholic Social Services Refugee Office in Charlotte, another of the resettlement agencies involved. “It was a monumental, enormous task. Even with the group that arrived in June we’re still in response mode because of the numbers,” she said.

What Next?

Providers now say that they’ve largely moved beyond the immediate concerns of housing, clothing, and food to “secondary” issues such as securing jobs for the Montagnards in a tight economy and helping the refugees deal with home sickness, depression, and other adjustment issues that often affect newly resettled refugees.

Many of the recent group of 604 men, 100 women, and 203 children left behind family members in Vietnam. But reuniting families likely will prove a difficult task. The Vietnamese government, according to Reibold, has chosen to punish many of those who’ve fled by denying exit visas to their relatives. Even some members of the 1992 group are still working to get their spouses and children out of Vietnam, she noted.

Yet even as they struggle to resolve such issues, resettlement agencies and advocates are also turning their attention to what many believe may be another wave of Montagnard refugees in need of their services.

In September, Human Rights Watch (HRW) reported that Vietnam had stepped up its repression in the central highlands, targeting Protestant church leaders, land rights advocates, and people suspected of helping asylum seekers reach Cambodia. At least 30 Montagnards were arrested between June and late September, HRW said, and “dozens” had gone into hiding. According to estimates of local aid organizations, more than 300 additional



Montagnards celebrate at a Christmas pageant in North Carolina. Nearby Fort Bragg sent an honor guard for the occasion. Photo/IRSA S. Dennett

Montagnards are currently hiding out along the Cambodia-Vietnam border.

“Realistically, there will be more coming, and we need to start addressing that and planning right now,” said Reibold. One additional focus is advocacy on behalf of the Montagnard community, with refugee aid organizations urging the State Department to pressure Vietnam to cooperate and facilitate immigration, and to get Cambodia to open its borders to a UNHCR presence.

“There is a lot of concern about the human rights conditions in Vietnam that created this situation in the first place,” Reibold said. “The answer is not for folks to keep running.”

Just ask Rong Nay. After spending 12 years hiding in the Vietnamese jungle and another 16 adjusting and helping others to adjust to American life, he longs to return to his homeland. In December, he plans to quit a full-time job and devote his full energy to the Montagnard Human Rights Organization (www.mhro.org) and the plight of his people.

“There is a lot to do in our country,” Rong Nay said of the work that lies ahead in the United States. “But we really wish someday to be able to return home.”

(For a list of resources, groups, and organizations that may be useful for those who would like to help the Montagnards, visit IRSA's website at www.refugeesusa.org/help_ref/montagnards_help.cfm. In addition, the North Carolina Office of Citizen Services' toll-free Information and Referral Service/CARE-LINE is staffed with specialists who offer information and referral on human services within the Department of Health and Human Services and nonprofit organizations across the state. Tel: 800-662-7030. In North Carolina, Tel: 919-733-4261.)

Relief Agencies Express Alarm Over Rebel Attacks, Government Response in Northern Uganda

More than a dozen international relief agencies working in northern Uganda issued a statement in October calling for immediate restoration of security in the region and improved access for humanitarian aid to thousands of refugees and internally displaced persons affected by the widening conflict between the Ugandan army and Ugandan rebels known as the Lord's Resistance Army (LRA).

The humanitarian agencies, many of whom declined to publicize their identity, expressed concern that Ugandan President Yoweri Museveni has pursued a flawed strategy toward the conflict in his country and warned that the violence and government policies could have long-term negative effects on local communities.

“The population of the sub-region is deprived of a life of security and dignity,” the aid organizations stated.

Intensified attacks by LRA rebels have left hundreds of civilians dead in recent months, including at least 80 civilians killed during two weeks in October. Fifty-two civilians died in an attack against Lapono village on October 14, according to Ugandan officials.

The LRA has also targeted Sudanese refugees living in northern Uganda, killing at least 80 refugees since early August. A recent attack on a refugee camp occurred on October 3, when the LRA raided the Maaji refugee settlement in northern Uganda's Adjumani District. Approximately 200 Sudanese refugees have died in LRA raids since the mid-1990s. Uganda hosts some 150,000 Sudanese refugees.

The violence by LRA rebels this year has pushed 30,000 Sudanese refugees from their camps. About one-third of them have been resettled in safer locations, according to relief organizations. Kyangwali, one of the oldest camps in Uganda, is now crowded with almost 9,000 Sudanese in addition to 7,000 refugees from Rwanda, Kenya, and Congo-Kinshasa.

The UN World Food Program estimated in September that as many as half a million residents of northern Uganda have been uprooted over the years by violent LRA raids and government counter-insurgency tactics.

The statement issued by international relief organizations expressed alarm that security risks are forcing reductions in humanitarian aid and that some local populations have only limited access to food, water, sanitation, education, and medical care.

“Insecurity is prohibiting many farmers from accessing their fields” and is interfering with previously self-sufficient communities, the aid agencies warned. “Reduced planting this season will result in little or no harvest and consequently a dependency on outside food assistance for the coming year.”

Relief agencies also report that the government's aggressive tactics against the LRA are endangering child soldiers. UN reports estimate that the LRA has abducted 12,000 children during the 16 years it has terrorized northern Uganda, and LRA commanders have forcibly conscripted many abductees into rebel ranks. Up to 80 per-

cent of LRA combatants are children. Given the large numbers of child soldiers, relief agencies and Ugandan opposition and religious groups are urging the government to focus on de-escalation and peace talks rather than continued violence that now includes use of helicopter gunships by the Ugandan army against LRA troops.

“Operation Iron Fist,” as the renewed government offensive is known, began in March 2002 when Uganda and Sudan signed a defense protocol allowing Ugandan troops into southern Sudan to fight LRA rebels. The protocol has since expired, but Ugandan President Museveni has personally directed his army against LRA rebels on the Ugandan side of the border.

Although the clashes previously had been confined to the Acholi subregion, which includes Gulu, Kitgum, and Pader districts, recent weeks have seen an expansion into neighboring Lira and Adjumani districts. Museveni has predicted that his forces will defeat the LRA by early 2003, but similar government predictions of victory against the rebels have fallen short in past years.

The Sudanese government has historically supported the LRA in retaliation for Ugandan backing of Sudanese rebels operating in southern Sudan. Sudan reportedly ended its assistance to the LRA in December 2001, when the Bush administration placed the LRA on a list of terrorist groups.

Prospects for Long-Term Stability and Return of the Displaced in Angola

In late October, Angolan Minister of Social Welfare and Reintegration Joao Baptista Kussumua responded to growing concerns about the fate of recently demobilized Angolan rebels (known as the National Union for the Total Independence of Angola, or UNITA) and unveiled a plan called “We Are With You,” to resettle, reintegrate, and retrain former combatants.

Angola’s civil war—fought off and on since the mid-1970s—came to a sudden halt in early 2002 when long-time rebel leader Jonas Savimbi was killed by government troops. The cessation of hostilities has shifted attention to the task of rebuilding the country and returning massive numbers of Angolans, including former combatants, to their homes. The ability of millions of uprooted Angolans to return safely to their homes will depend in part on whether the government properly demobilizes

tens of thousands of ex-combatants to produce long-term stability in the country.

As part of the plan, Angolan officials promised former combatants the equivalent of \$100 and resettlement packages consisting of blankets, seeds, and tools. Officials also said they will try to find suitable land where ex-combatants can settle. The two-year, \$55-million program is intended to benefit 70,000 ex-UNITA soldiers, training them to become nurses, teachers, electricians, carpenters, bricklayers, blacksmiths, and plumbers.

Approximately 85,000 UNITA soldiers, accompanied by 350,000 family members, have congregated at 38 reception areas that the government plans to close by the end of the year.

Officials say that former rebels will have “a degree of choice” in where they settle. However, the government also wants to ensure that no particular area of the country will be associated with UNITA. One transfer of 30,000 soldiers and family members out of reception areas and into a new phase of resettlement began on October 22 and is expected to end by mid-November.

Food Security

The new demobilization plan, however, does not immediately address the central concern of food security.

“If people arrive in a place and it’s too late for planting and [they] move to areas where we don’t have access, there will be no assurance of their means of survival,” warned World Food Program (WFP) spokesman Marcelo Spina-Hering.

The fate of former rebel combatants has become a key factor in national stability. However, poor sanitation and inadequate food at demobilization reception areas have caused hundreds of deaths, and thousands reportedly have abandoned the camps to look for food. An official of the UN Mission in Angola (UNMA) estimated that 10 to 12 rebels die in the camps each day.

By some measurements, approximately a third of all Angolans—up to 4 million of the country’s 12 million residents—became internally displaced by the country’s long civil war. Other sources believe the number of internally displaced persons to be only about 2 million. Since June, state television has broadcast the faces of more than 7,000 Angolans in an effort to help scattered families reunite.

Recent WFP estimates suggest that 1.9 million people will need emergency food aid well into 2003, almost double the number needing assistance at the beginning of 2002. Many people stranded in remote areas dur-

ing the war are now emerging, and newly accessible areas may uncover 800,000 more people needing assistance, according to relief officials.

Repatriation

Approximately a half-million displaced people have spontaneously returned home during the past five months, according to the UN Office for Coordination of Humanitarian Affairs (OCHA). As many as 10,000 displaced people headed home per day in September, OCHA estimated. As many as 750,000 displaced persons could be back home by the end of year, according to a UN official.

Médecins Sans Frontières (MSF) reported that some displaced Angolans were being forced to leave camps and return home before they were ready to do so. Many displaced civilians are too “afraid and preoccupied with day-to-day survival to assert their rights,” UN officials stated.

Home offers little comfort for many returnees: up to 80 percent of them so far have arrived in “areas considered unsuitable for resettlement,” according to the UN. The final stages of the war devastated crops in many areas, meaning that returnees will need food assistance until they can plant new crops. Many returnee areas lack shelter, drinking water, health services, seeds, tools, and materials needed to rebuild.

Relief workers warn that the impending rainy season will wash out bridges, make roads impassible, and leave some of the country’s millions of landmines dangerously exposed, effectively making many areas of return inaccessible to humanitarian aid.

“Angola has about 4 to 5 million landmines,” said Balbina Silva, national coordinator of Angola’s Inter-Sectoral Commission for De-mining and Humanitarian Assistance (CNIDAH), “and about 80,000 people have been mutilated by [them].” Landmines and poor infrastructure have already forced suspensions of some WFP operations.

The UN High Commissioner for Refugees (UNHCR) says it is “operating on a shoestring” budget in Angola, limiting operations primarily to what the agency calls the most essential “survival programs.” UNHCR plans to issue appeals for money to fund the eventual repatriation of more than 400,000 Angolan refugees scattered across southern Africa. WFP also reports that its budget in Angola is tight.

Between 60 percent and 75 percent of Angolans are destitute and live below the poverty line of \$1.68 per day, according to economic surveys. Life expectancy is only 42 years. MSF has recorded mortality figures “nearly

four times greater than what is internationally accepted as the threshold for an emergency” among civilians in newly accessible areas.

Rates of moderate malnutrition are as high as 50 percent at some locations, while in some areas more than 20 percent of the population suffers severe acute malnutrition. Measles outbreaks further endanger the hunger-weakened population.

Angola has the second-highest child mortality rate in the world, with one in four children dying before age five. About 17 percent of Angolan women whose children have recently received emergency nutritional care said they have lost children since the beginning of 2002.

INS Waives Requirement that Certain Refugees Must Enter the United States as Immigrants

For the second year, the U.S. Immigration and Naturalization Service (INS) has waived a regulation that requires refugees who are the immediate relatives of U.S. citizens, or who are special immigrants, to enter the United States as immigrants rather than refugees.

Citing the continued negative effects of September 11, 2001 on refugee admissions levels—currently at less than half of projected levels—the INS concluded that the processing of the immediate relatives of U.S. citizens and special immigrants for U.S. refugee resettlement re-

Title 8 CFR 207.1

c(d) Immediate relatives and special immigrants. Any applicant for refugee status who qualifies as an immediate relative or as a special immigrant shall not be processed as a refugee unless it is in the public interest. The alien shall be advised to obtain an immediate relative or special immigrant visa and shall be provided with the proper petition forms to send to any prospective petitioners. An applicant who may be eligible for classification under sections 203(a) (1), (2), (3), (4), (5), (6), or (7) of the [Immigration and Nationality] Act, and for whom a visa number is now available, shall be advised of such eligibility but is not required to apply.

mains in the public interest and should continue. The INS and State Department offices overseas will therefore continue processing the refugee applications of immediate relatives of U.S. citizens and special immigrants as long as they are otherwise qualified for consideration by the U.S. refugee program.

The regulation was established to ensure that refugee admission numbers were reserved for those with no other means of entry to the United States. The regulation's practical application has often meant, however, that refugees with close U.S. citizen relatives have had to wait for months or years while their visa petitions were processed.

The regulation has also presented a catch-22 for some refugees, whose U.S. citizen relatives are unable to demonstrate that they have the financial resources to support their refugee relatives. Although refugees are not subject to "public charge" considerations, visa petitions filed on their behalf must be accompanied by the usual affidavits of support. If the visa petition is not processed because the U.S. relative lacks the funds to support a refugee relative, the refugee can remain in processing limbo while authorization to allow his or her application for admission as a refugee is sought.

Furthermore, unless refugee processing is seriously delayed, admission as a refugee is preferable for most applicants because immigrants are not eligible for many of the benefits available to refugees. These benefits include access to a travel loan program, a small resettlement grant administered by a U.S. voluntary agency, and access to refugee cash and medical assistance during their first few months in the United States.

Resources

The Internally Displaced People of Iraq

In October, the Brookings Institution-SAIS Project on Internal Displacement published a 55-page report on internal displacement in Iraq. According to authors of the study, John Fawcett and Victor Tanner, addressing the problems of Iraq's one million or more internally displaced people must be a priority for any future government of Iraq that hopes to bring stability and peace to the country.

Over the past 30 years, the report says, the government of Iraq has instituted a policy of deliberate expul-

sion of people from their homes in order to punish and subdue recalcitrant populations—such as the Kurds and Shiites—secure valuable land and oil-rich areas, and stamp out political opposition. As a result, an estimated 600,000 to 800,000 persons are displaced in northern Iraq and another 300,000 in the center and south of the country.

The main victims of state expulsion policies are members of the Kurdish minority in the North and members of the substantial Shiite majority in the Center/South, including the Marsh Arabs, the report says. Smaller populations of Turkmen and Assyrian minorities are also affected.

Although the original homes of most of those displaced in the North are within the confines of the Kurdistan Regional Government, they cannot return to their homes because of the Iraqi army's widespread destruction of their villages, the planting of landmines, or continued hostility between Kurdish factions. According to the study, an eventual solution for this group will lie in de-mining, rebuilding the countryside, and the effective resettlement of the displaced in cities.

Even more challenging will be finding solutions for those expelled from Kirkuk, both an oil-rich area and Iraq's breadbasket. Prior to the government's campaign to "Arabize" the area, Kurds and Turkmen comprised the majority, and Assyrians lived there, too. Among the study's suggestions are a population census, creation of an official body to put together property records, a compensation fund for those arbitrarily dismissed from oil field positions, and an organized return program.

Other recommendations focus on the Shiites forcibly displaced in the Center/South, and the Marsh Arabs of the lower Tigris and Euphrates rivers, most of whose habitat has been deliberately destroyed by Iraqi government campaigns. Recommendations include return and resettlement programs, environmental surveys, and a compensation scheme.

The study urges the United Nations to devote greater attention to the most vulnerable parts of the Iraqi population, the internally displaced. Although the Oil-for-Food Program generates \$6 billion a year, the study finds that UN agencies have insufficiently targeted the displaced. More than 400,000 displaced persons in the North are reported to live in "collective centers," many in an advanced state of decay with insufficient infrastructure. Another 57,000 live in barracks, including more than 6,000 still in tents. More than 50,000 in the North are without access to health centers. In the Center/South, displaced persons have difficulties registering for food rations.

The study calls for more targeted use of Oil-for-Food funds to help the displaced, special visits by UN officials to assess the conditions of the displaced, the publication of data on the displaced, and the designation of a UN focal point for displaced persons in Iraq. It calls upon UN officials to be more outspoken in demanding access to and protection of the displaced, especially in the Center/South as well as prevention of new expulsions. It says, "The international community and its institutional embodiment, the United Nations, have an obligation to meet the needs of the internally displaced Iraqis, and to seek to stem further displacement."

For more information or to obtain a copy of the report, contact Colin Johnson at 202-797-6310 or Hilary Talley at 202-797-6168. *(This resource was contributed by the Brookings Institution-SAIS Project on Internal Displacement.)*

Updates

- **In mid-October, the U.S. Senate adjourned for the November election recess without having acted on a bill designed to disband the Immigration and Naturalization Service (INS) and fold many of its functions into a newly created Department of Homeland Security (DHS).** Debate over the topic, which stalled over procedural issues, will fall to a lame duck Senate when Congress reconvenes in mid-November.

The Bush administration proposed the creation of a cabinet-level Office of Homeland Security in the wake of the September 11, 2001 terrorist attacks. The proposal called for transfer of the INS and its enforcement and services functions to the newly created homeland security department. In July, the House of Representatives passed a homeland security bill (H.R. 5005) that closely resembled the Administration's plan.

At the time of the recess, the Senate was considering two versions of the legislation: one introduced on September 25 by Senators Phil Gramm (R-Tex.), Zell Miller (D-Ga.), and Mitch McConnell (R-Ky.), that largely reflects the Administration's views; and a second version, introduced by Senator Joseph Lieberman (D-Conn.) as a substitute to the House measure.

Immigrant advocates and human rights groups have voiced concern over certain elements of the Gramm-Miller bill, as well as the House resolution and the President's initial proposal, as promoting an unworkable immigration structure. "Transferring the INS to a Department of Homeland Security, whose statutory mission is defined principally as stopping terrorists, risks creating or promoting a deeper and more hostile environment for asylum seekers," noted Amnesty International in written testimony to the Senate Immigration Subcommittee in June.

Of particular concern to such groups were the President's proposal to transfer the Executive Office for Immigration Review to the new DHS, and the status of unaccompanied minors. In a July 16 letter addressed to Senator Lieberman, one dozen immigration agencies urged that Homeland legislation include basic reforms and protection that would "help ensure that immigrants, asylum-seekers, and refugees are treated with justice in the future."

Both the House resolution and the Lieberman bill call for the care and custody of unaccompanied alien minors to be shifted from the INS to the Office of Refugee Resettlement in the Department of Health and Human Services. The Lieberman measure also creates within the Department of Justice the Agency for Immigration Hearings and Appeals that would include the Board of Immigration Appeals.

- **On October 11, the UN General Assembly signed a resolution on the trafficking in women and girls.** The resolution calls for intensified efforts, both nationally and internationally, to stop the movement of women and children in crime rings which ensnare women and children for the purposes of slavery and prostitution. The resolution calls into play the Millennium Declaration, which recommends an increased focus on fighting transnational organized crime, with particular emphasis on human trafficking.

The resolution calls for governments to address the root causes of trafficking of women and children, and to strengthen and devise anti-trafficking strategies such as prevention campaigns and information exchanges between countries and regions. Imperative to the process of ameliorating trafficking, the resolution states, is assisting and reintegrating vic-

tims, while attending to their physical well-being and social recovery. Programs that include counseling and those that help victims reintegrate into society are of utmost importance, the resolution states.

The resolution calls on governments to: 1) build and strengthen existing legislation, anti-trafficking campaigns, information exchanges, assistance and protection for victims, as well as reintegration programs for the victims; 2) ratify legal UN instruments designed to help in the implementation of anti-trafficking laws and to condemn and penalize those who perpetrate trafficking of human beings; and 3) strengthen national information exchange to raise awareness and allocate resources for victims of trafficking to secure the proper health, physical, and social recovery programs needed for reintegration; improve legal services for victims; and build preventative measures.

According to the resolution, sustained bilateral, regional, and international cooperation and commitment are necessary to achieve these goals.

- **On October 29, Amnesty International kicked off a “campaign to draw attention to the issue of impunity in Russia,” focusing on human rights abuses faced by ethnic minorities, women, and children.** That day, Amnesty released a report entitled, “Denial of Justice,” at a press conference in Moscow. Stating that the Chechens are not the only group in Russia who are suffering human rights abuses, Amnesty “urged the Russian authorities to end discriminatory implementation of registration procedures” and asked the U.S. government and activists in Russia to support the advocacy effort.

To publicize the campaign in the United States, Amnesty sponsored a week-long tour to Washington D.C. Vadim Karastev, a human rights defender and expert on ethnic minorities from the troubled region of Krasnodar in the Russian Federation, spoke at discussions in D.C., urging the United States to speak out on the issue and to take action. In conjunction with the Refugee Council USA and Amnesty International, Mr. Karastev is asking the U.S. government to initiate a dialogue with Russia and **possibly offer U.S. resettlement to the approximately 13,000 Meskhetian Turks** who face ongoing discrimination and statelessness in the region.

Tens of thousands of Meskhetian Turks who were deported en masse to Central Asia during the Stalin Era have encountered discrimination throughout the former Soviet Union upon return to their home countries. According to Karastev, Krasnodar Governor Alexander Tkachiov has threatened to “clean” the region of ethnic minorities and illegal migrants. Karastev stated that U.S. interest and an offer of potential resettlement could encourage the Russian authorities to finally define the status of the Meskhetian Turks, and ideally, to grant them citizenship in Russia.

Job Board

FIAC Staff Attorney: Women's Legal Project

The Florida Immigrant Advocacy Center, Inc. (FIAC) seeks a staff attorney to represent battered immigrant women and children and dependent children before the Immigration and Naturalization Service and the Immigration Court as a part of LUCHA, FIAC's women's legal project. The attorney will work in Broward County, Florida. LUCHA serves women and children who are victims of domestic violence in immigration matters. The attorney will also assist dependent immigrant children who may qualify for Special Immigrant Juvenile status. FIAC requires at least one year experience working in immigration law or domestic violence, bar membership, fluency in Spanish, and a demonstrated commitment to the needs of the poor.

Contact: Send resume and cover letter to Administrator, FIAC, 3000 Biscayne Blvd. #400, Miami, Florida 33137. E-mail: gwright@fiacfla.org. Fax: 305-576-6273.

LIRS Director of Capacity Building

Lutheran Immigration and Refugee Service (LIRS) is seeking a director for capacity building to assist LIRS and its affiliates to build institutional capacity to support refugee resettlement programs. Responsibilities include: managing grant proposals; strategic planning with LIRS's resettlement department; providing appropriate technical assistance to LIRS affiliates; monitoring the capacity building budget; hiring, training, supervising, and evaluating staff; and traveling to sites for consultations and development activities. LIRS requires: five years experi-

ence managing refugee related programs; grant writing success; direct service experience with refugees or asylees; knowledge of refugee related service systems and networks; and experience in church activities related to volunteerism or refugee sponsorship. A bachelor's degree in social work, social sciences, nonprofit management, or a related area is preferred.

Contact: Ann Fries, Director, Human Resources, Lutheran Immigration and Refugee Service, 700 Light Street, Baltimore, MD 21230. Fax: 410-230-2882. E-mail: hrmail@lirs.org.

Director, Center for Mental Health Services/SAMHSA

The Substance Abuse and Mental Health Services Administration (SAMHSA) is seeking a director for the Center for Mental Health Services (CMHS). CMHS is located in Rockville, Maryland, and is part of the U.S. Department of Health and Human Services. The CMHS director will provide executive leadership to promote effective mental health services in communities throughout the country and oversee a staff of approximately 118 employees and a budget of \$832 million, including the \$433 million community mental health services block grant program. The director will also plan, direct, and evaluate a range of program initiatives, generate and apply new knowledge in the mental health field, and help to influence and establish national mental health policy. For application information, contact Patricia Bransford. Tel: 301-443-3408. E-mail: pbransfo@samhsa.gov.

Contact: Send resume and application materials to Antonia Harris, HHS/PSC, Division of Personnel Operations, Room 1100, Switzer Building, 330 C Street, S.W., Washington, D.C. 20201. E-mail: svacancies@psc.gov. Fax: 202-260-7032.

IRC Immigration Attorney, Texas

The International Rescue Committee in Dallas, Texas is seeking an immigration attorney. Responsibilities include: responding to clients' immigration questions; scheduling and completing Immigration and Naturalization Service and other related forms for clients; reviewing forms completed by other staff members; and maintaining case files. IRC requires a law degree and bar membership; one year experience working in an immigration-related field, preferably with refugees or asylees; experience with Iris Pro or other immigration software; and bilingual language ability (preferred).

Contact: Send a resume, cover letter, and three references to: Immigration Attorney Position, International Rescue Committee, 7515 Greenville Avenue, Suite 603, Dallas, Texas 75231. Fax: 214-461-9782. E-mail: LisaD@dal.theIRC.org.

CWS Director of Marketing, New York

Church World Service (CWS) in New York City is seeking a director of marketing and communications to manage its communications department to present a clear picture of CWS's relief, development, and refugee assistance work. Responsibilities include: developing policies on internal and external communications; collaborating on marketing with other CWS departments; providing technical guidance; and supporting fund-raising efforts through communications efforts. CWS requires: seven years experience in managing print, broadcast, web, and interpersonal communication activities; expertise in nonprofit marketing and fundraising; experience in resource creation (print, video, and web); and strong public speaking skills. A graduate degree in communications is preferred.

Contact: Send resume to Church World Service, Office of Human Resources, P.O. box 968, Elkhart, Indiana 46515. Fax: 574-266-0087. E-mail: cwshr@churchworldservice.org. Web: www.churchworldservice.org.

Bulletin of the Atomic Scientists: Special Issue on Refugees and Forced Migration

The Bulletin of the Atomic Scientists has published a special November/December 2002 issue focusing on refugees and forced migration. The issue features articles from experts on refugees, asylum seekers, and internal displacement in the context of international protection under the 1951 Refugee Convention. Topics cover access to asylum; safe havens; internal displacement; a global survey of refugee crises; refugee protection and international security; the persecution of women; and other issues.

The Bulletin of the Atomic Scientists is available on line at: <http://www.thebulletin.org>. For additional information, contact: Robyn Kocher, Circulation Manager at e-mail: robyn@thebulletin.org.

Asylum Applications filed by Haitians with the Immigration and Naturalization Service, FY 1995-2001

Fiscal Year	1995	1996	1997	1998	1999	2000	2001
Applications Filed	2,820	4,169	5,230	3,375	2,977	4,683	5,068
Cases Granted Asylum	637	1,220	576	336	156	613	899
Cases Denied or Referred*	1,568	2,828	3,255	2,321	1,892	2,146	1,605
Approval Rate**	29%	30%	15%	13%	8%	22%	36%
Cases Pending at Year's End	19,694	17,884	15,116	14,847	15,120	15,365	17,342

* Beginning January 5, 1995, asylum officers were no longer authorized to deny applications of deportable aliens. Since that date, cases not granted have been referred to immigration judges. Many other applications are filed with immigration judges, particularly in the context of deportation proceedings. (See *Refugee Reports*, Vol. 22, No. 12, pages 12-13.)

** Approval rates are based on the number of cases decided during the year, not the number of applications received.

Source: U.S. Immigration and Naturalization Service. Tabulated by Immigration and Refugee Services of America.

REFUGEE REPORTS (USPS-001-465) is published monthly for:

\$45.00 one-year subscription
 \$67.50 two-year subscription
 \$35.00 each for two or more subscriptions,
 requested at the same time, mailed to
 separate addresses

Overseas postage is an additional \$50.00.
 Single copies of back issues: \$5.00

Periodicals postage paid at Washington, D.C. and additional mailing offices.

POSTMASTER: Send address changes to *Refugee Reports*, IRSA, 1717 Massachusetts Ave., NW, Suite 200, Washington, DC 20036.

Editorial comments and communications regarding subscriptions should be sent to: *Refugee Reports*, Immigration and Refugee Services of America, 1717 Massachusetts Ave., NW, Suite 200, Washington, D.C. 20036 Tel: 202-347-3507 Fax: 202-347-2576 E-mail: rr@irsa-uscr.org Internet: www.refugeesusa.org and www.refugees.org

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Contributing Writers: Sasha Chanoff, Scott Larson, and Wendy Young **Interns:** Adrienne Faraci and Andrea Neuendorffer.

Distribution Manager: Raci Say **Production:** Eunice Kim

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Refugee Reports

A News Service of Immigration and Refugee Services of America

1717 Massachusetts Ave., NW, #200
 Washington, DC 20036-2003

Address Service Requested