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## Family Reunifications Affected

### Shortfall in African Refugee Admissions Attributed to DNA Testing for Fraud

As the end of the current fiscal year approached in early September, less than half of the approved African refugee admissions ceiling for 2008 had been met, according to reports from the Department of State's refugee processing center.

The shortfall results primarily, offi-

cially at PRM and USCIS say, from a suspension of the family reunification component of the nation's refugee resettlement program affecting refugees in Kenya, Ethiopia, Uganda, Guinea, Ghana, Ivory Coast and Gambia after a pilot DNA testing program revealed evidence of widespread fraud.

Announcing the suspension in late August, State Department spokesman Robert Wood said tests on applicants in the seven countries indicated that only about 20 percent actually had blood ties with claimed relatives in the United States.

The unprecedented testing program was launched in Kenya in February and later expanded to the other East African countries in an effort to acquire empirical data about suspected fraud, said Barbara Strack, director of the refugee division at USCIS, describing the results as "dismaying," as quoted in the Wall Street Journal.

While condemning all fraud and misrepresentation, ECDC President Tsehaye Teferra expressed concerns that singling out the African region for the DNA testing might unfairly stigmatize African refugees and restrict efforts to determine how prevalent abuse is in the overall U.S. reception and placement program.

In a letter to Samuel Witten, acting Assistant Secretary of State at PRM, Teferra applauded efforts to resolve the problems and rejuvenate the African program, urging greater awareness of the differences between western and African concepts of family and improved educational initiatives about the meaning of biological relationships and the consequences of misrepresentation.

The Wall Street Journal report by Miriam Jordan described how the suspension of processing refugee applicants from East Africa has "slowed to a trickle"

### *Ghana's 'First Family' Feted at White House*

In what may have been his last formal state dinner in the White House and only the sixth of his presidency, President Bush and First Lady Laura Bush hosted Ghanaian President John Kufuor and his wife Theresa on September 15, exchanging praises for shared commitments to peace and stability on the African continent and tributes of friendship and cooperation as both prepare to join what Bush

called "the ex-presidents club."

They were elected to their nations' top office at about the same time and both will leave soon as required by term limits.

Bush thanked Kufuor and the nation of Ghana for participation in 11 continuing U.N. peacekeeping operations, including efforts to bring about a resolution of the conflict in the Darfur region

of Sudan, according to a report by Merle D. Kellerhals, Jr., a writer with America.gov.

"One of the initiatives that we're working on together is the fight against neglected tropical diseases," Bush said at a joint press briefing. "And the president brought me up to date on the strategy to deal with that important issue and how we can help." Ghana has been working closely with the United States on a malaria initiative Bush launched in 2005.

Since its inception, the malaria program has reached an estimated 25 million peo-

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President and Mrs. Bush welcome President John Agyekum Kufuor and Mrs. Theresa Kufuor of Ghana for a State Dinner in their honor.

White House photo by Chris Greenberg

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*In My Opinion...****About Greed and Selfishness***

**A**s efforts to deal with the crisis confronting the nation's financial markets gripped the attention of policy makers in recent weeks, another crisis surfaced in America's refugee resettlement program. By no measure of magnitude, scope or reach can the two developments be compared. But they do share a common cause. It is greed. (Maybe a more apt word is selfishness.)

After using DNA tests to confirm suspicions of fraud in the screening and processing by some family reunification applicants in several countries, the State Department suspended all such processing for the Africa region, as reported in the lead story on page 1. By that response, the sins of the few have been visited on the many, in a process not too dissimilar from what has happened on Wall Street and in other financial capitals around the world.



**Tsehaye Teferra, Ph.D.**

By falsely claiming a blood relationship with an anchor relative in the United States, the abusers of the Priority 3 component of the resettlement program have brought enormous pain and suffering on those anchor families who were anxiously awaiting reunions with loved ones, and on those long confined in camps whose hopes for joining their relatives have been dashed. The abusers acted with an appalling measure of selfishness.

Through "the boundless greed of the few," as charged by Brazilian President Luiz Inácio Lula da Silva, the world's financial markets have been led to the brink of collapse. The charge was illustrated by a recent study by the Institute for Policy Studies that showed chief executives of large U.S. corpora-

tions making an average of \$10.5 million last year, 344 times the pay of the average worker, as reported in *The Washington Post*.

A key goal of legislative leaders in addressing the financial issues was to protect innocent victims of the greed and selfishness that produced the crisis while restoring confidence in a system so vital to so many, particularly those most vulnerable and isolated from councils of power and influence.

It is my fervent hope that those responsible for dealing with the fraud and abuse within the African refugee processing operations will bring a similar commitment to their decision making. If it is determined that DNA testing is required and appropriate to deal with the problem, adequate policies and procedures should be developed promptly in ways to restore the flow of legitimate applicants as soon as possible. To be fair and to avoid potential perceptions of discrimination and bias, the testing procedures—and ultimately the adopted responses to curb the abuses—should be applied to all cases and to all regions.

What is required to deal effectively with the P-3 issue is an adequate balance between the humanitarian goals of reuniting separated families and preserving the integrity of the program. Reporting on the issue in an article for the *New York Times* and reprinted in *Ethiopian Review*, Miriam Jordan noted that: "Refuge slots are precious. The world's uprooted people are estimated to number 37 million; only about 1% are resettled," noting, too, that the United States absorbs about half of all refugees who are resettled.

Beneath the article in the *Review* was a reader response suggesting that tests in other regions would likely produce comparable rates of fraud. Another reader wrote: "Some people are used to telling a lie for their own benefits, but they cannot disprove their DNA test results; their fraud hurts not only themselves (and) their family but also the family of others who would desperately want to unite with their relatives. One can see how selfish this world of ours is."

## DNA Fraud Tests Curb Family Reunification Cases From East Africa

[Continued from page 1]

the normal flow of new arrivals to resettlement agencies around the country, raising questions about using DNA testing as an immigration tool.

"No one condones people gaining entry by false means," said Bob Carey, chair of the Refugee Council USA and vice president of resettlement for the International Rescue Committee. "The integrity of the program must be ensured," Jordan reported, adding Carey's comment that "DNA is not the only means to assess family relationships."

The article included a comment from Angela Fox of Catholic Charities echoing the concerns expressed by Teferra about how the cultural differences between African and western concepts of family could be a factor in the relationship issue, particularly among those who have been uprooted by conflict and discrimination. "Some families are raising children who aren't their own but whom they call son or daughter," Fox said.

As shown in the chart on page 6, the 7,246 admissions through August 31 represent only 45.2 percent of the 16,000 slots approved for FY 2008.

The anticipated shortfall marks a sharp decline from results at similar periods over the last two years when the overall ceilings were higher.

With a 22,000 ceiling for the Africa region for 2007, admissions at the same time period had reached nearly 80 percent, standing at 17,483. At the similar period in 2006, arrivals were at the 90 percent level with 18,182 admitted against a ceiling of 20,000.

As USCIS and PRM develop policies and procedures to deal with the fraud issues in East Africa, Teferra suggested in his letter to Whitten that special attention be given to the needs of urban refugees in such cities as Cairo, Nairobi and South Africa.

"In addition to the daily struggle for survival," he wrote, "these urban refugees are increasingly susceptible to violence and deserve some level of intervention and durable solutions to their circumstances."

## Hometown Associations Aid Immigrants' Assimilation

With global migration rates at historic highs, the informal "hometown" associations (HTAs) that immigrants create for social, economic development and political empowerment purposes are becoming more numerous and better networked, according to new report from the Migra-

tion Policy Institute (MPI).

Though much of the policy and research focuses on their development potential for their home countries, the report concludes that the groups play an important—yet under examined—role in immigrant integration.

Like the broader country-defined mutual assistance associations that are part of ECDC's African Refugee Network, the informal, volunteer hometown associations play a valuable role helping immigrants integrate into their new society, with many disseminating information on useful support services for immigrants and offering language classes, day care and citizenship education.

"Our analysis shows that policymakers should not view immigrants' international economic development and domestic integration objectives as competing priorities," said MPI Senior Policy Analyst Will Somerville, who authored the report with Jamie Durana and Aaron Matteo Terrazas.

The associations can be helpful mechanisms for immigrant socialization, acting as organized points of contact and coordination between the immigrants, the host government and other institutions, the report suggests, recommending increased utilization of their outreach and services through limited, collaborative interventions by government and non-government partners.

Noting the lack of data on the associations' existence and operations, the report also recommends that organizations and governments aiming to work with hometown associations undertake a collaborative data collection effort to enhance possible partnerships.

As global migration increases, the number of HTAs appears to be increasing, the report says, noting that the number of Mexican hometown associations located in 25 U.S. states increased from 441 in 1998 to 623 five years later. There may be as many as 3,000 Mexican HTAs operating in the United States by some estimates.

The government of El Salvador has compiled a database listing more than 268 Salvadoran associations around the world. And hometown associations are emerging in communities where they did not previously exist, as immigrants increasingly move beyond traditional gateway cities, whether in the United States, England, Canada or other immigrant-destination countries.

The report is available online at: [www.migrationpolicy.org](http://www.migrationpolicy.org).

### Census Reports Sharp Decline in Immigration

**T**he number of immigrants entering the United States declined sharply last year, according to Census Bureau data released in late September, totaling 511,000 as compared to more than 1.8 million the year before. Average arrivals have totaled about one million a year since 1990, including both legal and illegal newcomers. (The Census Bureau does not ask about legal status.)

Analysts attributed the decline to such factors as stepped up enforcement of immigration laws; a faltering economy; and a 69 percent increase in immigration fees in July 2007. Just a month before the citizenship fee was increased from \$400 to \$675, more than 460,000 immigrants applied in a rush to avoid the higher costs. Only about 281,000 applied during the first half of 2008, USCIS reported recently. Slightly more than half of immigrants in the United States are from Latin America; 25 percent from Asia; 13 percent from Europe; and four percent from Africa. An August Census report estimated that by 2042 white people will no longer constitute a majority of Americans. The total population today is estimated at 305 million and is expected to reach 400 million in 2039 and 439 million in 2050.

### Formal State Dinner Honors Ghana's First Family

[Continued from page 1]

ple in sub-Saharan Africa. The initiative is providing \$1.2 billion over five years to reduce malaria deaths by 50 percent in 15 African nations. "And the good news is that this is a government that's very capable of taking American help and converting it into the kind of results that we all expect," Bush said.

Kufuor said Ghana once was dubbed "the white man's grave" because of the high number of deaths among Europeans who traveled there. Malaria "continues to plague much of Africa and perhaps is the biggest killer, even bigger than HIV/AIDS, of our people on the continent. The hefty support we are getting from the United States and under your watch is very welcome, and we hope to take it even further, again employing technologies and more scientific research," Kufuor said.

Secretary of State Condoleezza Rice greeted the Kufuors at an earlier luncheon, noting that the relationship between the two countries was established long before Ghana's independence. "It goes

back much, much further than that," she said, "because many of us who are descendants of slaves trace their ancestral home to Ghana."

"America was founded by Europeans and Africans together," she said. "And in that founding we forged a relationship of blood and tears. Now we forge on that basis a relationship of hope and promise. And indeed, as President Bush has said, it was those stolen sons and daughters of Africa that perhaps helped the United States to reach the fulfillment of the great words that all men and women are created equal."

Describing the lavish treatment given the visitors as reciprocation for the welcome the Bushes received in Ghana in February, the Associated Press said that during that visit thousands of uniformed school children lined the streets of Accra and waved tiny Ghanaian flags as the Bush motorcade bounded through the city.

Kufuor also threw a lavish dinner with 500 guests and renamed a road as the "George Bush Motorway."

# New MPI Study Examines Circular Migration Policies

**P**olicymakers in migrant-receiving countries all over the world are exploring the concept of circular migration as a way to improve upon the discredited temporary worker programs of the past., according to a new report by the Migration Policy Institute.

As a new policy tool that allows migrants to move more freely back and forth between their origin and destination countries, circular migration increases

the likelihood that global mobility gains will be shared by both and gives migrants more options to advance their working lives.

Despite the growing interest, the report finds that the concept of circular migration is not well understood and that the experience of circular programs around the world remains thin.

Titled *Learning by Doing: Experiences of Circular Migration*, the report

examines the track record of seasonal and other circular migration programs around the world, including the United States, Canada, Germany, New Zealand, Spain and the United Kingdom.

“The latest generation of circular migration programs is broader and more dynamic than one-time-only temporary programs strictly oriented toward the labor-market needs of receiving countries. They anticipate that migrants maintain active involvement in both their home and destination countries, and travel back and forth between them repeatedly,” said report co-author Kathleen Newland, director of MPI’s Program on Migrants, Migration and Development.

The report, by Newland, Dovelyn Rannveig Agunias and Aaron Terrazas, outlines steps governments can take to encourage circulation migration and decrease the illegal immigration that is sometimes inadvertently fostered by poorly designed programs.

Among the steps destination-country governments should consider:

- Guaranteeing repeat access for workers who comply with the program’s terms;
- Making social security and pension benefits portable;
- Tailoring family unification policies to fit the duration and aims of the circular programs;
- Providing training for temporary workers to upgrade their skills;
- Designing a circular worker program with enough flexibility to respond to specific labor market needs;
- Permitting dual citizenship and relaxing the residency requirements for retaining permanent legal status.

“Circular migration policy will remain a matter of trial and error for some time. And practice is likely to remain far ahead of policy,” Newland said.

“Understanding how circular migration works when it develops spontaneously—and tailoring programs to fit those patterns of mobility—are perhaps the most valuable sources of insight for policymakers interested in better program design.”

The report is available online at: [www.migrationpolicy.org](http://www.migrationpolicy.org).

## *African Refugees in the News*

### *College Students Launch African Scholarship Aid*

*Student Activism Brings Sudan Native to GWU* is the headline on a front page feature in the Washington Post on September 23 describing how a scholarship program developed by a group of students at George Washington University is changing the life of Makwei Maboor Deng, who has spent the past 16 years in a refugee camp in Kenya.

He is studying economics and Arabic and plans to return to his homeland and help establish a stable, violence-free democratic government.

“When a student asked him how he would change the government in Sudan without getting sent to jail,” reports Washington Post staff writer Susan Kinzie, “he answered: ‘I could be put in jail, but that would not be the end of it, because other people could see me doing

what I was doing. ...You allow them to see that what you are doing is not only for yourself, but for all the people’.

“That’s what the GMU students had in mind when they created the program, which now has chapters on 35 campuses and support from the Clinton Global Initiative and former Secretary of State Madeleine Albright.”

The article describes the initial cultural shock Deng has experienced, echoing tales of the thousands of “Lost Boys” who have been resettled in the United States.

Participants in the GWU-initiated program must return to their country or repay the scholarship funds, Kinzie writes.

To read the article, visit: [www.washingtonpost.com](http://www.washingtonpost.com).

### *Presidential Candidates Pledge Support for World Health*

If elected president, John McCain or Barack Obama would continue to help foreign countries combat infectious disease. Both are committed to ensuring the United States is prepared to respond to a global pandemic, according to a report by Daniel Gorelick, staff writer for *America.gov.*, the State Department’s information service for foreign audiences, formerly the U.S. Information Agency.

Representatives from both campaigns participated mid-September in a debate on health issues sponsored by Scientists and Engineers for America, a non-partisan educational organization that aims to increase respect for evidence-based debate and decision making in politics and at all levels of government.

The candidates differ on their approach to reforming health care in the United States, Gorelick reported, but both agree the United States should continue to support foreign health initiatives, such as the President’s Emergency Plan for AIDS Relief (PEPFAR), according to their surrogates.

In a written statement, Jay Khosla, health policy adviser for McCain, promised a sustained commitment to helping people in Africa and Asia cope with HIV/AIDS. Dora Hughes, health policy adviser for Obama, wrote that “a comprehensive, long-term approach to combating HIV/AIDS is an important investment in our common security and our common humanity.”



Navanethem (Navi) Pillay

## Gender Equity Remains an Elusive Goal Says U.N. Human Rights Commissioner

Despite progress made in the 60 years since the adoption of the Universal Declaration of Human Rights, much more needs to be done to protect women from discrimination and to help them achieve gender equity, United Nations High Commissioner for Human Rights Navanethem Pillay told delegates at an international conference in Geneva in mid-September.

Noting that gender roles are deeply rooted in culture and sometimes these roles ingrain ideas of inferiority of women and superiority of men as well as stereotyped responsibilities for men and women., Pillay told the Human Rights Council at its annual gender discussion that women throughout the world are

among the poorest and most marginalized, with limited access to rights, resources and opportunity.

“No effort should be spared to persuade countries to repeal laws and discourage customs, practices and prejudices that negate or undermine the achievement of equality between women and men,” Pillay said.

While efforts to incorporate a recognition of the gender dimension in all United Nations activities and to end the social, political and economic discrimination that women face, she said that those efforts have so far produced few tangible results.

“Through my experience, I have learned that equality and non-discrimination on the basis of sex are not only goals in their own right, but are essential for the achievement of all human rights for all, the realization of sustainable human development, as well as the development of all societies,” she stated.

## South African Jurist Fills Human Rights Post

The United Nations General Assembly has confirmed the appointment of Navanethem (Navi) Pillay, of South Africa, to succeed Louise Arbour as High Commissioner for Human Rights, the leading U.N. human rights official. Her four-year term started on September 1.

As a member of a non-white minority in apartheid South Africa, and as a front-line, grassroots lawyer who acted as a defense attorney for many anti-apartheid campaigners and trades unionists, Pillay has direct personal experience of many of the issues that a High Commissioner for Human Rights covers under her mandate.

She has also been active in supporting women's rights, and was one of the co-founders of the international NGO Equality Now. She has also been involved with a number of other organizations working on issues relating to children, detainees, victims of torture and domestic violence, as well as a range of other economic, social and cultural rights.

More recently, she served as a judge on two of the most important international criminal courts in the modern era, spending eight years with the International Criminal Tribunal for Rwanda, including four years as its President, and then the past five years on the International Criminal Court in the Hague. Both of these courts deal with the extreme end of the human rights spectrum: war crimes,

crimes against humanity and genocide, and are at the cutting edge of the development of international law in these areas.

## Attorney General Mukasey Intervenes on Behalf Of African Woman in Gender Violence Dispute

By William Fisher, IPS

A woman who was denied asylum in the U.S. despite her fears that she would suffer additional female genital mutilation if she were deported to her native Mali has been given a second chance.

Attorney General Michael B. Mukasey—whose intervention was sought in a national campaign by women's and human rights groups—has reversed a ruling by a federal immigration board that acknowledged that the woman's genitals had been cut as a child but said that while “reprehensible,” the mutilation could not be repeated.

The attorney general concluded this month that the ruling was flawed and sent the case back to the Board of Immigration Appeals (BIA) for reconsideration, along with guidance regarding legal errors the BIA had committed.

“As several courts have recognized, female genital mutilation is indeed capable of repetition,” he said.

The woman, Alima Traore, 28, was not identified in the attorney general's

decision but had earlier been identified in an article in The New York Times. The immigration board had ordered her to be sent back to Mali.

In addition to the threat of additional mutilation, the woman's father said he would force her to marry a first cousin. Traore also said she feared that if she gave birth to a female child, the child would face similar genital cutting.

Some 95 percent of women in Mali have undergone genital cutting, according to reports from the U.S. State Department.

Karen Musalo, director of the Centre for Gender Refugee Studies at the Hastings law school at the University of California, was among those who spearheaded national efforts to persuade the attorney general to reverse the decision.

She told IPS, “The BIA's decision exemplified an appalling lack of sensitivity or knowledge on the issue of women's rights. Board members wrongly assumed that [female genital

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NEWS BRIEFS

**Congolese Refugees Depart Tanzania for Homeland**

Growing numbers of Congolese refugees are opting to head home from Tanzania as the situation eases in their home province of South Kivu across Lake Tanganyika, according to an early-September report from UNHCR. At the same time, more and more refugees have been showing up in recent weeks to register for voluntary repatriation to the DRC.

UNHCR currently organizes two sailings a week from Kigoma to the DRC port of Baraka on the MV Mwongozo, which takes refugees and their belongings. Upon arrival, the returnees receive an assistance package put together by UNHCR and its partners, including the World Food Program. Most of the Congolese refugees in Tanzanian camps come from the towns of Fizi and Uvira or surrounding areas. These areas are considered fairly stable today, but life for the returnees will still be more of a challenge than in the camps.

Despite the problems and the strain put on the meagre resources and services that do exist, local officials warmly welcome the return of their compatriots.

**Common E.U. Asylum Plan Is Focus of Paris Meeting**

United Nations High Commissioner for Refugees António Guterres appealed to member states of the European Union (EU) in early September to continue their efforts to build a coherent and effective common asylum system.

Addressing ministers responsible for asylum and migration in the 27 states at a Ministerial Conference on Asylum in Paris convened by the French E.U. Presidency, Guterres stated that a common European asylum system could “serve as an example to the entire world” if it truly guarantees the protection of refugees. He said that the EU must remain accessible for people seeking protection, noting that many people put themselves in the hands of human smugglers and traffickers because of the plethora of barriers to entry.

Over 80 percent of the world’s refugees are hosted by countries in the de-

veloping world. The High Commissioner appealed to E.U. member states to demonstrate their solidarity with third countries, not only by honoring their obligation to offer international protection to those who arrive across their borders but also by increasing the number of refugees accepted through resettlement.

**Death Toll Grows From Smuggling Across Horn**

At least 26 people lost their lives after smugglers transporting them across the Gulf of Aden from the Horn of Africa forced them overboard off the coast of Yemen, UNHCR reported in early September. Seventy-four survivors made it to the beach and were taken to UNHCR’s reception centre at Ahwar. Several other people are missing.

The latest tragedy coincides with an upsurge in people smuggling across the Gulf of Aden from strife-torn Somalia. So far this year, at least 25,859 people have arrived in Yemen after making the perilous voyage aboard smugglers’ boats. More than 200 have died and at least 225 remain missing. At the same time last year, there were 9,153 arrivals, 267 dead and 118 missing.

Yemen has carried a major burden in dealing with irregular migratory movements in the region yet has maintained an open-door policy to refugees.

**2008 Nansen Refugee Award Honors Lebanese De-Miners**

The 2008 Nansen Refugee Award will go to a group of international and Lebanese de-miners who have cleared tens of thousands of mines and cluster munitions in southern Lebanon, allowing hundreds of thousands of displaced people to return home. UNHCR António Guterres announced that the prestigious annual prize will go to Christopher Clark, the British coordinator of the U.N. Mine Action Coordination Centre-South Lebanon and his staff of nearly 1,000 civilian mine clearers.

**UNHCR Urges Repatriation By Congolese Refugees**

UNHCR and the governments of Zambia and the Democratic Republic of the Congo intensified efforts in mid-September to encourage the last 51,000 Congolese refugees in camps in northern Zambia that the time is right to go home. In the past few weeks, UNHCR has used radio programs, door-to-door information dissemination in the Kala and Mwange camps in northern Zambia and come-and-tell-visits from DRC to promote repatriation.

In October, UNHCR will organize “go-and-see” visits for refugees in the Zambia camps to check out conditions in the areas of DRC they fled during DRC’s civil war in 1999 and 2000.

**FY 2008 African Refugee Admissions**

As of September 30, 2008 • Ceiling for FY 2008 is 16,000

Country of Origin	Refugees	Country of Origin	Refugees
Burundi	2,889	Mauritania	26
Cameroon	2	Nigeria	76
Central African Rep.	56	Rwanda	108
Chad	23	Senegal	1
Congo	197	Sierra Leone	99
Dem. Rep. Congo	727	Somalia	2,523
Eritrea	251	Sudan	375
Ethiopia	299	Tanzania	1
Gambia	6	Togo	204
Guinea	3	Uganda	42
Guinea-Bissau	2	Zimbabwe	3
Ivory Coast	30	<b>TOTAL</b>	<b>8,935</b>
Liberia	992		

Source: U.S. Department of State, PRM

# Massachusetts Governor Launches ‘New Americans’ Program

**D**escribing the Commonwealth of Massachusetts as an historic “haven for refugees, immigrants and their descendents,” Governor Deval Patrick recently issued an executive order launching a New Americans Initiative. Its mission is to identify and build a series of policies designed to integrate immigrants and refugees, and create the educational opportunities that lead to economic success, greater levels of citizenship and civic engagement.

“Massachusetts is and has always been a Commonwealth of immigrants,” said Governor Patrick. “We must work together toward a shared vision of a brighter future for all residents. Although immigration reform and enforcement is a federal issue, today’s reality is that states can and must find creative ways to better integrate immigrant and refugee populations through more coordinated services, including English language classes, job training and citizenship assistance.”

A press release from the governor’s office describes the initiative as “a proactive, multi-year civic engagement process that will tap the vision and expertise of government, faith, business and community leaders to create a coherent policy agenda for the Commonwealth that emphasizes immigrant and refugee integration and recognizes the needs of host communities that receive and accommodate them.”

Specifically, the Executive Order revitalizes the Governor’s Advisory Council on Refugees and Immigrants, and the Massachusetts Office for Refugees and Immigrants (MORI). Comprised of key community, business and academic leaders and representatives from state government, the Council will present the Governor with recommendations for a comprehensive immigrant integration agenda within ten months.

The Governor has also expanded and strengthened MORI to carry out the Council’s recommendations and actively coordinate the Commonwealth’s policies and programs for refugees and immigrants in partnership with other state agencies and local governments. MORI will also work with the Governor’s Office of Civic Engagement and

the Massachusetts Immigrant and Refugee Advocacy Coalition to develop a network of community-based groups across the state that will coordinate a series of community meetings to foster productive public dialogue between immigrant and refugees and their new host communities.



Deval Patrick

Once the policy recommendations are approved by the Governor, the New Americans Executive Order will require state agencies and offices to work with MORI to develop New Americans plans that address the strengths and needs for greater access in areas including but not limited to citizenship assistance, employment/workforce training, English language proficiency, education, civil rights, fair housing, health-care and public safety.

“The Patrick Administration is committed to engaging immigrants and refugees completely in the economic, social and civic fabric of the Commonwealth,” said Secretary of Health and

Human Services Dr. JudyAnn Bigby, whose Secretariat oversees the Office for Refugees and Immigrants. “By working together across state agencies and with key leaders, we can ensure that all residents of Massachusetts contribute in meaningful ways to their communities.”

MORI Executive Director Richard Chacón added: “Immigrants and refugees play increasingly key roles as consumers, entrepreneurs and workers in Massachusetts. The rapid increase in the Massachusetts immigrant population brings both benefits and challenges to the host communities and to the state, and we need a comprehensive policy agenda for a more coordinated plan to integrate and support our immigrants, refugees and local communities trying to accommodate them.”

Massachusetts’ New Americans Initiative has already attracted the support of national and local foundations: The Carnegie Foundation, Barr Foundation, The Bob Hildreth Charitable Foundation, Partners Health, as well as private donors who believe in the initiative’s grassroots commitment to advancing comprehensive immigrant and refugee integration agenda.

## African Refugee NETWORK

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## Attorney General Intervenes in FGM Case

[Continued from page 5] mutilation] could only be performed once, and failed to recognize that women who live in societies where [such cutting] is inflicted are subject to a constellation of other forms of gender-based violence.”

She added that the BIA’s “treatment of the issue of forced marriage was just as off-base—characterizing it as an unfortunate inconvenience—rather than as the denial of women’s fundamental human rights. Under well-accepted international human rights norms, forced marriage is seen as a form of servitude, involving ongoing non-consensual sexual relations—in other words, rape.”

Traore has lived in the United States since 2000. She arrived on a tourist visa and remained on a student visa, attending college and studying nursing. Her student visa expired in 2003.

The nation’s immigration judges, who are appointed by the attorney general, have drawn sharp criticism for lack of experience in immigration law, and DOJ has been accused of appointing political cronies to these posts as part of the politicization of the department.

This has resulted in what some critics have called “cowboy justice.” For example, studies have shown wide disparities in outcomes of similar immigration appeals between judges in different immigration courts and even among judges sitting on the same court.

One study found that a judge was 1,820 percent more likely to grant an asylum than another judge in the same courthouse. It also found that one U.S. court of appeals was 1,148 percent more likely to rule in favor of an asylum-seeker than another U.S. court of appeals, and that the fate of asylum-seekers was often decided not by the facts of the case but rather by a clerk’s random assignment of an applicant to one asylum officer rather than another, or one immigra-

tion judge rather than another.

Collectively, asylum officers, immigration judges, members of the Board of Immigration Appeals, and judges of U.S. courts of appeals render about 77,000 asylum decisions annually. Almost all of them involve claims that an applicant for asylum reasonably fears imprisonment, torture, or death if forced to return to his or her home country.

The nation’s 215 immigration judges handle over 300,000 cases a year. With only 215 judges, a single judge has to dispose of 1,400 cases a year or nearly 27 cases a week, or more than five each business day, simply to stay abreast of his or her docket.

A study published in the Stanford University Law Review concluded that “in the world of asylum adjudication, there is remarkable variation in decision-making from one official to the next, from one office to the next, from one region to the next, from one judicial circuit to the next, and from one year to the next, even during periods when there has been no intervening change in the law.”

The study confirmed many of the findings of an analysis carried out by The Washington Post, which found that politicization of the asylum-seeking process was as rampant among DOJ-appointed immigration officials as it had been shown to be among U.S. Attorneys.

The Post found that “at least one-third of the immigration judges appointed by the Justice Department since 2004 have had Republican connections or have been administration insiders, and half lacked experience in immigration law”.

“These appointments,” the newspaper added, “all made by the attorney general, have begun to reshape a system of courts in which judges, ruling alone, exercise broad power, annually deporting nearly a quarter-million immigrants, who have limited rights to appeal and no right to an attorney.”

When Mukasey took over in late 2007, he cited improvement of the asylum-seeking process among his priorities. Since then, some retiring immigration judges have reportedly been replaced by more experienced people, and immigration judges have received specialized training.



## CALENDAR

**October 10** — *Immigration Policies and Developments: New Perspectives* is the theme of a one-day conference at the Phillips Collection in Washington, D.C. Sponsored by GRL Development, it is for those who work or have an interest in the field of immigration policies and socio-economic development. Slots are free but limited with pre-registration required. Contact: [info@grldevelopment.net](mailto:info@grldevelopment.net).

**October 22-24** — A conference on Protection of Unaccompanied and Separated Children will be held at George Mason University in Fairfax, VA. Sponsored by ORR, PRM, USCIS and GMU, it is designed for child welfare practitioners, researchers and mental health service providers. Space is limited and pre-registration required. For more information, send an e-mail to: [childaln@gmu.edu](mailto:childaln@gmu.edu).

**October 23** — The 30th anniversary Human Rights Award dinner will be held at Pier Sixty, Chelsea Piers in New York City. For details, visit: [www.humanrightsfirst.org](http://www.humanrightsfirst.org).

## RESOURCES

*Raising Children in a New Country: An Illustrated Handbook* is a new publication by BRYCS created as a tool for refugee and immigrant serving agencies as they help newcomer parents adjust to the different laws, norms and practices around raising children in the United States. For more information, visit: [www.brycs.org](http://www.brycs.org).

*Citizenship for Us*, the comprehensive guide to the naturalization process, produced by CLINIC, has been updated in a 5th edition that is now available for the first time as a free resource. It includes 13 study units on the U.S. history/civics test with historic photos, timelines, and maps, and reflects the new citizenship test. It also includes legal and policy information and a new chapter on civic participation. It is available at: [www.cliniclegal.org](http://www.cliniclegal.org).