



Asylum

Safety & Freedom in America



“The bosom of America is open to receive ... the oppressed and persecuted of all nations and religions.”

George Washington, 1783

a·sy·lum (ə-ŝī'ləm)

People who fear harm or persecution in their home country can ask for a form of protection known as **asylum** after arriving in the United States. **“Asylum seekers”** must first prove that their fear is both well-founded *and* based on their race, religion, nationality, social group or political opinion. If a person can meet these requirements, he or she is considered a **refugee** under U.S. law and can be **granted asylum** by our government.

The Pilgrims were some of our nation's first refugees. Since those Pilgrims landed nearly 400 years ago, America has served as a refuge for people fleeing persecution and oppression.

Our asylum law is based on international treaties that were drafted in the wake of World War II. Through these treaties, the United States and other countries promised that they would not send people back to places where their lives or freedom would be threatened because of their **race, religion, nationality, social group or political opinions**.

As a result, under U.S. and international law, a refugee cannot be sent back to a place where he or she has a well-founded fear of suffering persecution because of race, religion or one of these other specific reasons. Those who flee to this country and are found to deserve this protection are granted asylum in the United States.

Asylum Profile: Pastor Edward Neepaye

Targeted because of his religious views, Pastor Edward Neepaye, the Senior Pastor of a Pentecostal congregation, fled Liberia and the security forces of its notorious president, Charles Taylor. Pastor

Neepaye had ministered to hundreds of children who had been forced to fight as child soldiers for Taylor's forces. In his preaching and public comments, Pastor Neepaye spoke out against the use of child soldiers

and other human rights abuses. He also served as a religious advisor to an opposition presidential candidate.

After being warned that his life was in danger, Pastor Neepaye fled to the United States. When he arrived, immigration officers jailed him in an immigration detention facility where he was held for more than three months. Pastor Neepaye was granted asylum and now lives in safety with his family in the United States.



◀ Pastor Edward Neepaye (far left) fled Liberia and now lives in safety in the United States.

Getting to Safety: The Asylum Process

After arriving in this country a person who fears persecution can request asylum. Asylum is only granted after an interview by a specially-trained asylum officer at the Department of Homeland Security or a hearing before an immigration judge. Asylum seekers are not given government-funded legal representation, and many must navigate this complex process without legal counsel.

In order to receive asylum, a person must prove that she has a fear of persecution that is well-founded and that this persecution is based on race, religion, nationality, social group or political opinion. U.S. law specifies that those who flee forced abortions or coercive population control policies can be eligible for asylum.

Anyone who presents a risk to U.S. security is barred under the law from receiving asylum, as is anyone who has persecuted others or committed serious crimes.

Asylum Profile: Xu Jin

Xu Jin was a young girl in China when her father was arrested because of his peaceful political activity. She and her mother were harassed and targeted by Chinese authorities. Jin's phone calls and her activities were monitored. At times, the family lived under virtual house arrest. Jin eventually came to the United States in search of protection, and worked to seek her father's release from a Chinese prison. She was granted asylum here, and was finally reunited with her parents who also received asylum in this country. She is a professional artist and now teaches in the United States.



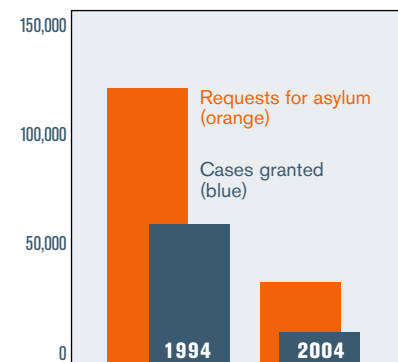
Xu Jin (left) and her parents at Human Rights First's 2003 Human Rights Award Dinner.

Some Facts

- In 1994, more than 123,884 claims for asylum were filed.
- In 2004, there were 27,704 cases – a decrease of 78%.

The rate at which asylum cases are granted has fallen since September 11.

- While about 43% of asylum cases were granted in 2001, only about 29% of asylum cases were granted in 2003.
- Only 10,613 people were granted asylum by asylum officers at the Department of Homeland Security in 2004.



The number of asylum applications filed in the United States has dropped dramatically since 1995.

Take Action

Help make sure refugees are treated fairly

We continue to monitor the treatment of asylum seekers in the United States. You can stay informed about these issues by visiting our website and subscribing to **Asylum News**, our e-newsletter that shines a light on the challenges asylum seekers face in the United States. Opportunities to take action are included in our newsletter; you can also visit our online **Action Center** and have your voice heard on issues of importance to refugees and asylum seekers.

Visit: www.humanrightsfirst.org



human rights first

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HUMAN RIGHTS FIRST WORKS IN THE UNITED STATES AND ABROAD TO CREATE A SECURE AND HUMANE WORLD BY ADVANCING JUSTICE, HUMAN DIGNITY AND RESPECT FOR THE RULE OF LAW. WE SUPPORT HUMAN RIGHTS ACTIVISTS WHO FIGHT FOR BASIC FREEDOMS AND PEACEFUL CHANGE AT THE LOCAL LEVEL; HELP BUILD A STRONG INTERNATIONAL SYSTEM OF JUSTICE AND ACCOUNTABILITY; MAKE SURE HUMAN RIGHTS LAWS AND PRINCIPLES ARE ENFORCED IN THE UNITED STATES AND ABROAD; AND PROTECT REFUGEES IN FLIGHT FROM PERSECUTION AND REPRESSION.

OUR **ASYLUM PROGRAM** WORKS TO PROTECT REFUGEES THROUGH THE REPRESENTATION OF ASYLUM SEEKERS AND BY CHALLENGING LEGAL RESTRICTIONS ON THE RIGHTS OF REFUGEES IN THE UNITED STATES. HUMAN RIGHTS FIRST GROUNDS ITS WORK ON REFUGEE PROTECTION IN THE INTERNATIONAL STANDARDS OF THE 1951 CONVENTION RELATING TO THE STATUS OF REFUGEES AND ITS 1967 PROTOCOL.