

Brown University

**Analysis of Unfair U.S. Approaches to Resettling Refugees: Affecting Factors and
Recommendations to Mitigate Discriminatory Inconsistencies.**

*A comparison between Afghan refugees – from the 2021 U.S. withdrawal from Afghanistan –
Ukrainian refugees – from the 2022 Russian annexation of Ukraine – and Syrian refugees – from
the 2010s Civil War.*

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Abstract

For my capstone, I focused on refugee reception in the U.S., as a follow-up to my internship at the International Refugee Assistance Project (IRAP) in the summer of 2022. As a Policy and Communications Intern at IRAP, I learned about a variety of pathways into the U.S., issues with the way the U.S. government processes asylum applications, the inherent discrimination in certain policies/ procedures, how coalitions and individual organizations approach Congress and representatives across the nation to improve the refugee application/ resettlement process, and everything in between.

In correspondence with the time period of my internship, two groups of refugees were at the forefront of discussions and projects: Afghans and Ukrainians. Although I was not tackling as many projects with the latter, these two crises have been in the headlines because of their urgent nature at this time. However, a consistent theme that was a recurring discourse was the comparison of the United States Citizenship and Immigration Services (USCIS)'s highly effective vetting process for Ukrainian refugees in comparison to the year-long delays and backlogs for Afghans, despite the stark overlapping similarities between the two conflicts. The U.S. has an obvious interest – which I elaborate on in my paper – in accepting *both* Ukrainian and Afghan refugees, which explains the high numbers that have been coming in, yet, there are some polarizing differences in the way these two groups have been able to get to the U.S., and why a higher ratio of Ukrainians have gotten resettled in a short period of time. In-person interview requirements for Afghans versus online interviews for Ukrainians are one prominent example.

I chose to dive deeper into this comparison for this paper in order to understand what factors affect U.S. refugee policies and processes, but after some reflection, I also thought of

another comparison that could push this investigation even further: Afghans and Ukrainians versus Syrians, whom, unlike the former two, the U.S. did not appear to have an obvious interest in helping. USCIS, which is the government department that oversees refugee applications, handles the United States Refugee Admissions Program (USRAP), the main resettlement pathway into the U.S. Yet, we have seen many instances where new pathways are created, exceptions are made, and new programs are started and interrupted over time, for a range of different reasons/ pretexts. There are many hypotheses that can be made to try and justify the differences in refugee reception by the U.S. government, but further research is required to confirm or reject those interpretations, which is what drives the efforts of this paper.

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Introduction & Background

"[Uniting for Ukraine] is a classic example of where there's a will, there's a way," said Krish O'Mara Vignarajah, president of the Lutheran Immigration and Refugee Service, when talking to CBS News about the "inequity in our immigration system."¹ For years – and most prominently since the COVID pandemic – the U.S. refugee system has been characterized by its backlogs and bottlenecks, currently at about half a million pending applications.² The application process is lengthy and requires numerous resources, but the mobilization of forces and available help for Ukrainians at the outset of the Russian invasion proved the possibility of quick and effective application processing. Five months after the invasion of Ukraine, the U.S. had already admitted 100,000 Ukrainian refugees, while thousands of Afghans are still living in precarious situations awaiting a decision on their humanitarian parole application.³ Humanitarian parole is an alternative way to enter the U.S. often established in urgent conflicts such as those in Ukraine and Afghanistan. Still, it does not provide a pathway to citizenship.

The Syrian, Afghan, and Ukrainian refugee crises are among the most urgent humanitarian crises of modern history, characterized by millions of civilians having to leave their lives behind. Typically, refugees can apply for resettlement in the U.S. through the United States Refugee Admissions Program (USRAP). The USRAP application processing is extremely long and has a massive number of backlogs. In response to various humanitarian crises, the U.S. government has often implemented new pathways into the country, such as temporary protection status (TPS) under humanitarian parole. That being said, in any given conflict, there is usually

¹ Montoya-Galvez, Camilo. "U.S. Admits 100,000 Ukrainians in 5 Months, Fulfilling Biden Pledge." CBS News has, CBS Interactive, 1 Aug. 2022, <https://www.cbsnews.com/news/us-admits-100000-ukrainians-in-5-months-fulfilling-biden-pledge/>.

² Wright, Cora. "Barriers and Backlog: Asylum Office Delays Continue to Cause Harm ." *Human Rights First*, 3 Oct. 2022, <https://humanrightsfirst.org/library/barriers-and-backlog-asylum-office-delays-continue-to-cause-harm/>.

³ Ibid.

not only one pathway for its refugees to get resettled in the U.S., and each refugee's resettlement journey can differ from the other due to the case-by-case nature of the process.

The Syrian, Afghan, and Ukrainian refugee crises have many similarities as they are characterized by an overwhelming number of displaced persons resulting from a sudden war or change in conflict conditions to which the U.S. has some kind of relation. However, the reception of these three groups of refugees in the U.S. does not coincide with the similarities in conflicts; there are clear distinctions in the ways Syrians, Afghans, and Ukrainians have been received in the U.S. from the time the conflicts erupted to months and years later. This capstone will explore the pressing question: *What factors cause the disparities in the U.S. government's reception of these three different groups of refugees, and how do these differences affect the experience of those people?* I will first present a brief history of the three refugee crises, followed by a hypothesis about the potential reasons for the disparities in their reception. Subsequently, I will present a comparison of the resettlement pathways available to each of these groups of refugees in the U.S. After investigating the different characteristics of each of those three crises from U.S. interest and relations, to xenophobia and discrimination, I will propose recommendations of how to mitigate the differences in refugee reception in the U.S. for a more fair and equitable process across different refugee groups.

Syria

In March 2011, demonstrations in Syria sparked the beginning of what came to be known as the Syrian Civil War when the Syrian security forces under the Assad regime opened fire on protestors. In response, the U.S. imposed sanctions on Syria's intelligence agency followed by repeated warnings over the years but had little success in stopping them. The conflict led to terrorist activity, and Russia also got involved by empowering Assad and his regime to

counter-terrorism. Early in the conflict, Syrians began fleeing the country and seeking refuge in nearby states. In 2012, Za'atari Camp, the first official Syrian refugee camp, was established in Jordan, hosting about 100,000 Syrians by its first anniversary. By 2014, Syrian refugees were the world's largest refugee group since the second world war.⁴ The picture of Aylan Kurdi – a Syrian toddler dying on the Turkish shore after crossing the Mediterranean Sea – was shared around the world, giving everyone a glimpse into the reality of forced migration in humanitarian crises. In 2013, only 36 Syrians were resettled in the U.S., but by the end of 2016, the number grew to 18,007 Syrian refugees.⁵ By 2021, “at least 37,000 [had] found a home in the U.S.,” but that number represents only about 5% of the total number of Syrians who fled the country.⁶ It is no surprise that Syrians had a hard time being resettled in the U.S. considering that the “ban on immigration” and the intent for “extreme vetting” for Muslims and Arabs were part of former President Donald Trump’s campaign.⁷ Despite the overwhelming evidence of Syrian refugees’ success in the U.S., from higher wages to their dedication to learning a new language, they continue to be discriminated against.⁸ Heba Gowayed, author and professor of sociology, attributes the discrimination mostly to the classification of Syrians as “Arabs,” which is made all the more complicated by the intersection with their religion, and, for women, an additional layer of complexity is introduced.⁹ The lack of awareness about races and religions makes the

⁴ UNICEF. “A Timeline of the Syrian Civil War and Refugee Crisis.” UNICEF Ireland, 9 Aug. 2020, www.unicef.ie/stories/timeline-syrian-war-refugee-crisis

⁵ Jie Zong, Jeanne Batalova Jie Zong, and Jeanne Batalova. “Syrian Refugees in the United States.” *Migrationpolicy.org*, 16 Sept. 2021, <https://www.migrationpolicy.org/article/syrian-refugees-united-states-2017>.

⁶ Adely, Hannan. “Thousands of Syrians Fled to the US. Ten Years Later, Their Lives Tell Stories of Resilience.” *Syrian Refugees Reflect on Life in the US, a Decade after War*, North Jersey Media Group, 4 Jan. 2022, <https://www.northjersey.com/in-depth/news/2021/12/20/syrian-refugees-american-life-after-war-regime-bashar-assad/6183747001/>.

⁷ Kallick, David Dyssegaard, et al. “Syrian Immigrants in the United States.” *Center for American Progress*, 25 Aug. 2022, <https://www.americanprogress.org/article/syrian-immigrants-in-the-united-states-a-receiving-community-for-todays-refugees/>.

⁸ Ibid

⁹ Heba Gowayed (2020) Resettled and unsettled: Syrian refugees and the intersection of race and legal status in the United States, *Ethnic and Racial Studies*, 43:2, 275-293, DOI: 10.1080/01419870.2019.1583350

classification of Syrians even more problematic: “While many Arabs are not Muslims, and most Muslims are not Arabs, Muslims and Arabs have become linked by perceived association with terrorism, particularly in the post 9/11 period.”¹⁰ During all four years of Trump’s presidency, which were critical years in the Syrian crisis, only about 8,000 Syrians were resettled into the U.S.¹¹ Although many Syrians have found a home in the U.S., the number is not proportional to the total number of Syrians who fled their country. This has forced many Syrians to resettle in developing countries, also putting a tremendous strain on those developing countries.

Afghanistan

Afghanistan saw over 40 years of conflict, corruption, and poverty, but in August of 2021, the already chaotic instability arguably became the most urgent modern-day humanitarian crisis. Dating back to the 1990s, the formation and rise of the Taliban and al-Qaida, Islamic militias, led to the world’s deadliest terrorist attack of all time which killed close to 3,000 Americans. The attacks of September 11, 2001, mark the beginning of the 20-year-long U.S. war on terror. Over the years, tens of thousands of American troops were sent to Afghanistan to fight the Taliban, killing 7,000+ U.S. service members.¹² In February 2020, President Trump made a deal with the Taliban, agreeing to pull out all American troops from Afghanistan, and in August 2021, Biden fulfilled this commitment. The withdrawal was badly planned, and as the U.S. pulled its last troops out of Afghanistan, the Taliban attacked, seizing control of the capital Kabul and other major cities. An estimated 124,000 Afghans were airlifted out of the country in the

¹⁰ Ibid

¹¹ Duffin, E., (2022, October 12). Syrian refugee arrivals U.S. 2022a. Statista. Retrieved November 8, 2022, from <https://www.statista.com/statistics/742553/syrian-refugee-arrivals-us/#:~:text=In%20the%20fiscal%20year%20of,Syrian%20refugees%20admitted%2C%20at%2012%2C587>.

¹² Brown, W. (n.d.). U.S. & Allied killed. The Costs of War. Retrieved November 8, 2022, from <https://watson.brown.edu/costsofwar/costs/human/military/killed>

days following the withdrawal, but millions were left fearing for their lives in Afghanistan.¹³ According to the UNHCR, one year after the Taliban's take-over, there were still approximately 3.5 million Afghans unable to flee overseas but who had been internally displaced. In addition to those, millions fled Afghanistan but are stuck in limbo in neighboring countries like Pakistan, awaiting a decision on their resettlement applications. Following the withdrawal, the U.S. "failed to act on the repeated urgings of humanitarian, Afghan-American, and veterans organizations to begin large-scale evacuations of vulnerable Afghans,"¹⁴ despite President Biden's promise to welcome any U.S.-affiliated Afghan. "Unfortunately, we have not yet experienced the speedy transfer of evacuees which is a breach of the pledges made to Afghans by the United States and European Nations," said immigration lawyer Ruhollah Sakhizadeh on the first anniversary of the withdrawal.¹⁵ A year after the withdrawal, only about 83,000 Afghans made it to the United States. Most startling is that over 91% of those who fled to the U.S. do not have access to a pathway to permanent legal status, leaving them in an unstable position. The Afghan refugee crisis has been presented as one of the top priorities of the U.S. under several administrations, but upon looking at and analyzing the numbers, it is clear that the government is not delivering on its promise to protect Afghans, and that their future is still widely uncertain.

Ukraine

Following Russia's aggressive invasion of Ukraine in February 2022, millions of Ukrainians have been forced to flee their homes and seek refuge in both neighboring countries and Western states. The relationship between Ukraine and Russia has been tense since the end of

¹³ Fox, B. (2021, November 26). Explainer: What happened to the Afghanistan evacuation? U.S. News. Retrieved November 16, 2022, from

<https://www.usnews.com/news/politics/articles/2021-11-26/explainer-what-happened-to-the-afghanistan-evacuation>

¹⁴ Haddad, K. (2022, August 9). A year after the withdrawal from Afghanistan, the United States has yet to provide parolees a pathway to citizenship. International Refugee Assistance Project. Retrieved November 2, 2022, from <https://refugeerights.org/news-resources/afghan-adjustment-cant-wait>

¹⁵ Afghanistan: Refugee crisis remains after Taliban take-over. (2022). YouTube. Retrieved November 8, 2022, from <https://youtu.be/FEfb0GcsgIY>.

the Cold War which was determined by the collapse of the USSR and the U.S.'s victory. Ukraine's identity as an independent state is relatively recent; for years, Ukraine was under the control of different groups and states such as Nazi Germany during the Second World War, and the USSR later. In 1991, 92.3% of the population voted in favor of an independent Ukraine, leading to the election of its first president, and later to its recognition as an independent state by Russia and Europe. Throughout the years, Ukrainians protested pro-Russia politics and Russia's past treatment of Ukrainians. In 2014, a pro-Russia uprising took place in the Eastern part of Ukraine, which later came to be understood as a Russia-sponsored invasion of the Donbas region, where fighting is still ongoing. The U.S. intervened in the 2014 invasions by imposing sanctions on Moscow, but that had a very minimal impact on Russia.¹⁶ The 2014 fighting in Ukraine created about 2.6 million displaced persons, though most of them were internally displaced.¹⁷ That same year, Russia annexed Crimea, which had been part of Ukraine since the mid-20th century. 1.5 million people were internally displaced from the Crimea region as a result.¹⁸ In 2014 alone, European countries received a total of about 6,000 Ukrainian refugees, although this was a time during which Europe had been demonstrating its challenges in accepting Syrian refugees at the height of the Syrian civil war.¹⁹ The instability caused by Russia in Ukrainian territories also led millions of Ukrainians to seek asylum in Russia. "By March 2015 the number of Ukrainian citizens in Russia increased to 2.6 million".²⁰ During Trump's

¹⁶ Fisher, Max. "Everything You Need to Know about the 2014 Ukraine Crisis." Vox, Vox, 3 Sept. 2014, <https://www.vox.com/2014/9/3/18088560/ukraine-everything-you-need-to-know>.

¹⁷ Gienger, Viola. "Ukraine's 'Invisible Crisis': 1.5 Million Who Fled War with Russia." United States Institute of Peace, 14 May 2022, <https://www.usip.org/publications/2015/11/ukraines-invisible-crisis-1-5-million-who-fled-war-russia>.

¹⁸ Hyde, Lily. "Refugees in Ukraine Fear Becoming Trapped in Another Conflict." POLITICO., 15 Feb. 2022, <https://www.politico.eu/article/crimea-refugees-crimean-tatar-ukraine-russia-moscow-conflict-displaced-people-invasion/#:~:text=Many%20oppose%20Russia's%20annexation, eastern%20Ukraine%20under%20Russian%20control>.

¹⁹ USA, United Nations High Commissioner for Refugees. "Ukraine Conflict Uproots Hundreds of Thousands." UNHCR, UNHCR, The UN Refugee Agency, 5 Dec. 2014, <https://www.unhcr.org/en-us/news/latest/2014/12/548190aa9/ukraine-conflict-uproots-hundreds-thousands.html>.

²⁰ Mukomel, Vladimir. "Migration of Ukrainians to Russia in 2014–2015." E- International Relations, 16 June 2017, <https://www.e-ir.info/2017/05/04/migration-of-ukrainians-to-russia-in-2014-2015/>.

presidency, the total number of refugees admitted to the U.S. decreased drastically, although the number of Ukrainian arrivals remained high, outnumbering Syrian refugees by eight times, and Afghan refugees by four times.²¹ On February 24th, 2022, Russian troops attacked Ukraine from all sides of the territory, namely invading Kyiv, Donetsk, and Luhansk. This elevated the Russia-Ukraine conflict with the creation of over 6.5 million refugees in the first four months after the invasion.²² Just as for the Afghans, President Biden pledged to welcome and protect Ukrainians affected by the Russian invasion, and this time, he has been able to keep his promise: 100,000 Ukrainians were provided entry into the U.S. in the first five months of the conflict.²³ In fact, a new pathway for entry into the U.S. was created for Ukrainians in April 2022 called Uniting for Ukraine which 87,169 Ukrainians have benefitted as of September 2022. With the conflict still ongoing, the Department of Homeland Security (DHS) said that there is no cap on the number of Ukrainian refugees it is willing to admit. It is not only on the governmental level that the U.S. has been supportive of Ukrainian refugees; the American public is widely in favor of helping Ukraine. While 32% of Americans agree with the current support provided by the U.S. to Ukraine, 42% think that more should be done on the part of America.²⁴ More specifically to the reception of Ukrainian refugees, 76% of Americans indicated that they were in favor of it.

²¹ Hauslohner, Abigail. "Ukrainians Are Now One of the Top Groups Resettled as Refugees in the U.S. under Trump Administration." The Washington Post, WP Company, 31 Jan. 2020, https://www.washingtonpost.com/immigration/ukrainians-are-now-one-of-the-top-groups-resettled-as-refugees-in-the-us-under-trump-administration/2020/01/30/03926dd6-2e43-11ea-bcb3-ac6482c4a92f_story.html

²² Bentley, Elbie. "This Map Shows How Many Refugees Are Fleeing Ukraine." World Economic Forum, 14 June 2022, <https://www.weforum.org/agenda/2022/06/ukraine-refugee-crisis-europe-conflict-migration/>.

²³ Montoya-Galvez, Camilo. "U.S. Admits 100,000 Ukrainians in 5 Months, Fulfilling Biden Pledge." CBS News, CBS Interactive, 1 Aug. 2022, <https://www.cbsnews.com/news/us-admits-100000-ukrainians-in-5-months-fulfilling-biden-pledge/>.

²⁴ Nadeem, Reem. "Public Expresses Mixed Views of U.S. Response to Russia's Invasion of Ukraine." Pew Research Center - U.S. Politics & Policy, Pew Research Center, 1 Apr. 2022, <https://www.pewresearch.org/politics/2022/03/15/public-expresses-mixed-views-of-u-s-response-to-russias-invasion-of-ukraine/>.

Admission Programs and Country-Specific Implications & Effectiveness

Although a standard system – the United States Refugee Admissions Program (USRAP) – along with some other common programs are in place for refugees to resettle in the U.S., Syrians, Afghans, and Ukrainians have each benefited from and been restricted by different pathways and programs that were implemented in response to the conflicts they arose from. [This](#) is a table displaying the available pathways and admission programs for each of the three groups, with relevant information about each of them that will be used for their comparison later on. Some of the pathways available for Syrian, Afghan, and Ukrainian refugees overlap, but even through those similar pathways, the experience of the three groups differ. Below I explain and compare the commonly available pathways in more depth, focusing on the challenges they present, before going into a comparison of the distinct experiences.

USRAP

To be eligible for the USRAP, the applicant must be already outside of their country of origin, which is essentially how they become recognized as a refugee. By crossing international borders, people are essentially giving up the protection of their government, hence why they need external protection. To qualify for the USRAP, applicants must also receive a referral, typically from the UNHCR which registers people as refugees, giving them the legal status of a refugee worldwide. The USRAP provides its beneficiaries with a pathway to citizenship. Refugees often face situations where they are in legal limbo due to uncertainty surrounding their ability to return home and their immigration status abroad. By being granted refugee status through the USRAP, refugees must apply for a green card one year after their arrival in the U.S. and can naturalize four years after that. Apart from Lawful Permanent Resident status, USRAP beneficiaries are authorized to work in the U.S. Other benefits include assistance from one of the

nine refugee resettlement agencies, access to a medical exam, cultural orientation, and other support such as English classes. However, although they receive aid to travel to the U.S., they must repay it eventually. While the USRAP has many benefits, it has become increasingly difficult to be granted refugee status under that program. In 2022, there are an estimated 100,000 USRAP cases pending.²⁵ With mountains of backlogs not only for USCIS cases but many other immigration forms, USCIS will need some kind of restructuring in order to get through the millions of cases. Currently, the processing time for USRAP applications ranges from 18 months to over 24 months. This is thus not a real solution for refugees in precarious conditions, needing to get to safety. Since USRAP applicants need to already be out of their country of origin, they typically relocate to a neighboring country in transit to the U.S., but although they may not be in situations of violence, they are often subject to very poor living conditions, and not knowing the status of their immigration applications for years creates an additional layer of uncertainty and burden.

Temporary Protection Status (TPS)

TPS is a program open to a limited list of refugees around the world. Applicants must be “foreign-born individuals” physically present in the U.S. since a specific date (designated for each refugee group depending on the timeline of the conflict in their country of origin.)²⁶ The purpose of TPS is to provide a temporary solution to people who were in the U.S. when the conflict broke out in their country, delaying their plans to return home. However, as history has proven, most of the time, these conflicts are not as temporary as the U.S. government makes them out to be. In fact, the government often ends up having to extend the TPS designated

²⁵ Ibid

²⁶ “Fact Sheet: Temporary Protected Status (TPS).” National Immigration Forum, 1 Feb. 2023, https://immigrationforum.org/article/fact-sheet-temporary-protected-status/?gclid=Cj0KCCQjwi46iBhDyARIsAE3nVrYkMCONVuj-rIBoFlpFhMG1kMwVTepneT9JBtit-WLURts0rGIKvwgaAraKEALw_wcB.

period. While TPS usually ranges between one and two years, in some cases, it has been extended to over 10 years. As the name describes it, this program is temporary as it does not offer a pathway to citizenship. From the moment the TPS forms are filed, it takes anywhere between six and eight months to get a decision, which is still necessarily fast enough because immigrants in the U.S. who are no longer able to return home due to the circumstances there might have a visa that is ending sooner than 6-18 months from the time of the filing. TPS beneficiaries can request employment authorization with the application, but that comes at an additional fee of \$410, and \$500 every time they want to renew it.²⁷ Because of the temporary nature of this status, TPS beneficiaries usually try to apply to other immigration programs in order to remain in the U.S. after the end of their TPS. However, this can be unsuccessful as other immigration application processing rates are lengthy and may not come out before the TPS expiration date. In that case, the refugee would be forced to leave the U.S. This puts TPS beneficiaries in legal limbo, too, with high uncertainty about their future.

Asylum

The Asylum process is often confused with the USRAP, although they have some key differences. For one, asylum applicants must be in the U.S. at the time of filing but must have been here for under a year, unless they are exempt through things like TPS.²⁸ Asylees also do not get work authorization automatically like USRAP beneficiaries – they can apply for it, but it is not guaranteed. However, they do get the benefit of a pathway to citizenship. Asylees get to apply for a green card one year after arrival and naturalization four years after that. The asylum program is very popular and has millions of applicants, however, the current (as of December

²⁷ “Temporary Protected Status Basics.” Illinois Legal Aid Online, <https://www.illinoislegalaid.org/legal-information/temporary-protected-status-basics>.

²⁸ “Obtaining Asylum in the United States.” USCIS, 15 Mar. 2023, <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/obtaining-asylum-in-the-united-states>.

2022) backlog stands at about 1.6 million, with an average time to receive an interview of six years.²⁹ The process has become increasingly long and inefficient. Another downside of the program is that since it does not operate on a referral basis, applicants have the burden of proving that they have suffered from persecution, and their testimonies in this regard are critical to their asylum determination.

Syria Implications

Since the start of the Syrian Civil War in 2011, the U.S. government has not implemented any special admission program that is unique to Syrian refugees. Instead, the government has relied on its three already-existing pathways: USRAP, Asylum, and TPS. This means that Syrian refugees' applications and form filings were always in the mix with refugees from other places and circumstances since those pathways are typically open for refugees anywhere to apply. Similarly, there is no pathway available for Syrians who are still in Syria at the time when they are seeking resettlement in the U.S. Because of the requirement to be outside of Syria when applying for the USRAP, Syrians put themselves in precarious situations such as traveling by sea through smugglers to get to Europe. Another disadvantage that Syrian refugees face is the strict in-person interview requirement, which is often impossible to complete due to the instability in Syria.

The U.S. prides itself on its refugee policies and admission numbers, when in reality, out of all the Syrian refugees worldwide, it only admitted 0.3% of them – most of them only under temporary status.³⁰ Out of the 22,000 Syrian refugees in the U.S., 6,448 are TPS beneficiaries.³¹

²⁹ Flores, Rosa. "The US Asylum Backlog Is Nearing 1.6 Million, the Highest Number on Record." CNN, Cable News Network, 26 Dec. 2022, <https://www.cnn.com/2022/12/26/us/asylum-backlog-highest-record/index.html>.

³⁰ Todd, Zoe. "By the Numbers: Syrian Refugees around the World." PBS, Public Broadcasting Service, 18 Aug. 2022, <https://www.pbs.org/wgbh/frontline/article/numbers-syrian-refugees-around-world/>.

³¹ "DHS Extends Temporary Protected Status for Syrians - HS Today." Homeland Security Today, 29 July 2022, <https://www.hstoday.us/subject-matter-areas/customs-immigration/dhs-extends-temporary-protected-status-for-syrians/#:~:text=to%20their%20country.%E2%80%9D-.The%20extension%20of%20TPS%20for%20Syria%20allows%20approximately%206%2C448%20current,under%20the%20redesignation%20of%20Syria>.

The war has been ongoing for over 10 years, and returning home is no longer a prospect for many refugees. Even those under TPS have had to restart their lives in the U.S. – many bought houses, and cars, advanced in their studies or careers, and the possibility of having to return to Syria is daunting.

To understand how the vetting process is conducted by the government, I interviewed Leon Rodriguez who served as Director of USCIS from 2014 to 2017 – at the height of the Syrian refugee crisis.³² According to Rodriguez, at the time of the Syrian crisis, the Obama Administration looked to “scale up refugee acceptance,” but was also aware of the presence of ISIS in Syria which increased “political scrutiny” and was correlated with “complaints about inflation of refugees.” Rodriguez also touched on the relationship between USCIS and security agencies on Capitol Hill: “Additional steps were prepared by security departments in DC. They had specific questions about the family and what part of Syria the refugees were coming from, for example, which of course created delays in the vetting process.” USCIS had to increase safety measures, to prove it had an interest in national security. The most unsettling part in the vetting of Syrians, according to Rodriguez, was the social media review requirement which was added to appeal to higher authorities. “In my entire time at USCIS, I never saw any terrorist get caught in this way, so it is actually not as useful.” Political scrutiny came from all sides; for example, Rodriguez recalls a moment when Republicans would accuse USCIS of “actively discriminating against Christian Syrians and taking too many Muslim Syrians,” which seems to have made the job of getting Syrians to safety all the more complex.

Afghanistan Implications

In comparison to Syrians and Ukrainians, Afghan refugees have the most admission programs available, although they each have eligibility requirements specific to different groups

³² Rodriguez, Leon. Interview. Conducted by Kyra Haddad. October 26, 2022.

of Afghans. The Special Immigrant Visa (SIV) is unique to Afghans and Iraqis and was implemented to protect persons who have an obvious affiliation to the U.S. – mainly some sort of employment by the U.S. government. The Taliban has been opposing American forces for twenty years, and with the withdrawal of American troops, the terrorist group has been able to multiply its aggression and violence against Afghans, especially those affiliated with the U.S. The SIV was created to protect these persons. To be eligible for an SIV, applicants must prove that they were “employed in Afghanistan by or on behalf of the U.S. government in Afghanistan, or by the International Security Assistance Force (ISAF) for a minimum of one year, between October 7, 2001, and December 31, 2022.”³³ They must also demonstrate that they have experienced or are experiencing an “ongoing serious threat as a consequence of their employment.”³⁴ Under this program, the principal SIV applicants can include their spouse and unmarried children under 21 in their case. The SIV is a pathway to citizenship: SIV holders are often referred to as “Special Immigrant LPRs,” as they receive a Green Card upon approval. SIVs are entitled to the same resettlement assistance and other benefits as refugees admitted under USRAP, for a period not to exceed eight months. SIVs also receive work authorization upon arrival. The SIV program has its flaws and delays too. Since its creation in 2009, SIV processing rates are increasingly longer – some applicants wait over three and a half years to get a decision. The biggest challenge that potential SIVs are facing is that an in-person interview is also required, and with the current situation in Kabul and the lack of U.S. presence in the state, this requirement has been impossible to fulfill. Hundreds of thousands of Afghans are eligible for SIV, but have been left behind, in a land where the Taliban is brutally executing whomever they see as a threat, without

³³ “Special Immigrant Visas for Afghans - Who Were Employed by/on Behalf of the U.S. Government.” U.S. Department of State, U.S. Department of State, <https://travel.state.gov/content/travel/en/us-visas/immigrate/special-immig-visa-afghans-employed-us-gov.html>.

³⁴Ibid

discriminating against women and children. There are currently over 100,000 SIV beneficiaries (accounting for principal applicants and their family members), but an estimated 76,000 of them are left behind in Afghanistan, unable to get to the U.S.³⁵

Humanitarian Parole is a program that exists for other refugee groups too, but that has been particularly significant for Afghans. Although most cases of Humanitarian Parole end up getting rejected, 72,500 of all Afghans in the U.S. are on parole.³⁶ The program is open for those with compelling emergency and urgent humanitarian reasons to allow them into the U.S. It is supposed to be quick and provide temporary relief, although humanitarian parolees do not get access to any public benefits in the U.S. To apply, one needs a financial sponsor in the U.S. that can demonstrate their ability to finance the applicant for two full years. The typical length of parole protection is two years, and it is not a pathway to citizenship. However, like TPS, while on parole, refugees can apply for other immigration statuses, and also, there are cases where the government has extended the length of the status. Similarly, in other refugee groups in the past, the U.S. government has created an “adjustment act,” which refugee organizations are calling on Congress to pass for Afghans. An adjustment act is a way of allowing parolees to automatically adjust to refugee status so that they can have a more long-term solution, through citizenship. If Congress does not pass the adjustment act, nor does it extend the length of the status, Afghan parolees who weren’t successful in getting another immigration status, would have to leave the U.S. in late 2023.

³⁵ De Luce, Dan. “U.S. 'Left behind' 78,000 Afghan Allies in Chaotic Withdrawal: NGO Report.” NBCNews.com, NBCUniversal News Group, 1 Mar. 2022, <https://www.nbcnews.com/investigations/us-left-78000-afghan-allies-ngo-report-rcna18119>.

³⁶ Bolter, Jessica, and Muzaffar Chishti. “Welcoming Afghans and Ukrainians to the United States: A Case in Similarities and Contrasts.” Migrationpolicy.org, 13 July 2022, <https://www.migrationpolicy.org/article/afghan-ukrainian-us-arrivals-parole>.

Afghans also have access to Follow-to-Join Family Reunification Petitions.³⁷ As the name says, this program is targeted at family reunification. This program is open for the spouse and/or unmarried children under the age of 21 of a refugee or individual granted asylum in the US. The refugee/ asylee can only apply for their family to receive these “follow-to-join benefits” benefits for their family two years after being granted that status. Beneficiaries of this program get access to LPR status as they can apply for a green card 1 year after arrival and naturalization four years after that. The biggest challenge with this program is that it is not a solution in humanitarian crises since it takes at least two years unless the principal applicant was already granted refugee/ asylee status before the conflict, and when the conflict began failed to bring their family. Family members of an applicant that has refugee status can access USRAP benefits and receive work authorization. However, for principal applicants who have asylee status, their family members do not have access to refugee/ USRAP benefits. For example, they must fund their own travels. (eg: must finance their own travels).

The other type of family reunification program available for Afghan families is Family Petitions.³⁸ To apply for their family under this program, the principal applicant must be a U.S. citizen/ LPR. Eligible beneficiaries are the spouse and/or unmarried children under the age of 21 of that U.S. citizen/ LPR (Green Card holder). If the applicant is over 21, they can also apply for their siblings and parents. This program provides a potential pathway to LPR status since beneficiaries may apply for a Green Card after arrival. As they wait for their Green Card, beneficiaries can file other employment forms to receive work authorization. The processing time for this program varies from 5 to 22 months. Cases, where the family members are outside

³⁷ IRAP. “Families in Limbo: What the Biden Administration Can Do Now to Address Unreasonable Delays in Refugee and Asylee Family Reunification (March 9, 2021).” International Refugee Assistance Project, 26 Apr. 2021,

<https://refugeerights.org/news-resources/families-in-limbo-what-the-biden-administration-can-do-now-to-address-unreasonable-delays-in-refugee-and-asylee-family-reunification-march-9-2021>.

³⁸ “US Family Reunification.” UNHCR US, <https://www.unhcr.org/us/us-family-reunification>.

the U.S., are typically given priority, while it may take longer for those in the U.S. Still, 5-22 months is an unrealistic time for families to wait in Afghanistan. This has forced family members to seek dangerous short-term transitory solutions in the meantime.

Ukraine Implications

Several months after the Russian annexation of Ukraine in 2022, the U.S. government created a new admissions program, “Uniting for Ukraine,” to welcome Ukrainian refugees fast and efficiently. The program combines the models of Humanitarian Parole and of Private Sponsorship: it is an accelerated, temporary solution for Ukrainians at risk, and relies on sponsors in the U.S. Organizations, associations, and a wide range of individuals and communities have carried out our efforts to sponsor Ukrainians through this program.³⁹ Unlike Syrians and Afghans, the U.S. government as well as the American people have mobilized and publicly demonstrated their support for welcoming hundreds of thousands of Ukrainian refugees. Although the program guarantees temporary protection for two years only and does not provide a pathway to citizenship, it provides the same benefits as those under USRAP, such as work authorization and cash assistance. The processing of Uniting for Ukraine cases has been extremely effective: It typically takes 30 to 75 days to receive a decision, and beneficiaries travel to the U.S. within 90 days of acceptance.⁴⁰ The pace of admissions under this program is facilitated by the fact that there is no in-person interview requirement for this program. In only four months of the program, over 50,000 Ukrainians arrived in the U.S. under this program, and 87,169 as of September 2022.

³⁹ Montoya-Galvez, Camilo. “U.S. Admits 100,000 Ukrainians in 5 Months, Fulfilling Biden Pledge.” CBS News has, CBS Interactive, 1 Aug. 2022, <https://www.cbsnews.com/news/us-admits-100000-ukrainians-in-5-months-fulfilling-biden-pledge/>.

⁴⁰ Yakoob, Nadia. “Uniting for Ukraine.” Nadia Yakoob & Associates, 28 May 2022, <https://nadiayakooblaw.com/blog/2022/5/27/uniting-for-ukraine>.

The biggest issue with the Uniting for Ukraine program is its discriminatory nature. Already, the effectiveness of USCIS when it comes to admitting Ukrainian refugees in comparison to Syrians and Afghans is startling enough, but what's more, is that Uniting for Ukraine is only for Ukraine nationals with valid Ukrainian identification – and their spouse/children. This has put non-Ukrainians living in Ukraine at a huge disadvantage. The effectiveness of the Uniting for Ukraine program could be attributed to the fact that all of its applicants are white Europeans.

Factors Causing the Disparities

As shown above, there are stark disparities in the way Syrian, Afghan, and Ukrainian refugees are admitted into the U.S. following their respective humanitarian crises. This section will focus on assessing and analyzing potential factors of the disparities. First, it is crucial to establish that these disparities cannot be attributed to the significance of the humanitarian consequences of one conflict over another because all three conflicts are characterized by inhumane violence, the use of armed forces against civilians, and the deaths of women and children. Instead, there are four factors that seem to be playing the biggest roles in these differences: The U.S.' political interests and foreign relations, xenophobia, U.S. Administrations and their implications, and ulterior motives. Below is a detailed explanation of each of these factors, as they relate to the reception of each group.

1. U.S. Political Interests/ Foreign Relations

In the case of Syria, the U.S.'s interest primarily lies in countering terrorism. As aforementioned, the U.S. has attempted to intervene, especially after the Russian involvement. Russia used the Syrian Civil War as a way to counter the U.S. by supporting the Assad regime. However, despite these underlying interests, the U.S. has been “anemic to Syrian refugees,”

explained Rodriguez.⁴¹ In fact, the issue of terrorism in Syria is at the core of why the U.S. has been ineffective in the reception of Syrians, which will be discussed more in-depth further down.

The U.S. has much more direct and obvious interests in the situation in Afghanistan, considering that the current humanitarian crisis is the result of years of poor U.S. military, economic, agricultural, and developmental planning. The U.S. government implemented a handful of immigration pathways for Afghans following the fall of Kabul to the Taliban after the U.S. had promised that Afghans had nothing to worry about. President Biden vowed to protect Afghans, especially U.S.-affiliated Afghans who would be at the highest risk of persecution. After decades of war in Afghanistan, the world grew impatient in waiting for peace and justice to be restored, and with the 2021 withdrawal, the American government came under very strict scrutiny. Americans, both Republicans and Democrats, expressed their concern for the people of Afghanistan, because over the years so much of their money had been spent in Afghanistan, so many troops were deployed, resulting in thousands of American lives being lost, and still, the U.S. is at the root of the chaos in Afghanistan. The most obvious result of the strict scrutiny and the U.S.' dedication to protecting Afghans has been the humanitarian parole program which is the way most Afghans in the U.S. were able to enter. However, the large numbers of Afghans that have arrived in the U.S. since the withdrawal seem like an act, because as explained earlier, the large majority were not given a long-term solution, but rather, a temporary status. The SIV program also has a performative element to it: its existence reassures the average American citizen that Afghan allies have a way to receive protection. Yet, the numbers, inefficiency, and implications of this program are not known to everyone. The fact that hundreds of thousands of Afghans would be eligible for this visa, but are stuck in Afghanistan, is an example of the lack of resources allocated to supporting Afghans. The real priority and interest of the U.S. government

⁴¹ Ibid.

in the Afghanistan case are to oppose the Taliban for its main goal of national security, not for the security of Afghans. Efforts carried out by the government on the immigration front are a performative response to political scrutiny. Similar to the Syrian situation, the U.S. has purposefully tightened vetting processes for Afghans by fear of terrorism. Rodriguez speculates that the U.S. government added application requirements for Afghans because it worries that the Taliban might attempt to use the available immigration channels to “introduce some sort of retaliation against the U.S.”⁴²

The case in which the U.S. has the strongest interest is Ukraine. Russia - U.S. relations have been tense since the end of the Cold War, which naturally put the U.S. on Ukraine’s side. Apart from the help given to Ukrainian refugees, the U.S. committed to providing \$40 billion to Ukraine in 2022,⁴³ and by February 2023, the actual number had reached \$76.8 billion.⁴⁴ The immense aid carried out by the U.S. to Ukraine has come to be known as a proxy war against Russia. Proxy wars are not novel between the U.S. and Russia: both have participated in proxy wars against one another, especially in the Cold War era. Russia is one of the strongest nuclear powers in the modern world. The U.S. has expressed concerns over the possibility of Russia using its nuclear weapons in its invasion. The American public, too, raised their concerns about the “geopolitical implications of a nuclear power attacking a country that shares borders with NATO allies.”⁴⁵ By supporting Ukraine, the U.S. aims to counter Russian aggression and mitigate the amount of influence that it is able to have on the world. An argument that Ghida

⁴² Ibid

⁴³ Toft, Monica “The Us Isn't at War with Russia, Technically – but Its Support for Ukraine Offers a Classic Case of a Proxy War.” The Conversation, 1 Dec. 2022, <https://theconversation.com/the-us-isnt-at-war-with-russia-technically-but-its-support-for-ukraine-offers-a-classic-case-of-a-proxy-war-192064>.

⁴⁴ Masters , Jonathan, and Will Merrow. “How Much Aid Has the U.S. Sent Ukraine? Here Are Six Charts.” Council on Foreign Relations, Council on Foreign Relations, 22 Feb. 2023, <https://www.cfr.org/article/how-much-aid-has-us-sent-ukraine-here-are-six-charts>.

⁴⁵ Widakuswara, Patsy. “What's behind American Support for Ukraine?” VOA, Voice of America (VOA News), 30 Apr. 2022, <https://www.voanews.com/a/what-s-behind-american-support-for-ukraine-/6551539.html>.

Fakhry – former Al Jazeera broadcast journalist – inferred from a statement that Leon Panetta – former director of the CIA – made, is that it is in the U.S.’ strategic interest for the war in Ukraine to go on for as long as possible.⁴⁶ Panetta said that in response to the annexation of Ukraine, many states have been imposing sanctions on Russia which has weakened it on the world stage, especially economically. The history of refugees in the U.S. is related to long-lasting conflicts in the country of origin of these displaced persons. By building a new program to admit Ukrainian refugees and allocating billions of dollars toward their protection, the U.S. government may be preparing for a long war in Ukraine. Through its support of Ukrainians, the U.S. is also building stronger ties with the Ukrainian government and people, in an effort to weaken and defy Russia in the long run.

2. Xenophobia

Xenophobia comes in all forms at political and social levels in the U.S. This hatred is not limited to discrimination against persons of different races, but to all kinds of “outsiders,” from other religions to nationalities, and beyond. The Trump Administration heightened the problem as xenophobia became more widespread and public and at the forefront of immigration issues. Generally, the hatred of Americans towards certain groups is not so recent: in the post-9/11 era, the U.S. significantly increased its security measures. The continuing rise of terrorism around the world throughout the 2010s also made Western people more cynical towards Islam and people who identify as Muslim. For example, following the terrorist attack at the Bataclan and Stade de Paris that left 137 dead in 2015, Mike Pence made a statement about his efforts to ban Syrian refugees for the “safety and security of all Hoosiers.”⁴⁷ The core of the hatred towards Muslims in the U.S. is a problem of assumptions and generalizations: The American authorities and

⁴⁶ Ghida Fakhry, Proxy War and Peace in Ukraine | Inside America with Ghida Fakhry, TRT World Youtube, 31 Mar. 2022, <https://youtu.be/V9KEX6EXbLY>.

⁴⁷ Ibid.

people assume that because terrorism is linked to Islam, all Muslims are dangerous. Rodriguez admitted that terrorist activity in Syria was the source of the added layers of complexity in the vetting process for Syrian refugees. Through “social media checks,” USCIS was hoping to identify potentially suspicious behavior that might infringe on the safety of the nation. Still, he recalls the ineffectiveness of this process saying: “One time, we saw the page of an applicant, and he looked very muscular with big arms, and that was enough for people at the table to raise their concerns.”⁴⁸ These subjective strict vetting processes against Muslim-majority countries have put vulnerable populations at a greater disadvantage than others. Republican representatives put pressure on USCIS to limit its admission of Muslims, saying that they were discriminating against Christian Syrians. Trump’s 2016 electoral campaign was based on his plans to implement a “Muslim ban.” According to Heba Gowayed, the stigmatization of Muslims and Arabs was “amplified” when Trump promised to “deport Syrian refugees who he called a “trojan horse for terrorism.””⁴⁹ In 2017, following Trump’s election, an extreme vetting process was implemented but was recently rescinded under the Biden Administration. Nevertheless, both Syrians and Afghans continue to be discriminated against during immigration proceedings.

The rampant hatred of Muslims in the U.S. in the post-9/11 era and during the Trump administration had already proved the West’s racism, but the conflict in Ukrainian only amplified the exposure of the prominent xenophobia instilled in the U.S. The biggest indicator of this discrimination is the exemption of Ukrainians from certain requirements that are still mandatory for Syrians and Afghans. For example, since 2020, there is a limit on asylum in order to prevent the spread of COVID-19. But the U.S. government has made it clear that there would be no cap on the number of Ukrainians that can enter. Similarly, as aforementioned, in-person interviews

⁴⁸ Ibid.

⁴⁹ Ibid.

are not included in the Uniting for Ukraine program. Some have speculated that the reason why the government created a completely new program for Ukrainians is to be able to have completely different – and more flexible – requirements than those for other refugee groups. By making the application process simpler, the USCIS has been able to admit Ukrainian refugees much more effectively than any refugee group before. Jennifer Patota, a lawyer at the International Refugee Assistance Project, told NPR that it is obvious that “help for Ukraine, a predominantly white Christian country, has come much faster than help for Afghan allies.”⁵⁰

Apart from the stark differences in the vetting process for Ukrainian refugees, racism also took over the Western coverage of the conflict. In an interview for BBC – a so-called progressive and non-discriminating channel – Ukraine Deputy Chief Prosecutor, David Sakvarelidze, said: “It’s very emotional for me because I see European people with blue eyes and blonde hair being killed.”⁵¹ Americans have gotten accustomed to seeing conflicts in the Middle East that it is not surprising and “emotional” to them when Middle Eastern groups of refugees are seeking a solution. The normalization of conflicts in the East affects the perception of refugee crises that emerge from those countries. The sadness that Westerners are experiencing from the Ukrainian crisis should be the reaction to every refugee crisis, but the religious, ethnic, and racial differences between Americans and Middle Easterners have created a wide gap in their perception of white European versus Arab Muslim refugees. In comparison to the admission of Syrians and Afghans, that of Ukrainians is far more non-partisan, with both sides highly in favor.

3. U.S. Administrations & Their Implications

⁵⁰ Lawrence, Quil. “U.S. Is Accused of a Double Standard When It Comes to Afghan and Ukrainian Refugees.” NPR, NPR, 6 July 2022, <https://www.npr.org/2022/07/06/1109965531/u-s-is-accused-of-a-double-standard-when-it-comes-to-afghan-and-ukrainian-refuge>.

⁵¹ Staff, Al Jazeera. “‘Double Standards’: Western Coverage of Ukraine War Criticised.” Russia-Ukraine War News | Al Jazeera, Al Jazeera, 27 Feb. 2022, <https://www.aljazeera.com/news/2022/2/27/western-media-coverage-ukraine-russia-invasion-criticism>.

A big, but not surprising factor that affects U.S. politics generally is the change in Administrations. Earlier, I explained some of the ways different presidents have affected refugee policies and admissions. This section will go into more detail about the roles of each of the last three Administrations and their implications on Syrian, Afghan, and Ukrainian refugees.

Under the Obama Administration, higher admissions of refugees were a priority, although other factors such as national security often came first. During the Obama Administration, the PD number – or refugee cap – was higher. Yet, at the height of the Syrian crisis, still, not enough Syrians were being granted entry into the U.S. Similarly, the PD number was not met during the years of the Obama Administration, which indicates that raising the number could have been performative, in an attempt to please the people who voted for him – democrats typically in favor of generous refugee admissions. After very limited admissions of Syrian refugees in 2014 and 2015, Obama was called on improving that in 2016, which he began doing before the end of his presidency.⁵²

The early efforts of Obama to admit more Syrians were quickly interrupted when Trump was elected in 2016. The Trump Administration had by far the most negative impact on refugee policies in the U.S. Apart from the actual policies and regulations that Trump implemented – such as the Muslim ban – his communication strategy normalized expressing hatred in America, especially among red-leaning populations. Xenophobic Americans started vocalizing their concerns about national security through demonstrations and other forms of protests. This phenomenon increased the political pressure on USCIS to maintain tighter immigration reforms. The Trump Administration is characterized by the lowest number of refugee admissions in the U.S. in years, and a record-low PD of 15,000 for the 2021 fiscal year.

⁵² “Admissions & Arrivals.” Refugee Processing Center, <https://www.wrapsnet.org/admissions-and-arrivals/>.

The Biden Administration mostly dealt with the latter two refugee crises: Afghans and Ukrainians. However, it is important to understand that following the Trump Administration, the Biden Administration inherited millions of backlogged USCIS cases, which slowed down the process significantly. After the chaotic withdrawal of U.S. troops from Afghanistan, Biden made a promise to protect Afghans and welcome them, although as seen earlier, he has not been able to deliver on this promise. The Biden Administration also inherited the xenophobia that was instilled by Trump. Within USCIS, for example, strict procedures against Muslim-majority countries continue. However, Biden has been successful in significantly increasing the PD which is set at 125,000 for the 2023 fiscal year – over 100,000 more than in 2021.⁵³ This increase makes sense, though, considering that since 2021, two new refugee crises have begun. Similarly, Biden’s generous PD could be targeted mostly at Ukrainians, whom he is dedicated to supporting.⁵⁴ The 2023 PD is a step in the right direction on the part of the Biden Administration, but a lot of lobbying and organizing will have to be done for this number to actually be met, and for the process to be a little more equal and just across different groups.

4. Ulterior Motives

“Compared to the overall U.S. immigrant population, Ukrainians have higher incomes and higher levels of educational attainment while experiencing lower levels of poverty.”⁵⁵ The level of qualification of a population has often been correlated with more welcoming

⁵³ Tbilisi, U.S. Embassy. “The Presidential Determination on Refugee Admissions for Fiscal Year 2023.” U.S. Embassy in Georgia, 28 Oct. 2022, <https://ge.usembassy.gov/the-presidential-determination-on-refugee-admissions-for-fiscal-year-2023/#:~:text=The%20President%20today%20signed%20the,for%20this%20upcoming%20fiscal%20year>.

⁵⁴ FedBeat. “Federations Applaud the Presidential Determination on Refugee Admissions: The Jewish Federations of North America.” Federations Applaud the Presidential Determination on Refugee Admissions | The Jewish Federations of North America, The Jewish Federations of North America, 30 Sept. 2022, <https://www.jewishfederations.org/fedworld/jewish-federations-applaud-the-419078>.

⁵⁵ Batalova, Jeanne, and Joshua Rodriguez. “Ukrainian Immigrants in the United States.” Migrationpolicy.org, Migration Policy Institute, 30 Sept. 2022, <https://www.migrationpolicy.org/article/ukrainian-immigrants-united-states>.

immigration policies for those persons. In the investigation quoted above, Jeanne Batalova and Joshua Rodriguez found compelling data about Ukrainians' incomes, education levels, etc, as they compare to U.S. immigrant populations as well as U.S.-born populations, both of which are lower. Similarly, the U.S. has favored immigrant populations that are more fluent in English. This phenomenon is another form of discrimination against populations that do not know English at the time of their application for admission into the U.S. Even for non-English speaking refugees who have been granted status in the U.S., the discrimination continues with challenges in finding a job in the first years, even when the refugee is qualified and can do the job without needing to be proficient in English. The U.S. government gets to indicate to UNHCR what they are looking for in refugees, and one of those things could be things like high literacy rates, for example.

Another justification for the lower admission of Syrians in the U.S. is the perception that Syria is near open border countries. Syrians have been able to cross the borders by foot – mainly to Lebanon and Jordan where refugee camps are set up. By having this outlet, Syrians are perceived to be “safe,” which has mitigated the sense of urgency for the U.S. government. In contrast, Ukrainian shares borders with Russia, its attacker. This perceived danger has increased the sense of duty to protect.

Recommendations

Using the findings from this research, I propose three recommendations aimed at mitigating the discrepancies and injustices in the reception of Syrian, Afghan, and Ukrainian refugees in the U.S. These recommendations serve as a way to avoid such injustices in the future, for other refugee populations, not only the above.

1. U.S. supports efforts by the U.N. to draft an additional protocol to the 1951 Refugee Convention addressing the standardization of refugee admissions programs

As it currently stands, the Refugee Convention and its 1967 protocol barely impose any legal obligations on host states, such as the obligation of non-refoulement.⁵⁶ The Convention lacks “teeth” in its expectations of states to protect refugees. What ends up happening is that many refugees end up in developing nations, instead of being granted fair admissions into states with more resources like the U.S. To improve on that, I suggest implementing an article on the ways in which states – specially developed ones – ought to receive refugees. That article must include proportions relating the resources that a state has to the number of refugees they are required to take in. Further investigation would be required in order to understand what that ratio should look like, and what specifications must be addressed in that provision. Another article that I recommend implementing would impose an obligation to stick to standard procedures within the U.S., and eventually across other UN member states, in order to make the process fair and mitigate discrimination-based discrepancies. This provision should include a strict exception when a government is allowed to add a new pathway.

2. UN institutes a mechanism for accountability for fair and equal refugee admissions procedures in the U.S. by appointing refugee experts to advise the government

In order to ensure that the U.S. government will stick to a standardized refugee admissions process, a mechanism needs to be in place to hold different departments accountable. My suggestion is to appoint rotating “Refugee Affairs Advisors” to the President. These could include experts in refugee law, refugee protection, resettlement, and integration policy analysts

⁵⁶ The General Assembly in Resolution 2198 (XXI). “Protocol Relating to the Status of Refugees.” OHCHR, 16 Dec. 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-relating-status-refugees>.

but they must not have held a government position in the past in order to eliminate potential partisan biases. These experts would have to be routinely appointed by the UN every 4 years.

This team would act as the link between USCIS, the president, and UNHCR over their term and serve as a way to educate the president's office on each refugee crisis, the admissions process, and the standardization protocols by which it has to abide. In order to have standard grounds to begin, I also recommend that the UNHCR does a thorough review of existing U.S. admission programs and comes up with proposals for creating a universal, comprehensive, and more effective set of options. Once those are implemented and revised, the job of the UN-appointed "Refugee Affairs Advisors" becomes clearer: hold the government accountable to abide by the established standardized procedures revised by the UNHCR.

The US government could also nominate personnel to work within the UNHCR to gain a better understanding of global refugee crises and to learn from the UN's experiences in responding to them. The exchange of personnel between the UN and the US government would facilitate a mutual understanding of the refugee issue, help to strengthen cooperation between the two and standardize refugee admission processes in the U.S.. This would be an important step towards ensuring that all refugees receive equal protection and support in the U.S. to rebuild their lives in safety and dignity.

3. U.S. supports efforts to urge UNHCR to implement educational programs for citizens around the world on refugee crises, laws, and experiences.

Civilians play a big role in politics and final outcomes, and as we have seen earlier, this has affected USCIS decisions in the past. However, there is a prominent lack of awareness and understanding of refugee law, refugees' experiences, and the implications of different programs. The average person does not even know the legal definition of a refugee, nor what it takes for

them to be registered as refugees and resettle somewhere safe. Refugee issues are, unfortunately, increasingly becoming a big part of international law and foreign relations. It is easy for people who are uneducated on the topic to dismiss the issue and suggest that refugees just “return home.” Equipping people with the necessary knowledge on the issue would create a sense of common moral responsibility and an urge to protect. In order to educate people on these issues, I suggest that two channels be introduced: a curriculum for schools to implement at every grade level, and in all languages to be taught around the world, and a platform through the UNHCR website with videos, articles, interactive games and activities for people of all ages to learn about the issues. The material in both of those channels should be simple: it should cover the basics, and serve the overall goal of teaching people why “returning home” is most often not a viable option, and of breaking the barrier of “them versus us” that makes people oblivious to the fact that refugees are regular people who led normal lives before being persecuted.

Conclusion & Closing Remarks

Human rights lawyer, Ayo Sogunro, Tweeted “Can’t get it out of my head that Europe cried about a ‘migrant crisis’ in 2015 against 1.4m refugees fleeing war in Syria and yet quickly absorbed some two million Ukrainians within days, complete with flags and piano music. Europe never had a migrant crisis. It has a racism crisis.”⁵⁷ The problems highlighted in this paper are clearly not limited to the U.S. and need to be addressed worldwide. Nevertheless, despite its racism, Europe has been more generous in its refugee admissions from Syrians to Ukrainians, which is the biggest challenge to overcome in the U.S.

The values of capitalism are deeply embedded in U.S. politics, which explains the U.S. government’s prioritization of its own interest and the maximization of national welfare and

⁵⁷ Storey, Hugo. “Are Those Fleeing Ukraine Refugees?” Asile, 28 June 2022, <https://www.asileproject.eu/are-those-fleeing-ukraine-refugees/>.

security. However, the shift that is needed to make the U.S. government more empathetic towards refugees is showing that admitting more refugees will not stand in the way of the U.S.' economic growth and political power on the world stage. Instead, research has shown that countries with more immigrants have stronger and more stable economies, more diversity, and better foreign relations. In the case of Syria, for example, although the U.S. has less of a direct interest in admitting Syrian refugees, by doing so, it would be building a stronger relationship with the Syrian people. If the Assad regime falls, the people of Syria would potentially devise a plan to lead the country. In that case, the U.S. would be able to benefit from more flexible negotiations on oil deals, and other matters of interest.

The factors presented are only a few of many other potential reasons. However, with those four as the main ones, it is important to think of ways that each individual person can try to mitigate their existence. Xenophobia and discrimination, for one, are social issues before anything. Organizations like IRAP, for example, should try to use their platforms to raise awareness about the key issues and educate everyday Americans on different religions, ethnicities, etc.

Millions of refugees in the U.S. are currently on temporary visas or statuses, and it is important to act quickly in lobbying for adjustment acts and extensions to keep these groups safe and provide stability. This is an opportunity for the U.S. government to make it right and redeem itself, especially in the case of Syrian and Afghan refugees who still cannot return home, and who need more long-term solutions.

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