



Immigration and  
Refugee Board of Canada

Commission de l'immigration  
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## RESPONSES TO INFORMATION REQUESTS (RIRs)

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Afghanistan and the United States (US): Afghan citizens claiming asylum in the US; statistics on the rates of approval and rejection; types of claims; social and professional acceptance of Afghans in the US; difficulties encountered by Afghans in the US

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

The United States (US) Department of Homeland Security (DHS) states that there are two ways in which a foreigner in the US can be granted asylum: affirmatively and defensively (US Apr. 2010, 4). Affirmatively is through the US Citizenship and Immigration Service (CIS), whereby determination is made by a US CIS Asylum Officer (ibid.). Defensively is when asylum is granted or rejected during removal proceedings and is determined by an immigration judge of the Executive Office for Immigration Review (EOIR) of the Department of Justice (DOJ) (ibid.).

Statistics provided by US CIS indicate that during the 2008 fiscal year (October 2007 to September 2008), there were 57 affirmative applications for asylum filed by Afghan citizens; during this year, 81 Afghan cases were completed of which 67 were approved, 2 were denied, and 12 were referred or closed (US 21 July 2010). During the 2009 fiscal year, 72 Afghan cases were filed, 81 cases were completed, 64 were approved, 2 were denied, and 15 were referred or closed (ibid.). From 1 October 2009 to 31 March 2010, 55 Afghan cases were filed, 51 cases were completed, 39 were approved, 1 was denied, and 11 were referred or closed (ibid.). According to US CIS, the approval rating of Afghan applicants seeking affirmative asylum was 86 percent in 2008 and 2009, and 85 percent in the first half of 2010 (ibid.). For further information on statistics of affirmative claims, including those of earlier years, see the attachment entitled "Asylum Applications Filed by Nationals of Afghanistan."

According to statistics of defensive asylum claims provided by US DOJ, in the 2008 fiscal year there were 38 claims by Afghans received, 28 granted, 13 denied, 4 withdrawn, and 13 "other" (US 2008). In the 2009 fiscal year, there were 32 defensive asylum claims by Afghans received, 7 granted, 6 denied, 1 abandoned, 2 withdrawn and 19 "other" (US 2009).

In 21 July 2010 correspondence with the Research Directorate, a representative of US CIS provided some informal examples of claim types made by Afghans for asylum in the US. Claim types include Christian conversion claims and claims of fear of being harmed by the Taliban because of political opinions and religion (US 21 July 2010). In one example given, the applicant was a translator for the US army (ibid.). In another case, the applicant worked for a

foreign non-governmental organization (NGO) (ibid.). In a third example, the applicant worked for a company providing goods to the US and other foreign countries (ibid.).

Information on the social and professional acceptance of Afghans and difficulties encountered by Afghans in the US was scarce among the sources consulted by the Research Directorate. One media source reports that Afghans seeking refuge in the US have had difficulties supporting themselves because of the recession and limited public benefits (ProPublica 17 Dec. 2009). In one example, a former surgeon from Kabul, who worked as an English interpreter for a US military hospital and can speak six languages, was employed in the US as a "housekeeper" in a hospital and found it difficult to make enough money to survive (ibid.). An article profiling an Afghan family who had lived in the US for approximately 10 months, indicated that the family of six was living in a one-bedroom apartment and the father was working a variety of jobs (*San Francisco Chronicle* 6 Dec. 2009). The couple stated that they were gradually adapting to life in the US and appreciated the "peace, honesty, freedom and security," along with the opportunities for women (ibid.). The U.S. Committee for Refugees and Immigrants (USCRI) notes that many refugees and asylees in the US work in the service industry because they have difficulty proving their qualifications for the professions they practised in their home countries (USCRI 2009).

In a report on the detention of asylum seekers in the US, Human Rights First, an international human rights organization based in New York and Washington, DC, provides an example in which an Afghan teacher seeking asylum was imprisoned for 20 months in the US prior to being granted asylum (2009, 2). According to Human Rights First, between 2003 and 2009, over 48,000 asylum seekers were detained in jails or immigration detention centers in the US (2009, 3) and one third of detained asylum seekers do not have legal counsel (Human Rights First 2009, 7).

One media source reports that approximately one third of Afghan students on exchange programs in the US go to Canada to seek refugee protection rather than return to Afghanistan (*Fort Worth Star Telegram* 14 Sept. 2009). According to the article, students are warned that if they do not return home, they will be barred from the US for life (ibid.). A spokesperson for DHS reportedly stated that after the 2008-2009 school year, 12 of 37 Afghan exchange students fled to Canada (ibid.). The spokesperson also reportedly stated that students who flee and try to return to the US face deportation (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

#### References

*Fort Worth Star Telegram*. 14 September 2009. Domingo Ramirez Jr. "Grapevine High Teen was Among Afghan Exchange Students who Fled to Canada." (Factiva)

Human Rights First. 2009. *U.S. Detention of Asylum Seekers: Seeking Protection, Finding Prison*. <<http://www.humanrightsfirst.org/pdf>> [Accessed 14 July 2010]

ProPublica [New York]. 17 December 2009. Pratap Chatterjee. "Lost in Limbo: Injured Afghan Translators Struggle to Survive." <<http://www.propublica.org/article/lost-in-limbo-injured-afghan-translators-struggle-to-survive>> [Accessed 15 July 2010]

*San Francisco Chronicle*. 6 December 2009. Louise Rafkin. "Afghan Translator, Family Start Over in Fremont." (Factiva)

United States (US). 21 July 2010. Citizenship and Immigration Services (CIS). Correspondence with a Liaison Officer.

\_\_\_\_\_. April 2010. Department of Homeland Security (DHS). "Annual Flow Report." <[http://www.dhs.gov/xlibrary/assets/statistics/publications/ois\\_rfa\\_fr\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_rfa_fr_2009.pdf)> [Accessed 7 July 2010]

\_\_\_\_\_. 2009. Department of Justice (DOJ). "Immigration Courts. FY 2009 Asylum Statistics." <<http://www.justice.gov/eoir/efoia/FY09AsyStats.pdf>> [Accessed 12 July 2010]

\_\_\_\_\_. 2008. Department of Justice (DOJ). "Immigration Courts. FY 2008 Asylum Statistics." <<http://www.justice.gov/eoir/efoia/FY08AsyStats.pdf>> [Accessed 12 July 2010]

U.S. Committee for Refugees and Immigrants (USCRI). 2009. "United States." *World Refugee Survey 2009*. <<http://www.refugees.org/countryreports.aspx?id=2365>> [Accessed 22 July 2010]

#### Additional Sources Consulted

**Internet sites, including:** *Forced Migration Review*, International Organization for Migration (IOM), Norwegian Refugee Council, Office of the United Nations (UN) High Commissioner for Refugees (UNHCR).

#### Attachment

United States (US). 21 July 2010. Citizenship and Immigration Services (CIS), Asylum Division. "Asylum Applications Filed by Nationals of Afghanistan."

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