

Twitter Thread by Gabriel Malor



Gabriel Malor

[@gabrielmalor](#)



Seeing these questions pop up repeatedly, so here you go. (Also, sorry for spamming ya'll. I'll try to keep it brief.)

Asylum-seekers, Refugees, and the Caravan, A 'Splainer.

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Asylum and refugee resettlement are two different forms of relief for people who must flee their country. Asylum can only be applied for inside the U.S. or concurrent with admission or parole into the U.S. at a port of entry. 2/

Refugee resettlement, on the other hand, must start (with rare exception involving refugee camps) with an application to a UNHCR office or (sometimes) a U.S. embassy *outside the country from which the applicant is fleeing.* 3/

For both asylum and refugee resettlement, the applicants *cannot seek protection from inside their home countries.*

This makes perfect sense, if you think about it. A person fleeing their country's (failed) protection cannot get protection inside their home country. 4/

Thus, with regard to the caravan in particular, it is simply not the case that Honduran migrants can apply for asylum or refugee resettlement to the U.S. from within Honduras, Guatemalans within Guatemala, Salvadorans within El Salvador, etc. 5/

So that's the first big thing: asylum applicants cannot apply unless they are inside the U.S., and refugee applicants cannot apply unless they are outside their home country but not in the U.S. (with caveat). 6/

Second big thing: who are asylees and refugees? Well, they come from everywhere. But going back more than two decades, the single largest group getting asylum in the U.S. are Chinese applicants. 7/

That's because China is a well-documented hellhole that harms its citizens on protected grounds, particularly religion, political opinion, and population control measures. 8/

Asylum for Central American applicants is a possibility, but these applications are granted with less than half the frequency of Chinese applicants because the major problems in CA—gang crime and domestic partner abuse—aren't protected grounds. 9/

Refugee resettlement applicants, on the other hand, tend to come from places in the world where the U.S. and the UN recognizes a special problem occurring because of (or sometimes in spite of) the local governments. 10/

The big refugee resettlement countries over the past decades have been Iraq and Afghanistan (you know why), Haiti (earthquakes, lack of viable government), Burma (civil war), Ethiopia (for a while), and, yep, China. 11/

You might have gathered so far that to qualify as an asylee or a refugee the applicant must be fleeing their country for a specific reason: persecution on account of race, religion, nationality, membership in a particular social group, or political opinion AND 12/

(cont.) AND their home government is the source of the persecution or unable or unwilling to stop persecution by a third party. 13/

The asylum and refugee resettlement standards are tough to meet, but that does not mean applicants cannot try. Aliens within the U.S. (including those admitted or paroled at a port of entry) have a statutory right to file an asylum application. 14/

Okay, so that's the what, where, who, and how of asylees and refugees. Let's talk about the when.

Adjudication of an asylum application can take anywhere from a few months to a few years—and sometimes a lot longer than that due to the backlog in the immigration courts. 15/

Refugee resettlement is also a lengthy process that also takes years, and remember, during this time the refugee applicant must be residing outside of the country that they fled from but not yet in the country to which they will be resettled. 16/

This is a good time to mention that migrants fleeing their countries are FREQUENTLY victimized in the other countries they pass through. Which is one reason migrants often group together. (Also bc coyotes and snakeheads get paid per capita.) 17/

So, back to the caravan. If the options are to register with UNHCR in Mexico and then sit around in Mexico for years with its violence and lack of jobs or a social safety net OR to come to the U.S. and exercise their statutory right to apply for asylum, it's a no-brainer. 18/

Summing up: this is a complicated policy issue without easy answers, and I assure you that your tweeted reply will only demonstrate ignorance. "Shut the border" requires an act of Congress. "Stop granting asylum" also requires Congress and would violate some treaties. 19/

Trump's tweeted answer this afternoon: "go home and apply for citizenship" (citizenship? wha?) is so removed from reality, it takes an act of astonishingly willful stupidity to think that's an answer for the members of the caravan. 20/

So that's my Twitter abbreviated what, where, who, how, and when of asylum- and refugee resettlement-seekers.

Anyway, tweet smart folks, I block at the drop of a hat these days. 21/21

This tweet is giving a few people indigestion, so let me expand: it is not possible for caravan members to apply for U.S. citizenship abroad.

To acquire U.S. citizenship, you have to be a lawful permanent resident of the U.S. and apply for naturalization and then be naturalized. <https://t.co/l7JHtEhdBk>

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— Gabriel Malor (@gabrielmalor) October 25, 2018