Sanctuary for Families

INTRODUCTION TO ASYLUM

Asylum offers humanitarian protection to individuals and families who are fleeing persecution. Asylum creates a pathway to permanent resident status, and eventually U.S. citizenship, and bestows many benefits and responsibilities upon successful applicants. Each year, this protection under U.S. law provides thousands of people an essential life-line to freedom, dignity, and safety.

Asylum seekers come from all over the world. They have typically survived unimaginable hardship, such as arbitrary detention, torture, rape, death threats, female genital mutilation, forced marriage, domestic violence, human trafficking, and other forms of persecution. Many have had to flee their homes and communities with nothing more than a small bag, leaving behind parents, children, and spouses in order to find safety. They could be political activists, human rights activists, journalists, teachers, students, or mothers and fathers seeking to protect their loved ones. They could be unaccompanied children with no adults to care for them.

Regardless of their backgrounds, each asylum seeker must demonstrate that they fit the definition of a refugee as provided in the Immigration and Nationality Act, including that they have been persecuted or possess a well-founded fear of persecution; that the persecution occurred on account of one of five grounds: political opinion, national origin, race, religion, or membership in a particular social group; and that they are unable or unwilling to avail themselves of the protection of their home governments.[1] These criteria are based on an international treaty, the 1951 United Nations Convention Relating to the Status of Refugees, and its 1967 Protocol Relating to the Status of Refugees. Under U.S. law, a distinction is made between the refugee and asylum process: refugees are those people who are seeking protection from overseas, whereas asylum seekers are applying for protection while entering or residing in the United States.

Asylum applicants are always interviewed or examined by adjudicators to assess credibility and suitability for humanitarian protection, and their cases may be reviewed by administrative agencies as well as the federal judiciary. Effective representation by competent and ethical legal counsel can be absolutely critical in this process.

Thank you for your interest in representing an asylum seeker on a *pro bono* basis. We look forward to working closely with you to ensure the highest quality assistance to our clients.

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[1] "The term 'refugee' means: (A) any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion . . . ." INA §101(a)(42).