

# IMMIGRATION **JUSTICE** CAMPAIGN



## Representing Afghan Asylum Seekers

March 15, 2022

# Agenda

- Introduction
- Overview of Afghan Crisis
- Latest from Resettlement Agencies on the ground
- Overview of Current Legal Need + Campaign Resources
- Volunteer need + how to volunteer
- Q&A

# About the Immigration Justice Campaign

IMMIGRATION  
**JUSTICE**  
CAMPAIGN



AN INITIATIVE OF:



AMERICAN  
IMMIGRATION  
LAWYERS  
ASSOCIATION

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## Fighting together for a fair day in court.

Only 14% of detained immigrants have an attorney. We are mobilizing attorneys nationwide to stand alongside immigrants in court.

**JOIN NOW**



**IN THE NEWS**

Trump Administration Considers Separating Families to Combat Illegal Immigration



**VOLUNTEER NOW**

Dilley Pro Bono Project - 1 Week at Detention Center

Wednesday, January 31, 2018 - (open-



**RESOURCES**

Overview of Removal Proceedings

New to immigration court? This

# Speakers

- Mohammed Naeem, Senior Manager, Strategy and Partnerships, Center for Inclusion and Belonging
- Anna Springer, International Rescue Committee, Salt Lake City, Utah
- Hayat Ahmed, International Rescue Committee, Atlanta, GA
- Jocelyn Dyer, Senior Managing Attorney, Immigration Justice Campaign
- Atenas Burrola, Pro Bono Projects & Partnerships Manager, Immigration Justice Campaign

# Overview of the Afghan Crisis

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# What's Happening On the Ground

- Atlanta
- Salt Lake City

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**AFGHAN ASYLUM PROJECT: THE  
LEGAL NEED & WORK**

# The Need

- Over 84,000 Afghan nationals evacuated into the United States
- Parole = temporary; many Afghans don't qualify for other types of immigration statuses
- For tens of thousands of Afghans, asylum may be only long-term option for protection
- We need pro bono lawyers!

# What is Asylum?

- Asylum is a protection granted to individuals who meet the international law definition of a “refugee.”
- Refugee = A person who is unable or unwilling to return to his or her home country due to past persecution or a well-founded fear of being persecuted in the future “on account of race, religion, nationality, membership in a particular social group, or political opinion.”

# Asylum elements

- Outside country of origin/nationality
- Persecution
- By gov't or individuals gov't unable or unwilling to control
- “On account of” applicant’s
  - Race
  - Religion
  - Nationality
  - Political opinion
  - Membership in a particular social group

# Asylum Representation

- Working with client to prepare asylum application and supporting evidence
- Developing theory of case - how does this client qualify for asylum?
- Preparing client for Asylum Office Interview
- Representing client at the interview

# What You Will Prepare

- Asylum application: I-589
- Client affidavit
- Supporting evidence
  - Country conditions
  - Client-specific—personal documents, witness statements
  - Expert affidavit(s), possibly
- Annotated index
- Short "letter brief"

# Key Benefits of Asylum Status

- Asylees are authorized to work
- May apply for spouse and minor children to come to US
- After one year in asylum status, may apply for lawful permanent residence (green card)

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## CAMPAIGN RESOURCES

- Innovative Group Mentorship Model
- Live & on-demand training
- Online resources: samples, templates, and more

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American Immigration Council | AILA | American Immigration Lawyers Association | American Immigration Representation Project

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## Afghan Asylum

After the chaotic and rushed withdrawal of U.S. military forces from Afghanistan, Operation Allies Welcome evacuated over 84,000 Afghan nationals into the United States. More than 350 resettlement agencies and community partner organizations have resettled these tens of thousands of Afghans into communities across the United States. By some estimates, close to half of resettled Afghans may have to apply for asylum. These resources will assist attorneys representing Afghan nationals in asylum proceedings.

**Timeline**

[Timeline for Afghan Affirmative Asylum Cases](#)  
Immigration Justice Campaign  
This nuts and bolts week-by-week guide will walk you through all of the steps and procedures involved in handling an affirmative Afghan asylum case.

**PDF**

[Overview of Affirmative Asylum Process for Afghans](#)  
Immigration Justice Campaign

**PDF**

[Pitfalls in Asylum Cases](#)  
Immigration Justice Campaign  
A must-read for anyone working on asylum cases, this guide summarizes the major bars to asylum.

**PDF**

[Terrorism and Persecutor Bar Explainer for Afghan Asylum Seekers](#)  
National Immigrant Justice Center  
This practice guide provides a high level overview of terrorism and persecutor bar issues that may arise in the representation of Afghan asylum seekers.

**PDF**

[Sample Afghan Brief for the Asylum Office](#)  
Human Rights First & Baker Botts  
A redacted, sample brief for an Afghan translator before the Asylum Office.

**Resource list**

[Afghanistan Country Conditions Resources](#)  
Multiple organizations

**Sample**

[Sample Declaration](#)  
Immigration Justice Campaign & Vecina  
A sample client declaration with detailed annotations that guide you through how to write a client declaration.

**Sample**

[Sample I-589 for an Afghan Case](#)  
Vecina  
A sample, completed I-589 (for a fictional client) with detailed annotations that guide you through best practices for filling out the form.

**Training Topics**

- [Asylum](#)
- [Bond](#)
- [LPR Cancellation](#)
- [Non-LPR Cancellation](#)
- [Credible and Reasonable Fear](#)
- [Interpretation And Translation](#)
- [Motions to Reopen](#)
- [Parole](#)
- [Board of Immigration Appeals](#)

**Index of Samples**

Review our collection of sample resources.

[READ MORE](#)

**Quick Links**

- [EOIR Policy Manual](#)
- [EOIR E-registry](#)
- [USCIS Forms Finder](#)
- [EOIR Forms Finder](#)

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**AFGHAN ASYLUM PROJECT:  
VOLUNTEERING**

# Volunteer Need

- Justice Campaign is partnering with 3 International Rescue Committee offices: Atlanta, Denver, & Salt Lake City
- Attorneys to prepare and submit I-589 Asylum Applications + supporting documents, and represent clients at the asylum interview
  - Representation can be done remotely!
- Expected timeline is 3-4 months
  - Interviews are happening within 45 days of filing
- What about interpretation?

# Clients in Need of Representation

- **Mr. DM:** Mr. DM is a man in his late 40s from Afghanistan. He is seeking asylum because he worked for US special forces as a prosecutor against the Taliban; he was given an award on national TV from the former president of Afghanistan and announced as a general. He has been threatened by the Taliban, who recently kidnapped his son who worked with him in the special forces. Mr. DM and his adult daughter, Ms. PM, are living in Atlanta. Mr. DM seeks pro bono representation for his asylum claim.
- **Ms. RN:** Ms. RN is a woman in her late teens from Afghanistan. She is seeking asylum because she fears the Taliban as a young woman who aspires to be a journalist. In addition, her father and brother served in the Afghan army. She is currently living in Georgia. Ms. RN seeks pro bono representation for her asylum claim.

# Sign me up!

- Reach out to your head of Pro Bono
- Reach out to us:  
[probonocoordinator@immcouncil.org](mailto:probonocoordinator@immcouncil.org)
- Create an account on our website and fill out our volunteer application form

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# Next Steps

- Join the Campaign, Human Rights First, and the International Rescue Committee for an Afghan Asylum training March 21 at 1:30pm ET. Sign up [here](#)
- Sign up to take a case with your firm or by reaching out to us

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# Questions?

[www.immigrationjustice.us](http://www.immigrationjustice.us)

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