

Racism in Immigration Law: Chapter 6 - Discriminatory Treatment of Refugees of Color

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This chapter discusses the discriminatory treatment of refugees of color as they navigate the United States' refugee resettlement process. The highly discretionary nature of the selection process can often lead to arbitrary results, disproportionately disadvantaging refugees of color. Beyond the risk of arbitrary decision-making, certain policies implemented by the United States Citizenship and Immigration Services (USCIS) place more-stringent screening standards on certain refugees of color, bringing discriminatory practices within the formal scheme of the selection process. Given the increasing numbers of refugees around the world, stakeholders should be aware of the discriminatory tendencies of such practices and take measures to limit their adverse impact on refugees of color. Moreover, policymakers should consider implementing measures to limit adverse impacts on refugees of color, including placing more guardrails around the government's discretion in adjudicating refugee applications; allowing refugee applicants access to counsel during all phases of the application process, including interviews; and ensuring that security-screening procedures are applied appropriately and fairly to all refugees.

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Discriminatory Treatment of Refugees of Color

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