Asylum Seekers at Vive Shelter
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Both asylees and refugees seek protection in the U.S. because they cannot return to their home countries. They face persecution because of their:

- Race
- Religion
- Nationality
- Social Group
- Political Party

Legal Definition:
An asylee or a refugee 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.”


8 C.F.R. § 208.3 (a) (2009).

Application for Asylum and Withholding of Removal, Form I-589:
- Filed with United States Citizenship and Immigration Services (USCIS).
- Sent with:
  - Affidavits from applicant, witnesses, and experts
  - Country condition information
  - Applicant’s immediate family can be included on the application

Employment Authorization:
- Can only apply 150 days after asylum application has been filed

Asylum Interview:
- Interview with an asylum officer
- Applicant’s story is scrutinized

Possible Outcomes:
- Asylum Granted
- Asylum Denied
- Case Referred to Immigration Court

Asylees vs. Refugees

Asylees:
- Enter the U.S. legally or illegally
- Apply for asylum while in the U.S.

Refugees:
- Interviewed by UN in refugee camps
- Receive refugee status before entering the U.S.

Where Do Asylees Come From?

Top ten countries whose citizens were granted asylum in the U.S. in 2016 included (from most to least):

1. China
2. El Salvador
3. Guatemala
4. Honduras
5. Mexico
6. India
7. Nepal
8. Ethiopia
9. Somalia
10. Eritrea

Sources

8 C.F.R. § 208.3 (a) (2009).