

THE FILIPINO **EXPRESS**

February 27 – March 5, 1995

Bad News for Asylum Seekers

By Reuben S. Seguritan

An alien who can demonstrate a well-founded fear of persecution, or who has suffered past persecution in his homeland on account of his race, religion, nationality, membership in a particular social group or political opinion, may apply for political asylum. This humanitarian program has benefited many people particularly those who were fleeing repressive regimes. However, the relative ease of applying for asylum has led to widespread abuses as thousands of foreigners who do not qualify seek asylum not for the reasons stated above but as a backdoor way to extend their stay in the U.S. and at the same time get jobs. As their number continues to increase, the backlog has grown to enormous proportions and now stands at about 425,000 pending cases.

To cope with this backlog, the Immigration Service has instituted significant changes. With the money authorized by the anticrime legislation enacted last year, it will double the number of asylum examiners to 334 and increase the number of judges who would be hearing asylum cases. The goal is to keep current with the 13,000 asylum applications filed each month, and then start paring the backlog. This increase in staff would also enable them to grant initial interview to every applicant and dispose of all new cases within 180 days.

To further discourage aliens from seeking political asylum, the INS will also tighten the issuance of work permits. Whereas asylum seekers can obtain work permits within 90 days of applying and work while they await the outcome of their cases which could take years, the new rule now is to grant work permits only if the applicant is granted asylum or if their is no final determination of their case within 180 days. With these changes, the INS hopes to speed up the process and grant asylum to persons who really need protection and to deport ineligible applicants more quickly.

These new changes are bad news for Filipinos who have filed for asylum. Judging from the overwhelming percentage of denials, many of them did so to extend their stay and acquire work permits although they didn't really have valid grounds. The latest statistics for instance showed that at the beginning of 1993, there were 4,795 pending Filipino asylum applications. That year, an additional 4,107 cases were filed. Of these applications 41 were granted, 891 were denied, while 528 were closed leaving at the end of the year 7,742 pending. Despite the low approval rating of only 5%, it is estimated that over 4,000 were also filed last year.