

Name: _____

Key Terms

Refugee—An individual who leaves his or her country due to a credible fear of persecution or torture. People fleeing conflicts are also generally considered to be refugees since they are seeking refuge (safety). Refugees have specific rights and protections under international law. For example, refugees have the right to not be forced to return to the unsafe situation that they fled. Refugees have the rights of security and freedom of movement. They have the right to keep their family together. Similarly, countries that have refugees seeking asylum in their territory have specific responsibilities under international law for the treatment of those refugees.

Asylum Seeker or Asylee—An individual who moves across international borders in search of protection from persecution and files a claim for asylum (shelter or protection from danger) with another country's government. While the government reviews the claim, the person remains an asylum seeker. If the claim is accepted, the person gains legal status in the host country.

Migrant—A person who moves to a foreign country for various reasons—for example, for employment, education, or to reunite with family—usually for a year or more. Unlike refugees and asylees, migrants do not face a direct threat of persecution or death in their home country.

Credible Fear—To be granted refugee or asylee status, individuals must establish that they are at risk of persecution or torture if they return to their home country. They must establish in a hearing that they have been persecuted or tortured or have a well-founded fear of persecution or torture based on their race, religion, nationality, membership in a particular social group, or political opinion.

Affirmative Asylum Process—In the United States, individuals may apply for asylum status within one year of the date of their arrival regardless of how they arrived in the U.S. or their current immigration status. Those seeking asylum must complete documentation with the U.S. Customs and Immigration Service, undergo background and security checks, and complete an interview with an Asylum Officer. Their case may be referred to an Immigration Court.

Defensive Asylum Process—Individuals may request asylum as a defense against removal (deportation) from the United States.

Deportation—the removal of a person from a country.

Lawful Permanent Residence—Asylees and qualifying family members can apply for Lawful Permanent Residence (LPR) status one year after being granted asylum in the United States. If granted LPR status, they may apply for naturalization (citizenship) five years after being granted asylum.

Unaccompanied Minor—A child under age 18 who arrives at a border without a parent or legal guardian. After being taken into custody by immigration authorities, an unaccompanied minor is placed in the temporary care of the U.S. Department of Health and Human Services (HHS). After being interviewed to see if the child is a victim of trafficking, the child is released to the custody of a family member or other legal guardian, if available. Otherwise, the child is placed in a foster home or other licensed facility.