INTRODUCTION

In January 2017, U.S. President Donald Trump imposed his first travel ban. It suspended the U.S. Refugee Resettlement Program and blocked from entering the United States all individuals from seven Muslim-majority countries (including those who had green cards). Refugees International, along with untold numbers of Americans, opposed the ban as discriminatory and inhumane. Federal courts blocked the ban’s implementation, but later the same year, President Trump issued a second and then a third version of the ban.

In June 2018, the Supreme Court upheld the third version of the ban citing national security. However, as former national security officials have written, “the ban targets countries whose nationals have committed no deadly terrorist attacks on U.S. soil in modern history.” The ban currently bars all immigrants and many visitors from Iran, Libya, North Korea, Somalia, Syria, and Yemen as well as some visiting Venezuelan government officials and their family members.

The Court upheld the ban in part because it includes a process for nationals from the banned countries to enter the United States by obtaining a waiver. Waivers are to be granted in cases where the applicant can meet three criteria: 1) the applicant can show that being denied entry to the United States would cause them undue hardship; 2) their entry would be in the national interest of the
United States; and 3) their entry would not pose a threat to the national security or public safety of the United States.

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So far, however, only some 10 percent of people from Muslim-majority countries who applied for waivers have received one. This is due largely to the narrow ways the waiver requirements are defined. “Living in a conflict zone” under “difficult conditions” is not considered “undue hardship” for the purpose of receiving a waiver. National interest is defined in the State Department’s waiver guidance as whether a U.S. citizen or legal resident or organization would suffer hardship if the applicant could not enter immediately. Many of those who have applied for waivers have had their applications stuck in the threat screening—the third waiver requirement—for months. Moreover, since January 2018, the administration has subjected refugees from the banned countries, and family members from those countries following to join refugees previously resettled in the United States, to special heightened security procedures. This has contributed to a dramatic reduction of the percentage of resettled refugees from Muslim-majority countries, despite the fact that such refugees make up a substantial proportion of refugees worldwide.

On top of the difficulty in meeting the requirements, those going through the waiver process have found it opaque and complicated. But the most troubling aspect of the ban is that it has unnecessarily put lives at risk. It has also separated families and blocked applicants’ access to education and professional opportunities. The humanitarian impact of the ban is devastating. Refugees International is one of hundreds of organizations supporting the No Ban Act, which would overturn the current ban and prevent presidents from enacting similarly broad and discriminatory bans. As part of its advocacy effort, Refugees International collected stories from individuals and the family members of individuals stranded by the ban in countries suffering war and humanitarian crises. Here are three of their stories, told in their own words.

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9. Refugees International has used pseudonyms to respect the wishes of interviewees to remain anonymous.
Warsan, a Somalian Refugee

I lived with my husband and children in Mogadishu, where we owned a small store. In 2008, the violence of the civil war was intense, stores were ransacked, and houses were abandoned. My husband was murdered. Then my husband’s family demanded that I marry his brother. I fled with my children to Ethiopia. My husband’s brother followed me to the refugee camp there and, while I was in the hospital with my youngest child, took my other children back to Somalia. My eldest son managed to escape and bring them back to Ethiopia.

Through the refugee resettlement program, I was able to come to United States and then applied for my children to follow me. I applied for all four of them to come, but only my three younger children arrived in March 2018. Though I have asked many times, I still don’t know what is holding my eldest son, now 19, back in Addis Ababa. He is alone there. I worry about him, because of the danger there and my inability to reach him, because of blocked phone service, and his fear of even picking up the money I send him, worried he will be targeted. There is conflict between ethnic groups there, and he cannot get around safely. I am desperate for information as to what is holding up his application, and all I have been told is that I must wait for approval and processing.

“He remembers the death of his father, the attempts by his uncle to take the children, escaping back to Ethiopia. He has nightmares and went through all of this; he’s the one that deserves most to come here as a refugee.”

-Warsan

Shafin, a Syrian Student

I graduated from Damascus University in 2011 as a dentist. At the time of my graduation, the Syrian regime escalated its use of violence, and city invasions by the army became normal. As a member of a first aid team for the Syrian Red Crescent, I began providing medical services to the people who were injured during the protests. Then, in mid-2012,
my home city of Moadamyat El Sham, west of Damascus, suffered two massacres and a siege; no food or medicine were allowed in and no civilians were allowed out. The situation deteriorated and several children died from severe acute malnutrition. I was one of a handful of doctors responsible for the lives of 11,000 people.

Over the next four years, I conducted hundreds of emergency orthopedic and vascular surgeries. I had to make difficult decisions about who lived and who died; I still have haunting dreams about why I worked to save some and not others. I had to continue—there was nobody else to do it—despite terrible back pain from doing long surgeries [outside and exposed to the elements without any of the necessary equipment]. I was compelled to take on the role of a doctor in a time of constant crisis and limited resources.

In October 2016, my family, including myself, my wife, and two children, were forced to leave our home and to travel in a convoy of buses to Idlib. We struggled there for two months, trying several times to get to Turkey. In Turkey, I had to think in a different way. I couldn’t work legally as a dentist. Moreover, my experience as an emergency surgeon during the war made me sure I wanted to devote my professional life to improving health care in zones and times of conflict.

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I won a fellowship to study public health and was accepted at Washington University in St. Louis [in Missouri]. I signed my grant contract, registered for classes, looked for housing, and most important, sorted out how my family could make ends meet while I studied in the United States. I went to the U.S. consulate appointment with all the required documents and several support letters, which meant nothing to the officer because I am Syrian. After a half an hour interview, I received a paper stating that I was eligible for a visa but barred by the travel ban. I was told that, if I was found eligible for a waiver, they would let me know and that I could follow the status of my application online. I checked my application constantly but, after three months, the online system said I was denied. There was no way for me to appeal. I was devastated. And my family was running out of savings to rely upon to live.

I recently began a public health master’s program in Germany, but my scholarship does not allow me to bring my family to Berlin. So, I am now separated from them. In the spring of 2020, I will be required to spend three months doing field work in Mexico as part of the program, and I fear I may get stuck there, thousands of miles from my family, like so many others unable to find refuge.

“I was one of a handful of doctors responsible for the lives of 11,000 people.”

-Shafin

NAILA, A YEMENI-AMERICAN

I was born in Yemen but, since my parents are U.S. citizens, I was a U.S. citizen too. I came to
live in Michigan in 1999 when I was five and have lived here since then. On a trip to visit my extended family in Yemen after I graduated high school, a friend introduced me to her brother, who is now my husband. I wanted to continue my studies and wasn’t sure I was ready to get married—but I fell in love and he was persistent!

Because of the war, my parents could not attend the wedding and I couldn’t leave Yemen afterwards. By the time I made it back to the United States, I was already pregnant. Soon after I arrived, the travel ban was put into place. In late 2017, I had an interview in Michigan and explained my situation and that I wanted so much for my husband to know our son, for me not to have to raise him alone. My husband had already missed my son’s early milestones.

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-NAILA

My husband traveled from Yemen to Malaysia for his interview. They asked for a picture of our son and his original birth certificate. But they denied my husband a visa because of the travel ban and his waiver application just lingered in administrative processing. My husband could not afford to wait in Malaysia, so he went back to Yemen.

My husband is back in Yemen, where it is very hard for him to find regular work. Planes are constantly overhead, and nobody goes out at night. Still, I seriously considered taking my son to visit his father. But what if my son need-
ABOUT
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DR. YAEL SCHACHER is a senior U.S. advocate at Refugees International, where she focuses on U.S. asylum, U.S. refugee admissions, temporary protected status, and immigration practices that have refugee protection implications. Prior to joining Refugees International, Yael spent a decade researching the relationship between immigration and refugee policy for her forthcoming book on the history of asylum in the United States since the late nineteenth century. She has an M.A. in History and a Ph.D. in American Studies from Harvard University and was a postdoctoral fellow at the University of Texas at Austin where she focused on research and advocacy on asylum. Follow her on Twitter @YaelSchacher.

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REFUGEES INTERNATIONAL

Refugees International advocates for lifesaving assistance and protection for displaced people and promotes solutions to displacement crises around the world. We do not accept any government or UN funding, ensuring the independence and credibility of our work.