

Press Release: Groups File Class Action Challenge to Unprecedented Mass Denials of Iranian Refugees in the Lautenberg-Specter Program

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PRESS CONTACT

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GROUPS FILE CLASS ACTION CHALLENGE TO UNPRECEDENTED MASS DENIALS OF IRANIAN REFUGEES IN LAUTENBERG-SPECTER PROGRAM

(San Jose, CA) – Yesterday, Iranian individuals and their U.S. family members, represented by Latham & Watkins LLP and the International Refugee Assistance Project (IRAP) at the Urban Justice Center, challenged the mass denials they or their family members received in response to applying for refugee resettlement via the Vienna-based Lautenberg-Specter program.

The Lautenberg Amendment, passed by Congress in 1989, was intended to facilitate the refugee admission of certain vulnerable groups, including persecuted religious minorities. Iranian religious minorities became eligible for the Amendment's robust protections in 2004.

Under this unique program, U.S. residents submit an application on behalf of refugee applicants in Iran. Applicants have to pass an initial screening and, if successful, travel to Austria to continue the processing of their refugee application to the United States from a safe location. However, in February 2018, nearly 90 Iranians who had already traveled with the program received notices of denial that stated only that they were being denied "as a matter of discretion." Many of them had been waiting for nearly a year. These Iranians are now at risk of deportation back to Iran, where they could face even greater persecution for having sought refuge in the United States.

Plaintiffs seek the Court's intervention to enforce the requirements of the Lautenberg Amendment and the United States Constitution, so that they will have the fair opportunity to reunite with family members and the refugee applicants will be able to practice their religious beliefs in the safety of this country.

The lawsuit charges that denying the Iranian individuals without stating anything beyond "as a matter of discretion" prevents them from requesting agency review, putting these Iranian refugees in great danger.

Plaintiffs in the case are affected individuals, including U.S. citizens with family members who are impacted by this recent set of denials. They are a mother in San Jose, California, seeking to reunite with her diabetic daughter and young grandchild; a son who is eager to bring his mother and developmentally disabled adult brother to the United States for access to treatment and caregiving support; and a widow stranded in Vienna with her elderly father and disabled toddler. They are now faced with an uncertain future.

Plaintiff Jane Doe 5 stated in the court filing:

"The denial has had a terrible impact on me and my family. My son suffers from repeated epileptic attacks and congenital hydrocephalus, requiring regular medical attention which we do not have access to here in Austria. . . . Furthermore, because we had initially anticipated our stay in Austria to last only three to six months, we have run out of savings and are in dire financial straits. I am anxious to travel to the U.S. and be reunited with my in-laws."

The Plaintiffs are being represented by the International Refugee Assistance Project (IRAP) at the Urban Justice Center and Latham & Watkins LLP.

Mariko Hirose, Litigation Director of IRAP, said: “The U.S. government extended a helping hand to these Iranian Christians, Mandeans, and other persecuted religious minorities who wanted to join their family members in the United States, only to cruelly whip it away for no discernible reason at all. The government’s conduct betrays America’s long-standing commitment to be a beacon of religious freedom, as embodied by the Lautenberg Amendment.”

“Our clients include U.S. citizens and refugees (now stranded in Vienna) who long to be reunited as families and free from the risk of deportation back to Iran, where they would be at an even greater risk of persecution than before for having sought refuge in the U.S. as a religious minority,”

said **Latham & Watkins partner Belinda Lee**.

The complaint was filed in U.S. District Court for the Northern District of California.