

HCR224

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Melanie Pugay	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Stacelynn Eli	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HCR224

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Tanaka	Individual	Support	No

Comments: Please support this important statement on behalf of internationally recognized human rights, and the dignity of our country. Mahalo piha for the opportunity to support this measure!!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jason	Individual	Support	No

Comments: Help protect refugee rights!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rina Ono	Individual	Comments Only	No

Comments: N/A

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Cortes	Individual	Support	No

Comments: Yes to Refugee Rights! It's time for the fundamental human rights guaranteed by the Universal Declaration for Human Rights by the UNHCHR to be attainable for all humans! Stop the Injustice!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jewels Dmello	Individual	Support	No

Comments: Please pass this measure so as to stop the injustices being conducted against Refugees! Too many have been declared to have been "discriminated" against instead of "persecuted" and were sent back to their persecutors only to be killed upon their return! The United States is the land of the free; shouldn't it be free for all humans!?!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Lewis	Individual	Support	No

Comments: Refugees who have a Well-Founded Fear SHOULD NOT be sent back to their persecutors! The United States needs to change our policies! Because of our immense financial support to the UN, by upping our standards, we will be setting the stage for protecting all refugees world-wide!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Taryn Kaili	Individual	Comments Only	No

Comments: to ignore the plight of these refugees would greatly undermine the moral integrity of the state of Hawaii.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Wilson	Individual	Support	No

Comments: 1/3 of all refugees come from Africa! Protect Refugee Rights Worldwide!
The US is important in African Refugee Protection.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Shenkin	Individual	Support	No

Comments: If they follow the legal paperwork and if they feel threatened upon return of origination, yes, they should be allowed to stay.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Lobo	Individual	Support	No

Comments: People in another country should not suffer because of race, religion, sexual orientation, and any discrimination upon. We as US citizens believe in equal rights and we as the human race should believe in the same rights.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Muratalla	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Armando Huizar	Individual	Support	No

Comments: Refugees should be allowed to stay here, due to a well-founded fear relating to fear of being killed, especially if they were accepted here already. I was also an immigrant to the United States and I would not like to be sent back to Mexico because I will not know how to live there now after living in the States for so long.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Derick Yunoos	Individual	Support	No

Comments: I fear that if refugees are deported, then their families will get assassinated because their home governments are those that are persecuting them.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Halimah Shenghur	Individual	Support	No

Comments: People in another country should not suffer because of race, religion, sexual orientation, and any discrimination upon. We as US citizens believe in equal rights and we as the human race should believe in the same rights in conjunction with the Universal Declaration for Human Rights as proclaimed by the United Nations High Commissioner for Human Rights and with respect to the 1957 Refugee Convention.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Stone	Individual	Support	No

Comments: Protéger les droits des réfugiés!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Dmello	Individual	Support	No

Comments: Every human, irrespective of race, religion, or ethnic group has the right to live in freedom. If someone's life is in danger and they seek refuge in a different country, on humanitarian grounds they should be allowed amnesty.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Wingson	Individual	Support	No

Comments: If a person is in danger, why send them back? During war, different minority groups are given amnesty because of their life being in danger.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kyle Wingson	Individual	Support	No

Comments: Regardless of nation and origin, it is a matter of protecting life!!!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Maurilia Alvarado	Individual	Support	No

Comments: Everyone has a right to seek a better life for themselves; therefore, they should be allowed to stay here, especially if they will be in danger when they go back.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Wilson	Individual	Support	No

Comments: As a seasoned professional in the field of international law, I would like to take this opportunity to offer my complete support for this measure! It is about time a State petition the United States Federal Government to increase its standards of Refugee Protections! My area of expertise is Refugee Law, and I have seen far too many asylum applicants returned to their country of persecution, and my heart would just break for them. They came to the United States because this is the land where dreams become realities, only to be told that they are being sent back to their points of origination because they do not have a well-founded fear! I think the worst part is that the United States doesn't realize that many risk their lives just to get here and once we send them back, they will be further persecuted, imprisoned, and in some cases tortured and killed! It is our Responsibility as a leading nation in the United Nations to stand up for Refugee Rights and to help increase the status quo for their protections on the International Level!!!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Utra and Vinod Nair	Individual	Comments Only	No

Comments: If their country is against them and they sought asylum in the United States, then they should be allowed to stay here.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/4/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mery-Ann Decasa	Individual	Oppose	No

Comments: I like the purpose of what UHNCR does, but I dont like the fact that field offices are given the choice to withhold evidence from an applicant especially when regarding the pplicant's decision.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

HR178

Submitted on: 4/4/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
israel kealoha	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

House JUD Committee Hearing
Friday, April 5th, 2013
Conference Room 325

HR178/HR224 – Urging the United States Department of Homeland Security to Examine and Re-Evaluate Its Policies Regarding Refugee and Asylum Protections, Including the Principle of Non-Refoulement

Aloha kakou!

My name is Jared Romeo Dmello and I am a Senior Political Science Major at the University of Hawaii at Manoa. I am a Legislative Intern in the Office of Representative Karen Awana for this Legislative Session; however, I come here before you today as a private individual from the political science community who is genuinely concerned about this issue. I would like to show my **SUPPORT** for this resolution, and my support for the contemporary international refugee regime's work towards enhancing the quality of life for those who are persecuted worldwide. I know that the successful adoption of this measure will guarantee that the United States acts as a voice for the voiceless, truly living up to its name of being the land of the free and the home of the brave. Once again, Lady Liberty will be a sign for a new beginnings and a better life for all those who may seek it here within this great nation's boundaries!

Non-refoulement within the context of the contemporary international refugee regime is a customary principal in international law that protects a victim of persecution from being sent back to their persecutors. The principal of non-refoulement is at the heart of all provisions involving refugees, including the 1951 Convention Relating to the Status of Refugees, the very document that holds the foundation of all refugee law.

One thing that is extremely important to acknowledge about the contemporary international refugee regime is that it is a highly dynamic institution that is constantly changing and evolving. Whereas some regions will have situations resulting in refugees for decades, others may only be interim sessions. The Great Partition of the Indian Subcontinent back in 1947 initiated the bloodiest and largest human migration in history; as a result of Partition itself as well as the many conflicts and acts of violence the have since followed, a significant amount of South Asians have sought asylum for their protection. Another thing to note is different regions work with one another in different ways. For example refugees in Africa tend to stay within Africa; they generally stay in countries nearer to their points of origin. Michael Kagan, an expert in the field of refugee law in the international context, also talks about the influence of the UNHCR and its differences around the world; in the North (generally more influential States), the UNHCR is seeing a significant reduction of its legal influence, whereas in the South the UNHCR has almost become a governmental and legal institution.

It can be argued that the United Nations High Commissioner for Refugees (UNHCR) must utilize the procedures and mechanisms being established by the Office of the United Nations High Commissioner for Human Rights (UNHCHR). Indeed this is quite true, because many of the issues addressed relating to refugee rights can find their groundings in the UNHCHR's Universal Declaration for Human Rights.

One of the most challenging questions is what determines an individual to be a "true victim" of persecution? One of the biggest problems at the State¹ level lays within the actual procedures relating to refugee status determinations. Oftentimes, it is hard for officials to distinguish between "persecution" and "discrimination" and this poses a serious problem for the refugees. There have been many cases in which the United States has denied asylum to individuals, only for those individuals to be killed and or tortured/further persecuted upon arrival back to their points of origin. How is this not an example of a well-founded fear?

We should have procedures in place to help identify refugees and to ensure their protection against refoulement. The current procedure is too subjective. The documentary *A Well Founded Fear* gives an insight to the process asylum applicants must go through to be granted asylum in the United States of America. The documentary even showed how in a single case, one asylum officer may find the applicant to have a well-founded fear, whereas their colleague might declare the fear to be non-grounded. There is some level protection for refugee applicants in that they have the ability to appear before an immigration judge to appeal the asylum officer's denial; however, only 1 in 8 denials that are brought before an immigration judge will be overturned.

A problem that is arising within the contemporary international refugee regime is that the UNHCR has started to reassess its own position and role within the refugee regime. This is quite important to note because since the UNHCR relies on the various State governments for funding, it must rely on its moral authority to give it its power. In order to secure and conserve the integrity of its moral authority, the UNHCR is starting to remove itself from implementation of refugee practices, leaving more of the applications of policies to the member States that signed on the 1951 Convention. Instead, the UNHCR is focusing more on supervising the overall regime to help promote refugee rights and to stay impartial for when conflicts arise. What is important to note is that it is the responsibility of the member states to implement accurate procedures to adequately support refugees and to ensure they receive the fundamental human rights warranted to them.

What is important is that the United States contributes up to 60% of UN annual funding. Because of our strong financial investment in the United Nations, we have the responsibility to set the standards for the world. By further justifying and clarifying our policies and procedures relating to refugee protections, we will be

¹ "State" referring to member of United Nations or country; not to be confused with an entity within the United States such as "the state of Hawai'i"

setting a higher standard for the World, thus allowing the spirit of Aloha to transcend the State of Hawaii's boundaries to encourage human rights around the world!