



Welcoming Afghans Legal Orientation and Cultural Humility Workshop

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Legal Disclaimer

The materials presented are for informational purposes only and not for the purpose of providing legal advice



Center for Immigrants' Rights Clinic





Goals

Cultural
Humility

Immigration
Options for
Afghans

Share
Resources



Cultural Humility



What is culture for you?



Source: <https://images.app.goo.gl/284QpbUMh3bZtwQx8>



What Is Culture?

The systems of knowledge shared by a group of people. Cultivated behavior that is the totality of a person's learned, accumulated experience which is socially transmitted.



Image: <https://images.app.goo.gl/pXVrtYV25q5FFrF77>



Image: <https://images.app.goo.gl/fkPrGvigBuXxUcYLA>



What is Cultural Humility?

Cultural humility involves a humble awareness that you will never stop learning and growing as we connect with others.



Understanding Cultural Humility

Be aware and sensitive to historic realities

- Like legacies of violence and oppression against certain groups of people

Be aware of one's own values and beliefs

- It is important to understand that those notions come from the combination of cultures that people experience in their everyday lives.

Gaining cultural knowledge:

- What are other cultures like, and what strengths do they have?

Developing cultural self-awareness:

- What is my culture, and how does it influence the ways I view and interact with others?





Cultural Considerations

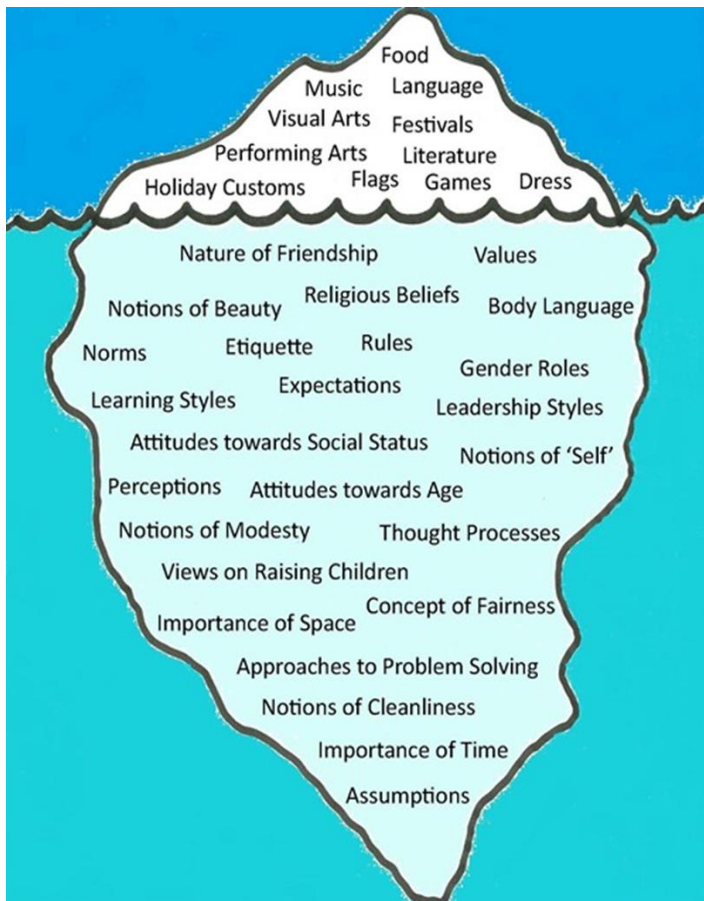
- Be sensitive
- Learning common greetings (*Salam, Salam alaikum*)
- Afghan (not Afghani-Afghani is a currency)
- Cultural and social considerations
 - Physical interactions
 - Eye contact
- Gender



Image: <https://images.app.goo.gl/C8e4RfbVE2xpJj6M9>



How can I practice Cultural Humility?



Seek

- Actively seek knowledge of the cultural practices and world view.
- Engage in dialogue with them
- Compassion, respect and understanding

Develop

- Develop skills for communication and interaction across cultures.

Study

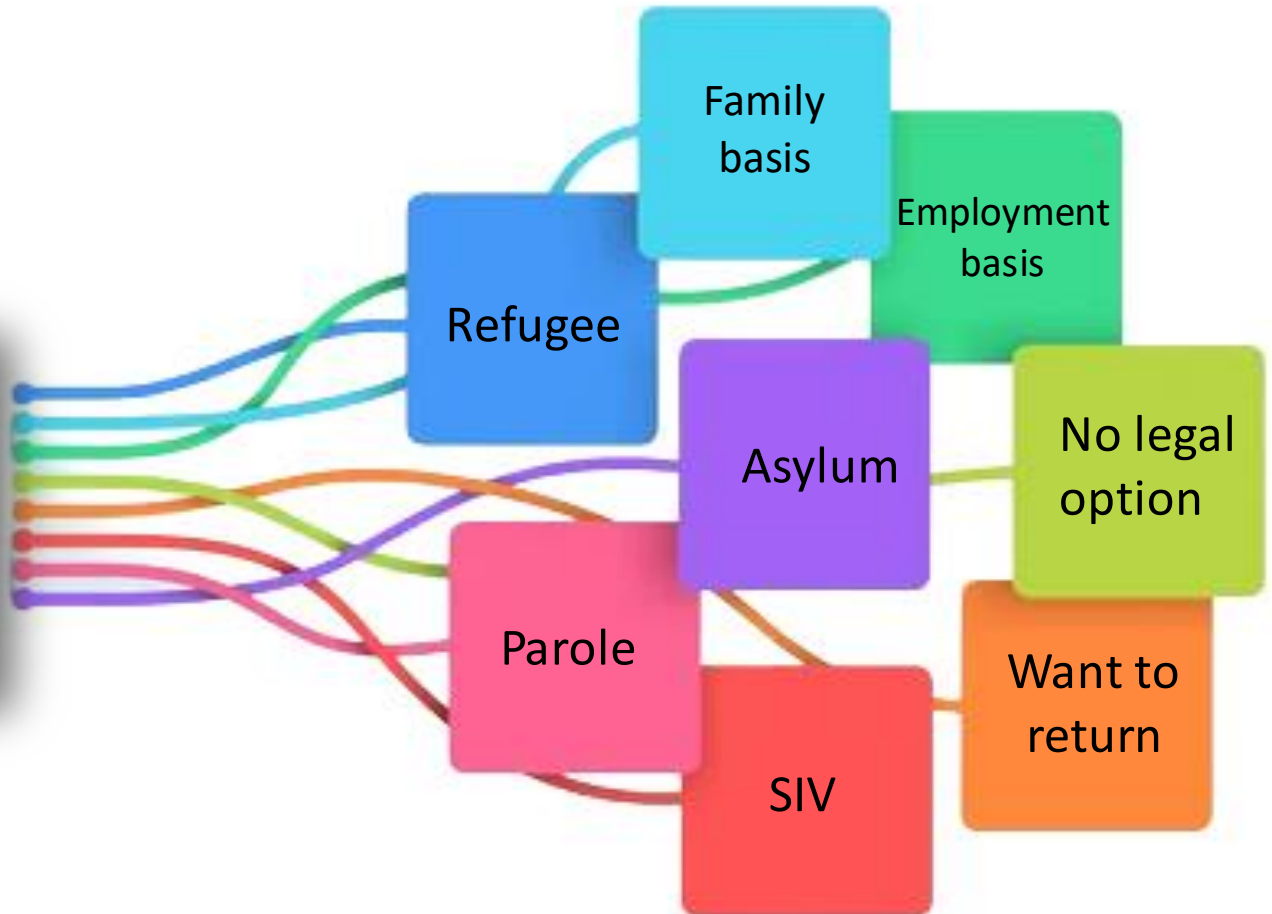
- Study the history of the community we work with.

Avoid

- Avoid generalizations, do not assume that everyone in an ethnic group is the same, focus on this individual, and ask questions when in doubt!



Source: by Unknown author, licensed under CC BY.



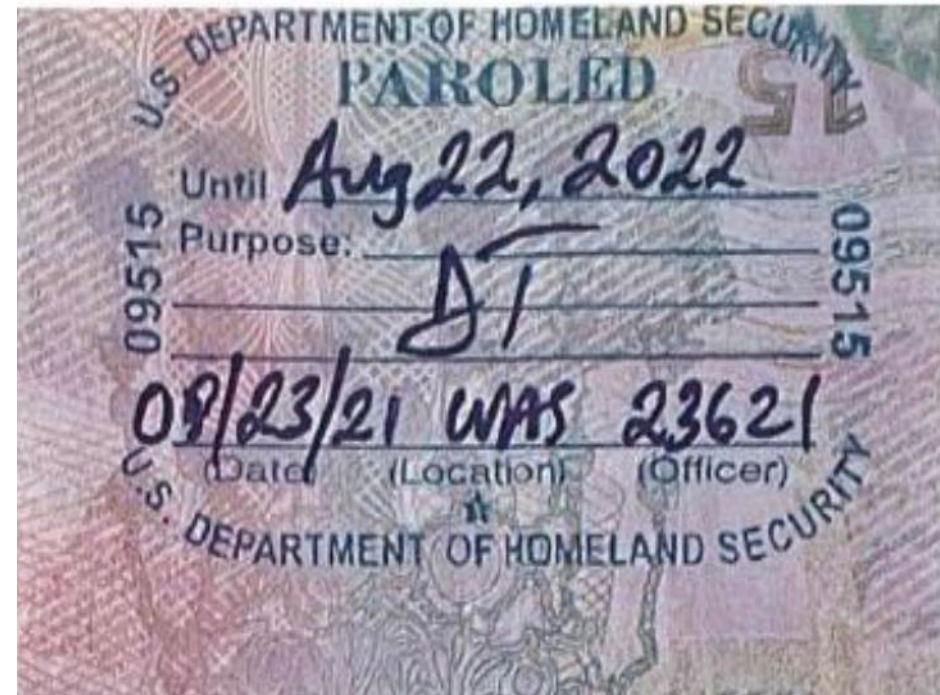


Immigration Options for Afghans



What is Parole ?

- A mechanism by which certain individuals are granted **permission to enter the US and remain temporarily** for humanitarian purposes.
- Parole granted to Afghans **expires after 2 years.**
- Afghans who have been paroled are often **called "Parolees."**



Source: Catholic Legal Immigration Network: Guide to Client Documentation and Benefits for Afghan Parolees



Parole

- Parole does **not** provide a direct pathway to a permanent legal status ("Green Card").
- Parolees can apply for an employment authorization document (EAD).
- Parolees must report the change of address **within 10 days**.



Parole & Legal Options

Special
Immigrant
Visa

Asylum

Family

Employment



**U.S. Citizenship and
Immigration Services**



Special Immigrant Visa (SIV) For Afghans

- The Special Immigrant Visa (SIV) program is available for Afghans who were employed by or on behalf of the US government.
- SIV provides a direct pathway to a Green Card.

Source: <https://www.rescue.org/article/evacuations-afghanistan-what-afghan-special-immigrant-visa-siv-program>



Special Immigrant Visa (SIV) For Afghans – The Story of Abdul Aman





SIV Requirements

- Applicant has been employed by or on behalf of the US government in Afghanistan
- For at least one year;
- Letter of recommendation from employer & Chief Of Mission (COM) approval;
- Experienced/Experiencing an ongoing serious threat because of their employment.



Asylum

- Asylum is a protection offered to individuals present on the US territory who are unable or unwilling to return to their home country because of fear of persecution.
- The asylum application must be filed within one year.
- Asylum provides a direct pathway to a green card.



Asylum Requirements

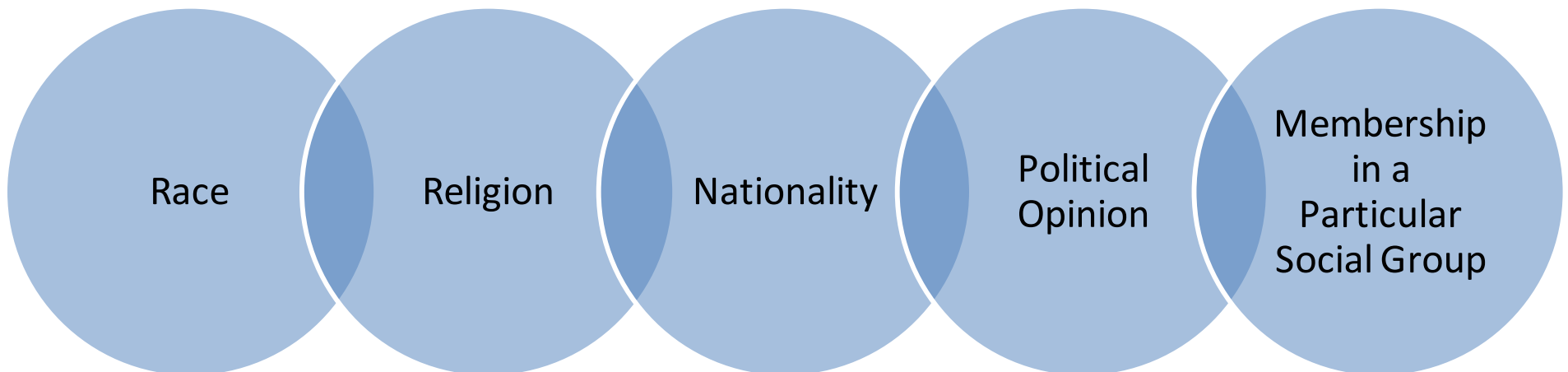
- Show past persecution or fear of persecution in the future in their home countries.
- Show that harm or threat was afflicted by the government or a group the government is unable or unwilling to control.

Source: <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/asylum-frequently-asked-questions/questions-and-answers-asylum-eligibility-and-applications>



Asylum Five Grounds

- The persecution must be occurring for one of these 5 grounds:



Source: <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum>



Asylum Application

- Form I-589 (the Asylum application filed with the USCIS).
- A written declaration (the story).
- Any supporting documentation to corroborate the claim.

Department of Homeland Security
U.S. Citizenship and Immigration Services
U.S. Department of Justice
Executive Office for Immigration Review

OMB No. 1615-0087; Expires 09/30/2022

**I-589, Application for Asylum
and for Withholding of Removal**

START HERE - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application. There is no filing fee for this application.

NOTE: ☐ Check this box if you also want to apply for withholding of removal under the Convention Against Torture.

Part A.I. Information About You

| | | | | | |
|---|-------|---|--|--|--|
| 1. Alien Registration Number(s) (A-Number) (if any) | | 2. U.S. Social Security Number (if any) | | 3. USCIS Online Account Number (if any) | |
| 4. Complete Last Name | | 5. First Name | | 6. Middle Name | |
| 7. What other names have you used (include maiden name and aliases)? | | | | | |
| 8. Residence in the U.S. (where you physically reside) | | | | | |
| Street Number and Name | | | | Apt. Number | |
| City | | State | | Zip Code | |
| | | | | Telephone Number () | |
| 9. Mailing Address in the U.S. (if different than the address in Item Number 8) | | | | | |
| In Care Of (if applicable): | | | | Telephone Number () | |
| Street Number and Name | | | | Apt. Number | |
| City | | State | | Zip Code | |
| 10. Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female | | 11. Marital Status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed | | | |
| 12. Date of Birth (mm/dd/yyyy) | | 13. City and Country of Birth | | | |
| 14. Present Nationality (Citizenship) | | 15. Nationality at Birth | | 16. Race, Ethnic, or Tribal Group | |
| | | | | 17. Religion | |
| 18. Check the box, a through c, that applies: a. <input type="checkbox"/> I have never been in Immigration Court proceedings. b. <input type="checkbox"/> I am now in Immigration Court proceedings. c. <input type="checkbox"/> I am not now in Immigration Court proceedings, but I have been in the past. | | | | | |
| 19. Complete 19 a through c. | | | | | |
| a. When did you last leave your country? (mm/dd/yyyy) | | | b. What is your current I-94 Number, if any? | | |
| c. List each entry into the U.S. beginning with your most recent entry. List date (mm/dd/yyyy), place, and your status for each entry. (Attach additional sheets as needed.) | | | | | |
| Date | Place | Status | Date | Status Expires | |
| | | | | | |
| Date | Place | Status | Date | Status Expires | |
| | | | | | |
| Date | Place | Status | Date | Status Expires | |
| | | | | | |
| 20. What country issued your last passport or travel document? | | 21. Passport Number | | 22. Expiration Date (mm/dd/yyyy) | |
| | | Travel Document Number | | | |
| 23. What is your native language (include dialect, if applicable)? | | 24. Are you fluent in English? | | 25. What other languages do you speak fluently? | |
| | | <input type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| For EOIR use only. | | For USCIS use only. | | Action: Interview Date: _____ Asylum Officer ID No.: _____ | |
| | | | | Decision: Approval Date: _____ Denial Date: _____ Referral Date: _____ | |

Form I-589 (Rev. 09/10/19) N



Family Based Options

- Afghans who have US Citizens or Lawful Permanent Residents (LPRs) relatives may be eligible for family-based immigration.
- US Citizens or LPRs file petitions for their relatives with the USCIS.



Employment Based Options

- Afghan parolees can apply for employment-based adjustment of status.
- Types of EB visas that may be available:
 - **EB-1** : Persons with extraordinary ability.
 - **EB-2** : Professionals holding advanced degrees and persons of exceptional ability.
 - **EB-3** : Skilled workers, professionals, and other workers.



Afghan Adjustment Act

- Not all Afghan parolees will be able to adjust status.
- An 'Afghan Adjustment Act' would help thousands of Afghan parolees to obtain a permanent legal status, stability, and visibility about their future.



Be careful of fake lawyers !





Resources

Finding local resources and legal help



TILS–Immigration Legal Services Program

Se habla Español. Interpreters are available for many languages upon request.

Thrive provides affordable immigration legal services to low-income and vulnerable community members in north central/north-eastern Pennsylvania, the Lehigh Valley, and other areas as needed.

Our program is [recognized by the Department of Justice](#) per 8 CFR § 1292, and we are an affiliate of CLINIC.

Our [DOJ accredited representatives](#) provide accurate advice about immigration issues, assistance with USCIS applications, and representation at USCIS interviews to serve our community.

Our Services

We help with the following issues:



I can't thank you enough for all your help in getting [my son's

THRIVE – International Programs

LINK: <https://thriveip.org/>



PennState Law

Center for Immigrants' Rights Clinic

PennState Law

LEWIS KATZ BUILDING, UNIVERSITY PARK, PA

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IMMIGRATION IN A BIDEN ADMINISTRATION

RESOURCES

- [Afghanistan](#)
- [Immigration Legislation](#)
- [Immigration Enforcement and Discretion](#)
- [DACA/DED/TPS](#)
- [Muslim and African Travel Bans](#)
- [Asylum](#)
- [General](#)

Afghanistan

[Resources from the Clinic](#)

[Video from the Penn State Law Center for Immigrants' Rights Clinic and the United States Conference of Catholic Bishops](#), Process for Arriving Afghans, February 2022

[Asylum Basics for Afghan Nationals](#), Penn State Law Center for Immigrants' Rights Clinic, PARS Equality Center, Khanbabai Immigration Law, December 29, 2021. [\(in Pashto\)](#) [\(in Dari\)](#)

CENTER FOR IMMIGRANTS' RIGHTS CLINIC RESOURCES

LINK: <https://pennstatelaw.psu.edu/immigration-biden-administration#Afghanistan>



Find Resources for Assisting Afghan Clients

AILA Doc. No. 21081935 | Dated January 21, 2022

The situation in Afghanistan is constantly changing and the information provided below could be outdated. AILA recommends that individuals consult with an attorney for further information and guidance. AILA members: this document is accessible to the public and can be shared with clients and the community who may need access to resources. Members of the public: if you need an immigration lawyer, please consult [AILA's Immigration Lawyer Search](#).

Recently Added Resources

- DOS Provides Videos About the Asylum Process in Various Languages
 - [English Version](#)
 - [Dari Version](#)
 - [Pashtu Version](#)
- [DOS Provides Diversity Visa Reassignment Procedures for Kabul and Baghdad](#) – January 5, 2022
- [USCIS Issues Guidance on How to Request Corrections to EADs for Afghans](#) – December 21, 2021
- [Afghans in Need of Immigration Assistance](#)
- [AILA Resources on the Parole Process](#)
- [Call for Examples: Third Country Processing Experiences for Afghan Nationals](#)
- [AILA Provides One-Page Related to Immigration Options for Afghan Nationals](#)

AMERICAN IMMIGRATION LAWYERS ASSOCIATION

LINK: <https://www.aila.org/advo-media/issues/all/resources-assisting-afghan-clients>



What are you doing to help Afghans?



<https://images.app.goo.gl/aFAGuK3XLdCeKway8>



Thank you!