

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2021-2022 Regular Session**

AJR 15 (McCarty)  
Version: June 1, 2021  
Hearing Date: July 6, 2021  
Fiscal: No  
Urgency: No  
TSG

**SUBJECT**

World Refugee Day

**DIGEST**

This resolution: (1) recognizes June 20, 2021, as World Refugee Day; (2) makes a series of declarations about current refugees crises throughout the world, the role that the United States and California have played in resettling refugees; and the contributions that refugees have made to California; and (3) urges the President and Congress of the United States to take action to support existing refugees and try to prevent the conditions that would produce more refugees globally.

**EXECUTIVE SUMMARY**

Since 2001, the United Nations has made June 20 “World Refugee Day” and marked the occasion with events and celebrations intended to recognize the immense challenges that refugees worldwide have faced as well as the resilience of refugees in the face of those difficulties. World Refugee Day presents an opportunity to reflect on what more can be done to help refugees return home safely, to resettle those who cannot, and to prevent refugee crises from developing in the first place. This resolution commemorates June 20, 2021, as World Refugee Day, at a time when the number of refugees worldwide is at an all-time high and the COVID-19 pandemic has made their conditions even more precarious. The resolution discusses a number of major refugee crises taking place across the globe currently, and highlights the leading role that the United States and California have played in helping to resettle refugees. The resolution points out that this role has been mutually beneficial: California has offered welcome and healing to refugees, and the refugee community has, in turn, contributed to California’s rich diversity and innovative spirit.

The resolution is author-sponsored. There is no known support or opposition.

**PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Provides for the international protection of people who have fled persecution on account of race, religion, nationality, political opinion, or membership in a particular social group. (United Nations General Assembly, Universal Declaration of Human Rights, 217A(III), Article 14 (Dec. 10, 1948); Convention Relating to the Status of Refugees (1951); Protocol Relating to the Status of Refugees (1967).)
- 2) Provides that the federal government has the exclusive authority to regulate immigration and naturalization. (U.S. Const., art. I, § 8, clauses 3 and 4.)
- 3) Defines “refugee” as a person who is unable or unwilling to return to their country because of persecution, or a well-founded fear of persecution, based on the person’s race, religion, nationality, membership in a particular social group, or political opinion. (8 U.S.C. § 1101(a)(42)(A).)
- 4) Prohibits, with certain exceptions, the federal government from returning a person to their home country if the Attorney General decides that the person’s life or freedom would be threatened because of the person’s race, religion, nationality, membership in a particular social group, or political opinion. (8 U.S.C. § 1231(b)(3).)
- 5) Permits the President, after appropriate consultation with Congress, to admit as many refugees in a given fiscal year as the President determines is justified by humanitarian concerns or is otherwise in the national interest. (8 U.S.C. § 1157(b).)
- 6) Establishes the Office of Refugee Resettlement (ORR) within the Department of Health and Human Services, which funds and administers refugee resettlement and assistance programs. (8 U.S.C. § 1521.)
- 7) Requires the Director of ORR to consult with state and local governments and private nonprofit voluntary agencies concerning the refugee sponsorship process and the intended distribution of refugees among states and localities before their placement in those states and localities. (8 U.S.C. § 1522.)
- 8) Declares that immigrants are valuable and essential members of the California community and points out that almost one in three Californians is foreign-born and one in two children in California has at least one immigrant parent. (Gov. Code § 7284.2 (a).)
- 9) Requires the Department of Social Services to allocate federal funds for refugee social services programs to eligible counties and qualified nonprofit organizations

based on the number of refugees receiving aid in each eligible county or the number of refugees that reside in the eligible county. (Welf. and Inst. Code § 13276.)

This resolution:

- 1) Declares that people displaced by conflict, instability, and persecution, including refugees and asylum-seekers, as well as internally displaced people who seek safety in other parts of their home countries, face innumerable challenges – in addition to the trauma of being forced from their homes – including language and cultural barriers, difficulty securing work and housing, and limited access to health care and other social services.
- 2) Declares that refugees who are women and girls are often at a greater risk of sexual violence and exploitation, forced or early marriage, human trafficking, and other forms of gender-based violence.
- 3) Finds that children account for nearly one-half of the refugee population in the world, and that millions of these children are unable to access basic services, including education.
- 4) Finds that at the end of 2019, there were nearly 80,000,000 displaced people worldwide, including roughly 45,700,000 internally displaced people, 26,000,000 refugees, and 4,200,000 people seeking asylum, and that these were the highest levels ever recorded.
- 5) Makes a series of findings regarding current, specific refugee crises worldwide.
- 6) Finds that since 1975, the United States has welcomed more than 3,000,000 refugees, who are resettled in communities across the country.
- 7) Declares that since the enactment of the United States Refugee Act of 1980, California has greatly benefited from being a national leader in welcoming refugees from all faiths and regions of the world.
- 8) Declares that California maintains a proud history of diversity and inclusion by resettling refugees from countries around the world.
- 9) Declares that well-established refugee communities in California have significantly strengthened the worldwide economic positioning of California and contributed to advancing the state as the fifth-largest economy on Earth.
- 10) Declares that the Legislature reaffirms the strong bipartisan commitment of the United States and California to protect and assist millions of refugees and other forcibly uprooted persons worldwide.

- 11) Declares that the United States provides critical resources and support to the United Nations High Commissioner for Refugees (UNHCR) and other international and nongovernmental organizations working with refugees around the world.
- 12) Declares that the Legislature commends those who have risked their lives working individually and for the countless nongovernmental organizations and international agencies such as UNHCR that have provided lifesaving assistance and helped protect those displaced by conflict around the world.
- 13) Finds that the United Nations designates Sunday, June 20, 2021, as World Refugee Day, a global day to honor the courage, strength, and determination of women, men, and children who are forced to flee their homes under the threats of conflict, violence, and persecution.
- 14) Recognizes June 20, 2021 as World Refugee Day.
- 15) Urges the President and Congress of the United States to strengthen the international leadership role of the United States in order to find political solutions to existing conflicts, prevent new conflicts from beginning, and aid those who have been displaced, including the most vulnerable populations who endure sexual violence, human trafficking, forced conscription, genocide, and exploitation.
- 16) Urges Congress to make a bipartisan commitment to promote the safety, health, and well-being of the millions of refugees and displaced persons who flee war, persecution, and torture in search of peace, hope, and freedom.
- 17) Resolves that the Chief Clerk of the Assembly shall transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, and each Senator and Representative from California in the Congress of the United States.

### COMMENTS

#### 1. Background on the origin of World Refugee Day

World Refugee Day is an annual celebration commemorating the approval of the United Nations' Convention Relating to the Status of Refugees (Convention).<sup>1</sup> Together with the United Nations' Protocol Relating to the Status of Refugees (Protocol), the Convention provides the legal foundation for the modern international refugee system. The Convention and Protocol set forth the rights of refugees and the obligations of nations toward them. Of these, two legal duties are of paramount importance. The first

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<sup>1</sup> *World Refugee Day*, United Nations High Commissioner on Refugees <https://www.unhcr.org/world-refugee-day.html> (as of Jun. 30, 2021).

is known as “non-refoulement”: no person should be repatriated to a nation where they have a well-founded fear of persecution due to their race, religion, nationality, political opinion, or membership in a particular social group. The second is a requirement that member nations provide processes to assimilate and naturalize refugees. (Convention, Articles 32-34.)

The United Nations first declared June 20 as World Refugee Day in 2001, to coincide with the 50th anniversary of the Convention’s approval. Every year since, the United Nations High Commissioner for Refugees (UNHCR) and groups around the world host World Refugee Day events on June 20. The day offers an opportunity to reflect on the plight of refugees worldwide, celebrate refugees’ resilience, and rededicate the global community to the dual goals of enabling refugees to return home whenever safely possible and resettling refugees elsewhere whenever it is not.

## 2. Sources for the Resolution’s factual findings

This resolution sets forth a series of statements about the plight of refugees generally, as well as about the origin and size of some of the biggest refugee crises currently taken place throughout the globe. The information is drawn almost entirely from reports of the United Nations High Commissioner on Refugees. The specific factual claims and the corresponding sources for them are as follows:

Statement: “Refugees who are women and girls are often at a greater risk of sexual violence and exploitation, forced or early marriage, human trafficking, and other forms of gender-based violence.”

Source: *Handbook for the Protection of Women and Girls, First Edition* (Jan. 2008) United Nations High Commissioner for Refugees <https://www.unhcr.org/47cfa9fe2.html> (as of Jul. 1. 2021) at p. 3.)

Statement: “Children account for nearly one-half of the refugee population in the world, millions of whom are unable to access basic services including education.”

Source: *Global Trends Forced Displacement in 2019* (2020) United Nations High Commissioner for Refugees <https://www.unhcr.org/5ee200e37.pdf> (as of Jul. 1, 2021) at p. 2.

Statement: “At the end of 2019, there were nearly 80,000,000 displaced people worldwide, the highest levels ever recorded, including roughly 45,700,000 internally displaced people, 26,000,000 refugees, and 4,200,000 people seeking asylum.”

Source: *Global Trends Forced Displacement 2019*, United Nations High Commissioner on Refugees (<https://www.unhcr.org/5ee200e37.pdf>. (as of Jun. 20. 2021), at p. 2.

Statement: “Sporadic outbursts of violence in Burundi have prompted more than 330,000 Burundians, as of July 2020, to flee to the neighboring countries of Rwanda, Tanzania, Uganda, and the Democratic Republic of the Congo.”

Source: *Burundi Situation* (Jul. 31, 2020) United Nations High Commissioner on Refugees <https://www.unhcr.org/en-us/burundi-situation.html> (as of Jun. 30, 2021).

Statement: “By the end of 2019, violence and widespread conflict in the Democratic Republic of the Congo resulted in the internal displacement of 5,000,000 people.”

Source: *Global Trends Forced Displacement in 2019* (2020) United Nations High Commissioner for Refugees <https://www.unhcr.org/5ee200e37.pdf> (as of Jul. 1, 2021) at p. 31.

Statement: “Violent insurgent attacks in Nigeria have forced 684,000 people to flee to the neighboring countries of Cameroon, Chad, and Niger, and have internally displaced over 2,900,000 people as of 2020.”

Source: *Nigeria Emergency* (Dec. 31, 2020) United Nations High Commissioner on Refugees <https://www.unhcr.org/en-us/nigeria-emergency.html>. (as of Jun. 30, 2021).

Statement: “Nearly 2,000,000 South Sudanese people are internally displaced, and over 2,000,000 are refugees, mainly in Ethiopia, Sudan, and Uganda, as a result of the humanitarian emergency that has been ongoing since December 2013.”

Source: *South Sudan Emergency* (July 31, 2020) United Nations High Commissioner on Refugees <https://www.unhcr.org/south-sudan-emergency.html>. (as of Jun. 30, 2021).

Statement: “Between 2014 and 2017, more than 5,000,000 Iraqis fleeing violence were internally displaced, and, as of 2019, more than 259,000 refugees have fled to nearby countries.”

Source: *International Protection Considerations with Regard to People Fleeing the Republic of Iraq* (May 2019) United Nations High Commissioner on Refugees <https://www.refworld.org/country,,UNHCR,,IRQ,,5cc9b20c4,0.html>. (as of Jun. 30, 2021).

Statement: Nearly 6,600,000 refugees have fled Syria since the start of the Syrian conflict in 2011 and more than 6,700,000 people are internally displaced.”

Source: *Syria Emergency* (Mar. 15, 2021) United Nations High Commissioner on Refugees <https://www.unhcr.org/syria-emergency.html>. (as of Jun. 30, 2021).

Statement: “Since 2014, more than 2,000,000 refugees and migrants have crossed the Mediterranean Sea from North Africa, and at least 20,000 women, men, and children have died or gone missing during those crossings.”

Source: *Operational Data Portal Refugee Situations: Mediterranean Situation*, United Nations High Commissioner on Refugees <https://data2.unhcr.org/en/situations/mediterranean> (as of Jun. 30, 2021).

Statement: “More than 85,000 women, men, and children, including many persecuted Rohingya refugees from Myanmar, departed on smugglers’ boats from the Bay of Bengal by 2015, more than 1,000 of whom died at sea.”

Source: *Bay of Bengal and Adaman Sea Proposals for Action* (May 2015) United Nations High Commissioner on Refugees, International Organization for Migration, United Nations Office on Drugs and Crime <https://www.unhcr.org/en-us/protection/migration/55682d3b6/action-plan-2015-bay-bengal-andaman-sea.html?query=bay%20of%20bengal>. (as of Jun. 30, 2021).

Statement: “By the end of 2019, approximately 1,800,000 people were displaced within Ukraine, with approximately 60,000 Ukrainians seeking protection in other countries as a result of the worsening humanitarian situation in nongovernment controlled areas.”

Source: *Ukraine* (Jun. 2018) United Nations High Commissioner on Refugees <https://www.unhcr.org/en-us/ukraine.html?query=ukraine>. (as of Jun. 30, 2021); *Global Trends Forced Displacement in 2019* (2020) United Nations High Commissioner for Refugees <https://www.unhcr.org/5ee200e37.pdf> (as of Jul. 1, 2021) at p. 18.

Statement: “As of 2020, violence, insecurity, threats, and a lack of food, medicine, and essential medical services have led to more than 5,000,000 Venezuelan refugees and migrants worldwide.”

Source: *Venezuela Situation*, United Nations High Commissioner on Refugees <https://www.unhcr.org/en-us/venezuela-emergency.html>. (as of Jun. 30, 2021).

Statement: “Civil unrest and clashes between armed groups have resulted in over 7,000,000 internally displaced Colombians as of the end of 2018.”

Source: *Global Trends - Forced Displacement in 2018*, United Nations High Commissioner for Refugees, <https://www.unhcr.org/globaltrends2018/> (as of Jul. 1, 2021).

Statement: “Since 1975, the United States has welcomed more than 3,000,000 refugees who are resettled in communities across the country.”

Source: *Refugees in America*, USA for UNHCR <https://www.unrefugees.org/refugee-facts/usa/>. (as of Jun. 30, 2021).

### 3. Better angels of our nature

Each World Refugee Day has a theme. This year’s theme is: “Together we heal, learn and shine.”<sup>2</sup> This is a rosy slogan for something that emanates from human cruelty. To become a refugee, by definition, is to be driven from your home by the persecution of others. Yet “[t]ogether we heal, learn and shine” beautifully encapsulates the deeply redemptive spirit of the international refugee system. For if it is the worst of humanity that forces refugees out, it is the best of humanity that lets them in and offers them peace, safety, and the opportunity to begin anew.

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<sup>2</sup>*World Refugee Day*, United Nations High Commissioner on Refugees <https://www.unhcr.org/world-refugee-day.html> (as of Jun. 30, 2021).

In this regard, it is worth noting that while the United States has, historically, been the world leader in resettling refugees, in recent years, our nation has become far stingier.<sup>3</sup> In the last years of the Trump Administration, the United States agreed to admit just 15,000 refugees. After initially proposing to maintain these historically low refugee admission levels, the Biden Administration has now raised the annual refugee admission cap to 62,500 for federal fiscal year 2021 and has pledged to double that figure for fiscal year 2022.<sup>4</sup>

#### 4. Arguments in support of the bill

According to the author:

California maintains a proud history of diversity and inclusion by resettling refugees from around the world. The well-established refugee communities in California have significantly strengthened the worldwide economic positioning of the state and contributed to advancing California as the fifth largest economy in the world. World Refugee Day is a global day to honor the courage, strength, and determination of women, men, and children who are forced to flee their homes under the threats of conflict, violence, and persecution.

#### SUPPORT

None known

#### OPPOSITION

None known

#### RELATED LEGISLATION

Pending Legislation: SB 452 (Gonzalez, 2021) establishes a new Cabinet-level agency in state government, with responsibilities to include coordinating immigrant and refugee services among state agencies; assisting state agencies in evaluating the effectiveness of their services; and working with local immigrant affairs offices to maximize the impact of the services they provide. SB 452 is currently pending consideration before the Assembly Appropriations Committee.

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<sup>3</sup> U.S. Resettles Fewer Refugees, Even as Global Number of Displaced People Grows (Oct. 19, 2017) Pew Research Center <https://www.pewresearch.org/global/2017/10/12/u-s-resettles-fewer-refugees-even-as-global-number-of-displaced-people-grows/> (as of Jul. 1, 2021).

<sup>4</sup> Statement by President Joe Biden on Refugee Admissions (May 3, 2021) The White House <https://www.whitehouse.gov/briefing-room/statements-releases/2021/05/03/statement-by-president-joe-biden-on-refugee-admissions/> (as of Jul. 1, 2021).



Prior Legislation:

AB 3133 (Aguiar-Curry, Ch. 189, Stats. 2020) prohibited state and local governments from withholding consent to refugee resettlement within their jurisdictions, where such withholding would have the purpose or effect of discriminating on the basis of a protected characteristic.

AJR 19 (Gloria, Res. Ch. 183, Stats. 2019) expressed support for the resettlement of refugees in the United States, and in California in particular, regardless of their race, religion, nationality, sexual orientation, gender identity, or country of origin.

HR 33 (McCarty, 2019) declared June 20, 2019 as World Refugee Day.

HR 91 (McCarty, 2018) declared June 20, 2018 as World Refugee Day.

HR 23 (McCarty, 2017) declared June 20, 2017 as World Refugee Day.

**PRIOR VOTES:**

Assembly Floor (Ayes 73, Noes 0)

Assembly Judiciary Committee (Ayes 11, Noes 0)

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