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At the American Bar Association Mid-year meeting in Miami, FL., the House of Delegates "unanimously" adopted the Connecticut Bar Association's proposed resolution concerning refugees, asylum seekers, torture victims, and others deserving of humanitarian refuge.

Resolution 10B garnered broad support with the New York State Bar Association, the Section on International Law, the Section of Civil Rights and Social Justice, and the Center for Human Rights joining as co-sponsors. Other ABA entities and bar associations also supported.

#### **ABA APPROVAL RESOLUTION 10B:**

## Fighting for Justice

By Monte E. Frank

*RESOLVED That the American Bar Association reaffirms its support for the establishment of laws, policies, and practices that ensure access to legal protection for refugees, asylum seekers, torture victims, and others deserving of humanitarian refuge ("Protection Seekers").*

*FURTHER RESOLVED, That the American Bar Association urges Congress to adopt additional legislation and to appropriate adequate funding for refugee applications and processing.*

*FURTHER RESOLVED, That the American Bar Association urges Congress to adopt legislation to mandate that refugees receive an appropriate individualized assessment in a timely fashion to determine their eligibility as such, and that neither national origin nor religion be the basis for barring an otherwise eligible individual in making such determination.*

This followed a similar resolution passed by the CBA. The Diversity and Inclusion Committee brought forward the resolution and it gained quick support from the Human Rights and Responsibilities, Women in the Law, Animal Law, and Young Lawyers Sections, along with the Immigration Law, Pro Bono, Legislative and Policy Review, and Executive Committees. This effort is consistent with the purposes of the association to "promote the public interest through the advancement of justice and the protection of liberty;...to facilitate the delivery of competent legal services to the public and particularly those in greatest need; to support or oppose legislation and regulations consistent with the interests of the public good and its Members." *CBA Constitution, Article II.* Indeed, the

CBA is at its very best when it works to advance justice and to further the rule of law.

Here is an excerpt from my speech to the ABA House of Delegates:

*Madame Chair, on behalf of the Connecticut Bar Association, I am proud to move Resolution 10B.*

*I am the son and grandson of Holocaust survivors. I am also the great grandson and great nephew of Jews murdered in the camps. My grandparents were from Lublin, Poland. Large, prominent families. My grandparents met on a train fleeing the Nazis. My mother was born in 1942 in Rigas. My grandmother was alone as my grandfather was off fighting in the resistance effort and then with the British Army in northern Africa. Meanwhile, my grandmother fled with my mom to Moscow. My grandmother could not afford to keep my mom and my mom ended up in an orphanage. All she remembers was that every week a woman appeared with a small piece of chocolate. That, of course, was my grandmother.*

*After the war, my grandfather somehow found my grandmother. They pulled my mother from the orphanage and migrated to Palestine as did so many Jewish refugees from Europe.*

*I often think about how lucky I am to be here. My grandparents and my mother could have suffered the same fate as the six million Jews who were slaughtered during the Holocaust, including over a million children. They could have suffered the same fate as many Jewish refugees who were turned away by so many countries, including the United*

States, only to be returned to Europe to be killed.

On International Holocaust Day, 10 days ago, the U.S. Holocaust Museum tweeted about some of the Jewish refugees who thought they had escaped on the ship, the St. Louis.

*“My name is Max Hirsch. The US turned me away at the border in 1939. I was murdered in Mauthausen.*

*My name is Nora Nathanson. The US turned me away at the border in 1939. I was murdered in Auschwitz.”*

And on and on and on. Those who fail to learn from history are doomed to repeat it. We must speak up now for today’s refugees and for the refugees of tomorrow who seek safe harbor.

As Connecticut’s Senators Richard Blumenthal and Chris Murphy wrote in support of the Connecticut Bar Association’s resolution before you: “Providing humanitarian relief and legal protection to refugees who have been displaced by violence is not a choice, but an ethical obligation.” That has been our guiding principle in pressing forward with this Resolution. It is intended to be non-partisan. It is premised on our obligation to uphold the rule of law.

The journey for this Resolution started with a phone call from Attorney Schwartz to me on a Saturday afternoon—a mere nine days ago. Attorney Schwartz took the laboring oar in drafting a resolution for the Connecticut Bar Association. I immediately took it to our Diversity and Inclusion Committee, which I co-chair, because the Connecticut Bar Association, like the ABA, strives to promote diversity and inclusion by opening doors and building bridges, and not by erecting walls and closing our gates. The committee unanimously approved the resolution.

So now, it’s up to you. Are we going to sit quietly? Or are we going to speak up? Are we going to learn from history or allow it to repeat itself? During World War II the United States turned its back on Jewish refugees seeking safe harbor. Are we going to turn our back on today’s refugees? And what about

tomorrow’s refugees?

Or, are we going to honor the ABA’s core values, including fighting for justice for all and upholding the rule of law.

The United States Holocaust Memorial Museum issued a statement on the current refugee crisis, which said, in part, that it is “acutely aware of the consequences to the millions of Jews who were unable to flee Nazism. The Museum continues to have grave concern about the global refugee crisis and our response to it. During the 1930s and 1940s, the United States along with the rest of the world, generally refused to admit Jewish refugees from Nazism due to anti-Semitic and xenophobic attitudes, harsh economic conditions, and national security fears. In our view, there are many legitimate refugees fleeing the Assad regime’s sustained campaign of crimes against humanity and the genocidal acts perpetrated by ISIS against the Yazidis, Christians, and other religious minorities. American policy should fully address national se-

curity concerns while protecting legitimate refugees whatever their national or religious identity.” Our resolution is in line with this principle.

In closing, I ask you to consider the words of Dr. Martin Luther King, Jr. uttered almost 52 years ago from a pulpit in Selma, Alabama the day after Bloody Sunday. He was speaking about courage:

*A man dies when he refuses to stand up for that which is right.*

*A man dies when he refuses to stand up for justice.*

*A man dies when he refuses to take a stand for that which is true.*

Stand up House of Delegates.

Stand up for justice.

Stand up for the Rule of Law.

Stand up by passing Resolution 10B.

And they did. For that I am grateful and so proud of this association for leading the way. **CL**

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