

28

RESOLUTION NO. 85-973

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

A RESOLUTION INVOKING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO RECOGNIZE THAT THE REFUGEES FROM GUATEMALA AND EL SALVADOR, ARE "POLITICAL REFUGEES": AND TO GRANT THEM ASYLUM OR EXTENDED VOLUNTARY DEPARTURE STATUS, AS WELL AS TO REAFFIRM THE CITY OF SACRAMENTO'S SUPPORT FOR THE PRINCIPLES OF SANCTUARY IN THE TIME-HONORED AMERICAN TRADITION OF HUMANITARIAN ASSISTANCE.

APPROVED BY THE CITY COUNCIL

DEC 10 '85

Request City Atty + Human Rights Comm. to monitor activities of INS & report every 6 months.

OFFICE OF THE CLERK

WHEREAS, from its birth, the City of Sacramento has had a diverse ethnic heritage and has historically welcomed immigrants from all over the world fleeing hardship and persecution in their own home countries; and,

WHEREAS, the United States supported the United Nations General Assembly adoption of the Universal Declaration of Human Rights, December 10, 1948, which commits the member states to recognize and observe basic human rights; and,

WHEREAS, the United States, Guatemala and El Salvador, have ratified on August 12, 1949, the Geneva Convention IV, relative to the PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR; and,

WHEREAS, the United States has acceded to the 1967 United Nations Convention in protocol relating to the status of refugees which states "No contracting state shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his/her life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion"; and,

WHEREAS, The United States Refugee Act of 1980 authorizes the grant of asylum to refugees who are defined in terms identical to the United Nations 1968 Convention as any person who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or

political opinion, is outside of the country of his nationality and is unable or, owing to such fear, is unwilling to avail him or herself of protection of that country"; and,

WHEREAS, many thousands of non-combatants of various religious and political beliefs and of all ages and economic groups, have been systematically seized and frequently tortured and murdered by members of security forces under and beyond government control in Guatemala since the late 1960's; and,

WHEREAS, in 1982 and 1983 over 4,800 refugees were returned to El Salvador and that the names of 50 of those returned have turned up on lists of victims killed by security forces or death squads; and,

WHEREAS, various Sacramento churches, and other religious groups (supported by many individuals within the City of Sacramento and the community-at-large) have responded to the needs of these refugees with advocacy, protection, and support; and,

WHEREAS, these groups and individuals have acted in a way they considered to be morally and legally correct and in the best tradition of our country which was founded on the principles of providing a safe haven for those fleeing political oppression; and,

WHEREAS, the United States has served for centuries as a haven for refugees of religious and political persecution from Europe, the Middle East, Asia, and Latin America, and much of our historical and moral tradition of the nation is rooted in the provision of sanctuary to persecuted peoples; and,

WHEREAS, the United States has an honorable tradition of accepting refugees from abroad who have suffered political repression during periods of civil conflict and disorder as demonstrated by the fact that the United States has granted extended voluntary departure status 15 times in the past 24 years, and the status is currently granted to Poles, Ethiopians, Afghans, and Ugandans; and,

WHEREAS, thousands of refugees have fled Guatemala and El Salvador for fear of being harmed by repression, and death-squads, and general hostilities have continued daily in the context of internal civil strife; and

WHEREAS, innocent men, women, and children are presently without a country and live with the realization that the return to Guatemala and El Salvador would once again place their lives and the lives of their children and family members in jeopardy in countries of Central America ravaged by on-going catastrophic civil conflict;

NOW THEREFORE, BE IT RESOLVED, that the City of Sacramento not encourage any compounding of injustice against refugees from Guatemala and El Salvador, or denigrate those who, in good faith, offer humanitarian assistance to refugees; and,

BE IT FURTHER RESOLVED, that the City Council recognize the Citizens of Sacramento who are providing bedding, food, health, and other settlement assistance, as well as friendship, to Central American refugees; and

BE IT FURTHER RESOLVED, that the City of Sacramento be declared a sanctuary city and serve as a haven for refugees now residing in the City of Sacramento until they can safely return to their homeland, or until they receive federally recognized residency status; and,

BE IT FURTHER RESOLVED, that no City employee or department shall request information about, or otherwise investigate or assist in the investigation of the citizenship or residency status of, any person unless such inquiry or investigation is authorized by State/Federal law, or City ordinance/regulation.

BE IT FURTHER RESOLVED, that no City employee or department shall disseminate information regarding the citizenship or residency status of any person unless authorized to do so by State/Federal law, or City ordinance/regulation.

BE IT FURTHER RESOLVED, that no City employee or department shall condition the provision of the City of Sacramento benefits, opportunities, or services on matters related to citizenship or residency status unless authorized to do so by State/Federal law, or City ordinance/regulation.

BE IT FURTHER RESOLVED, that the Sacramento City Council respectfully entreat the Congress of the United States to recognize that the refugees from El Salvador and Guatemala, are "political refugees" and grant them asylum or extended voluntary departure status, and to enact a temporary measure with an amendment to include Guatemala to the Moakley-DeConcini Bill; and,

BE IT FURTHER RESOLVED, that the City of Sacramento emphasizes that the endorsement of these actions by the Congress of the United States is based upon a humanitarian concern for the refugees of Guatemala, and El Salvador and in no way constitutes support or opposition to any faction currently involved in conflict within those Central American nations; and,

AND BE IT FURTHER RESOLVED, that the City Clerk of the City of Sacramento transmit copies of this City Council resolution to the

President and Vice President of the United States and to the Speaker of the House of Representatives and to Congressional Representatives from California in the Congress of the United States.

MAYOR

ATTEST:

CITY CLERK

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RESOLUTION NO.

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WHEREAS, from its birth, the City of Sacramento has had a diverse ethnic heritage and has historically welcomed immigrants from all over the world fleeing hardship and persecution in their own home countries; and,

WHEREAS, the United States supported the United Nations General Assembly adoption of the Universal Declaration of Human Rights, December 10, 1948, which commits the member states to recognize and observe basic human rights; and,

WHEREAS, the United States, Guatemala and El Salvador, have ratified on August 12, 1949, the Geneva Convention IV, relative to the PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR; and,

WHEREAS, the United States has acceded to the 1967 United Nations Convention in protocol relating to the status of refugees which states "No contracting state shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his/her life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion"; and,

WHEREAS, The United States Refugee Act of 1980 authorizes the grant of asylum to refugees who are defined in terms identical to the United Nations 1968 Convention as any person who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or

political opinion, is outside of the country of his nationality and is unable or, owing to such fear, is unwilling to avail him or herself of protection of that country"; and,

WHEREAS, many thousands of non-combatants of various religious and political beliefs and of all ages and economic groups, have been systematically seized and frequently tortured and murdered by members of security forces under and beyond government control in Guatemala since the late 1960's; and,

WHEREAS, in 1982 and 1983 over 4,800 refugees were returned to El Salvador and that the names of 50 of those returned have turned up on lists of victims killed by security forces or death squads; and,

WHEREAS, various Sacramento churches, and other religious groups (supported by many individuals within the City of Sacramento and the community-at-large) have responded to the needs of these refugees with advocacy, protection, and support; and,

WHEREAS, these groups and individuals have acted in a way they considered to be morally and legally correct and in the best tradition of our country which was founded on the principles of providing a safe haven for those fleeing political oppression; and,

WHEREAS, the United States has served for centuries as a haven for refugees of religious and political persecution from Europe, the Middle East, Asia, and Latin America, and much of our historical and moral tradition of the nation is rooted in the provision of sanctuary to persecuted peoples; and,

WHEREAS, the United States has an honorable tradition of accepting refugees from abroad who have suffered political repression during periods of civil conflict and disorder as demonstrated by the fact that the United States has granted extended voluntary departure status 15 times in the past 24 years, and the status is currently granted to Poles, Ethiopians, Afghans, and Ugandans; and,

WHEREAS, thousands of refugees have fled Guatemala and El Salvador for fear of being harmed by repression, and death-squads, and general hostilities have continued daily in the context of internal civil strife; and

WHEREAS, innocent men, women, and children are presently without a country and live with the realization that the return to Guatemala and El Salvador would once again place their lives and the lives of their children and family members in jeopardy in countries of Central America ravaged by on-going catastrophic civil conflict;

NOW THEREFORE, BE IT RESOLVED, that the City of Sacramento not encourage any compounding of injustice against refugees from Guatemala and El Salvador, or denigrate those who, in good faith, offer humanitarian assistance to refugees; and,

BE IT FURTHER RESOLVED, that the City Council recognize the Citizens of Sacramento who are providing bedding, food, health, and other settlement assistance, as well as friendship, to Central American refugees; and

BE IT FURTHER RESOLVED, that the City of Sacramento be declared a sanctuary city and serve as a haven for refugees now residing in the City of Sacramento until they can safely return to their homeland, or until they receive federally recognized residency status; and,

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BE IT FURTHER RESOLVED, that the City of Sacramento emphasizes that the endorsement of these actions by the Congress of the United States is based upon a humanitarian concern for the refugees of Guatemala, and El Salvador and in no way constitutes support or opposition to any faction currently involved in conflict within those Central American nations; and,

AND BE IT FURTHER RESOLVED, that the City Clerk of the City of Sacramento transmit copies of this City Council resolution to the

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MAYOR.

ATTEST:

CITY CLERK

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ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

FILED

DEC 10 1985
Cont to 12-17-85

BY THE CITY COUNCIL
 OFFICE OF THE CITY CLERK

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MAYOR

ATTEST:

CITY CLERK



Sacramento Concilio, Inc.

(28)

1516 "C" STREET
SACRAMENTO, CA 95814
(916) 449-1400

December 17, 1985

RECEIVED
MAYOR/
CITY COUNCIL OFFICE
CITY OF SACRAMENTO
DEC 17 3 54 PM '85

Dear Mayor and City Council Members:

At the December 15, 1985 Board of Directors meeting of Sacramento Concilio, there was unanimous approval of the following resolution:

"The Sacramento Concilio would like to go on record in supporting Vice Mayor Joe Serna in making Sacramento a Sanctuary City."

We look forward to the City Council approval on December 17, 1985.

Sincerely,

Ron Gayton
President
Sacramento Concilio
Board of Directors

RG/dal