

## **Asylum victory**

Advocates for battered and abused women everywhere won an important victory when the Department of Homeland Security finally cleared the way for Rody Alvarado Peña of Guatemala to win political asylum in this country.

Ms. Alvarado's asylum request has been bouncing around in the immigration system for 14 years while hearing officers, immigration judges and at least three attorneys general -- Janet Reno, John Ashcroft and Michael Mukasey -- weighed in with Justice Department opinions, without obtaining finality.

The recommendation by Homeland Security to a judge in San Francisco, declaring that she is eligible for asylum, should at long last break the logjam and bring a long-delayed decision allowing Ms. Alvarado to stay in this country under the rules of asylum.

The facts of her case are not in dispute. Ms. Alvarado fled Guatemala in 1995 after suffering for years at the hands of a husband who essentially treated her as chattel and repeatedly beat her. As is often the case in some countries, the government was either unwilling or unable to intervene on her behalf, a crucial point under U.S. asylum rules because it leaves the victim no recourse but to seek safety elsewhere and helps to establish a "well-founded fear of persecution."

The recommendation does not open the floodgates for claims that all battered women are eligible for asylum. Canada has recognized domestic violence claims since 1993 and the country has not experienced a surge in such cases.

The absence of clear and well-defined regulations involving battered women kept Rody Alvarado in immigration limbo for 14 years, an unconscionable amount of time. Now that the Obama administration has decided where it stands, both Homeland Security and the Department of Justice must establish clear regulations and conditions so that future cases involving victims deserving of asylum are not subject to such tortuous delays.