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## Court Filing Allows Asylum for Battered Women

A legal brief filed by the Obama administration reverses a Bush administration policy that prohibited battered women from seeking asylum in the US.

The brief was filed in the case of a Mexican woman who requested asylum in the US because she feared she would be murdered by her husband. According to the *New York Times*, the man had a history of violence towards his wife; he held her captive, raped her at gunpoint multiple times, and attempted to burn her alive upon learning she was pregnant. Her request for asylum was denied in 2006 by an immigration judge. The brief filed in April, but just released to the public, by the Obama administration urges that her case be given further review.

According to an annual report (see [PDF](#)) released in 2008 on refugees and asylees, individuals are only allowed entry in the US if they have "a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion". The debate over asylum status for battered women hinges on whether or not they fall within one of these categories. The recent brief from the Obama administration suggests that battered women are covered by this definition if they can prove they could not be safe by moving within their own country, that they are treated like property, that abuse is accepted by their country.

The *Public News Service* reports that the new policy of asylum will not protect women who are victims of genital mutilation.

Media Resources: New York Times 7/15/09, Annual Report on Refugees and Asylees 6/08 Public News Service 7/17/09

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