



**U.S. Department of Justice**

**Executive Office for Immigration Review**  
*Board of Immigration Appeals*  
*Office of the Clerk*

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2001 Seaside Avenue  
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██████████ 2001

████████████████████  
A#: ██████████████████

Enclosed is a copy of the Board's decision and order in the above-referenced case.

Very Truly Yours,

A handwritten signature in cursive script that reads "Paul W. Schmidt".

Paul W. Schmidt  
Chairman

Enclosure

Panel Members:

**HOLMES, DAVID B.**  
**HURWITZ, GERALD S.**  
**OSUNA, JUAN P.**

Falls Church, Virginia 22041

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File: A [REDACTED]

Date:

In re: [REDACTED]

[REDACTED] 2001

IN EXCLUSION PROCEEDINGS

APPEAL

ON BEHALF OF APPLICANT: Judith L. Wood, Esquire

ON BEHALF OF SERVICE: Debra H. Workeneh  
Assistant District Counsel

EXCLUDABLE: Sec. 212(a)(5)(A)(i), I&N Act [8 U.S.C. § 1182(a)(5)(A)(i)] -  
No valid labor certification

Sec. 212(a)(7)(A)(i)(I), I&N Act [8 U.S.C. § 1182(a)(7)(A)(i)(I)] -  
No valid immigrant visa

APPLICATION: Asylum; withholding of deportation

ORDER:

PER CURIAM. The Immigration and Naturalization Service ("Service") appeals the decision of the Immigration Judge, in which he granted the applicant asylum under section 208 of the Immigration and Nationality Act, 8 U.S.C. § 1158. The appeal is dismissed.

Initially, we note that the Immigration Judge found the applicant's testimony credible, specific and detailed (I.J. at 14). We affirm the conclusion of the Immigration Judge in this regard. *See Shoafera v. INS*, 228 F.3d 1070, 1074-1075 (9<sup>th</sup> Cir. 2000) (because applicant testified credibly, and the government failed to produce any contradictory evidence, all facts testified by applicant must be taken as true); *Sangha v. INS*, 103 F.3d 1482 (9<sup>th</sup> Cir. 1997) (finding that an applicant may establish her case through her own testimony when it is credible, direct and specific). Further, this case arises within the jurisdiction of the United States Court of Appeals for the Ninth Circuit. Whether deemed as arising on account of imputed political opinion or membership in a particular social group of women in China who oppose coerced involvement in government sanctioned prostitution, we are not persuaded that the Immigration Judge erred in finding that the applicant has adequately established through credible testimony a well-founded fear of persecution. *See Hernandez-Montiel v. INS*, 225 F.3d 1084 (9<sup>th</sup> Cir. 2000); *Lazo-Majano v. INS*, 813 F.2d 1432 (9<sup>th</sup> Cir. 1987); *see generally Matter of Kasinga*, Interim Decision 3278 (BIA 1996). The applicant's

fears are buttressed by the State Department's Country Reports for 2000,<sup>1</sup> which reports an increase in "commercialization of sex and related trafficking in women that has trapped thousands of women in a cycle of crime and exploitation . . ." and that "there have been numerous credible reports in the media of complicity in prostitution by local officials. Thus far actions to crack down on this lucrative business, which involves organized crime groups and business persons as well as the police and the military, have been largely ineffective." *Id.* at 38. We further agree with the Immigration Judge that the applicant was unable to avail herself of the protection of authorities.

Accordingly, the Service's appeal is dismissed.



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FOR THE BOARD

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<sup>1</sup> *China Country Reports on Human Rights Practices for 2000*, Department of State Bureau of Democracy, Human Rights, and Labor (February 2001) (*Country Report*).