



FOR IMMEDIATE RELEASE: September 9, 2021

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## **U.S. Asylum Laws Do Not Adequately Protect Women and Survivors of Gender-Based Violence**

### ***New Report Calls for Naming ‘Gender’ as Sixth Ground for Asylum***

Falls Church, VA -- A new report by the Tahirih Justice Center highlights the urgent need for ‘gender’ to be recognized as the sixth protected ground for asylum. In [\*Ensuring Equal and Enduring Access to Asylum: Why ‘Gender’ Must be a Protected Ground\*](#), Tahirih asserts that current U.S. asylum laws, as applied, fail to adequately and consistently protect survivors fleeing domestic violence, female genital mutilation/cutting, sexual assault and rape, forced marriage, and other gender-based harms – leaving them vulnerable to further abuse and trauma. The inclusion of gender as a sixth ground is one of several critical steps needed to transform our immigration system into one that fully understands and meets the needs of survivors.

“Just as the social ill of racism breeds persecution, so does misogyny lead to violence against women,” said Archi Pyati, CEO of the Tahirih Justice Center. “This month marks the 25<sup>th</sup> anniversary of the Violence Against Women Act, when our nation first took a firm stand against gender-based violence. It’s time for us to join other countries in explicitly naming ‘gender’ as a basis for refuge, and offer clear protection to women, girls, and all survivors of gender-based violence who risk everything to find safety here.”

The report argues that gender is a fundamental, intrinsic aspect of an individual’s identity – just like race, religion, nationality, and political opinion – which are all protected grounds for asylum under the Refugee Convention. But gender is notably absent from the list of protected grounds because gender inequality – and the manifestation of that inequality as violence – was not widely recognized as a serious human rights abuse when the Refugee Convention was initially written 70 years ago. Our asylum law was modeled after the Convention, so as currently written and implemented, the law denies gender its rightful place alongside the other grounds— like race and religion— as an attribute equally and unequivocally worthy of protection.

The report also explains how the absence of gender as a ground for asylum leaves survivors’ claims vulnerable to skepticism and attacks by decisionmakers, unnecessarily burdens and retraumatizes survivors, makes the law unduly complex, and results in wasted government resources each year. Indigent, indigent, and detained survivors without a lawyer are at a particular disadvantage under the current framework. The

report recommends following the example of over 20 other nations and updating our laws to include gender as an independent ground of asylum.

To schedule an interview with a Tahirih expert, please contact Karla Flores at [media@tahirih.org](mailto:media@tahirih.org) or (571) 550-9162.

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The Tahirih Justice Center is a national, nonprofit organization that serves immigrant survivors of gender-based violence. By amplifying the experiences of survivors in communities, courts, and Congress, Tahirih's mission is to create a world in which all people share equal rights and live in safety and with dignity.