

For Immediate Release:  
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## **Clinton, Brownback Lead Bipartisan Plea for Protection of Women Refugees**

### *Senators Urge Attorney General to Issue Rules on Gender-based Asylum Claims*

**Washington, D.C.** - In a letter to Attorney General John Ashcroft, Senator Hillary Rodham Clinton (D-NY), Senator Sam Brownback (R-KS) and a bipartisan group of their colleagues have called on him to support rules aimed at protecting women refugees in the United States who seek asylum here to escape gender-based abuse. The Senators point, in particular, to the case of Rodi Alvarado, a Guatemalan woman who fled to the United States in 1995 after suffering years of horrific abuse at the hands of her husband.

"Asylum can afford an important tool to protect women who suffer human rights violations," the Senators wrote. In a brief filed in the Alvarado case, the Department of Homeland Security recognized that US asylum law can and should protect women and girls from abuse such as honor killings, domestic violence, trafficking, sexual slavery and rape. The bipartisan group of senators are asking that the Attorney General resolve this important issue in line with the recommendation submitted by DHS.

Rodi Alvarado was granted asylum shortly after she arrived in the United States but that was overturned by the Board of Immigration Appeals in 1999. In 2000, then-Attorney General Janet Reno intervened by calling for regulations that would secure asylum for Alvarado. Last year, however, Attorney General Ashcroft indicated that he would make his own decision in the case, putting Alvarado in limbo. The precedent set in Ms. Alvarado's case has led to asylum claims of women and children being denied on narrow legal arguments that the Department of Homeland Security has now itself rejected as being without basis under US asylum law.

"We are urging the Attorney General to protect Rodi Alvarado and other women like her, just as he would protect people who flee to the United States to escape political violence and other forms of deadly repression," Senator Clinton said.

Senator Brownback said, "The Department of Homeland Security rightly recognizes that women and girls face unique forms of persecution that deserve protection under U.S. asylum law. We hope that the Attorney General's decision in the Rodi Alvarado case will reflect

that conclusion and reaffirm America's commitment to protecting the world's most vulnerable people.”

Addressing critics' concerns that regulations offering asylum based on gender-related violence would lead to a flood of new refugees, the Senators' letter points out that Canada has had such regulations since 1993. "Canadian government data reveals that such claims consistently constitute only a tiny fraction of the overall asylum claims, never more than two percent of the total," the letter states.

As Attorney General Ashcroft stated in a January order in the Alvarado case, "the respondent's application for asylum has been pending for several years, and it is important to move toward a resolution of the legal issues involved." Attorney General Ashcroft is free to decide the matter at any time.

A copy of the letter to the Attorney General is attached:

The Honorable John Ashcroft  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

RE: Protecting Women Refugees and the Matter of R-A (Rodi Alvarado), A73 753 922

Dear Mr. Attorney General:

As members of the Senate concerned with the protection of women and girls from abuse such as honor killings, domestic violence, trafficking, sexual slavery, and rape, we are writing to urge you to cooperate with the Department of Homeland Security (DHS) in the issuance of positive regulations to govern gender-based asylum claims, in line with the recommendation submitted by DHS in its brief to you in the Matter of R-A case.

There has been much attention given to the case of Rodi Alvarado, a Guatemalan woman who suffered years of horrific abuse at the hands of her husband, and whose government did nothing to protect her from such abuse, which included repeated rape, severe beatings, threats and humiliation, and violent attacks when she refused to get an abortion. Ms. Alvarado actively sought the protection of her government, but in every instance protection was denied. Ms. Alvarado fled Guatemala and sought in this country the safety she could not find in Guatemala.

Asylum can afford an important tool to protect women who suffer human rights violations such as trafficking and honor killings. The experience of other countries, such as Canada, which has recognized violence against women as a basis for granting asylum since 1993, demonstrates that such recognition does not lead to a proliferation of such claims. Canadian government data reveals that such claims consistently constitute only a tiny fraction of overall asylum claims, never more than two percent of the total.

Again, we strongly urge you to follow the recommendation submitted by DHS in its brief to you in this case: decide the Alvarado case in a manner consistent with forthcoming regulations, and cooperate with DHS in the issuance of positive regulations to govern social group and women refugee asylum cases.

Sincerely,

Hillary Rodham Clinton  
Maria Cantwell  
Mary L. Landrieu  
John Corzine  
Russell D. Feingold  
Joe Lieberman  
Barbara A. Mikulski  
Chris Dodd  
Mike DeWine

Sam Brownback  
Lisa Murkowski  
Ron Wyden  
Patty Murray  
Patrick Leahy  
Joe Biden  
Susan Collins  
Barbara Boxer  
Paul Sarbanes