

Forced Migration

Class 8: gender II

John Palmer

Brooklyn Law School

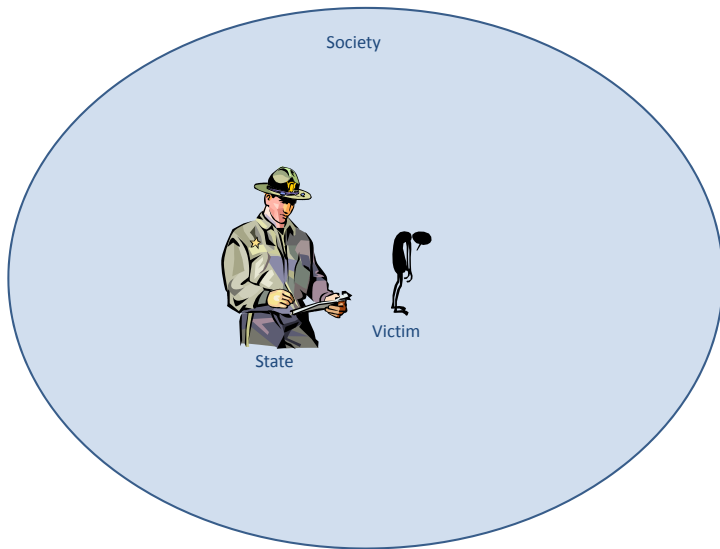
September 19, 2012

Gender and Asylum

Review of Inclusion Criteria

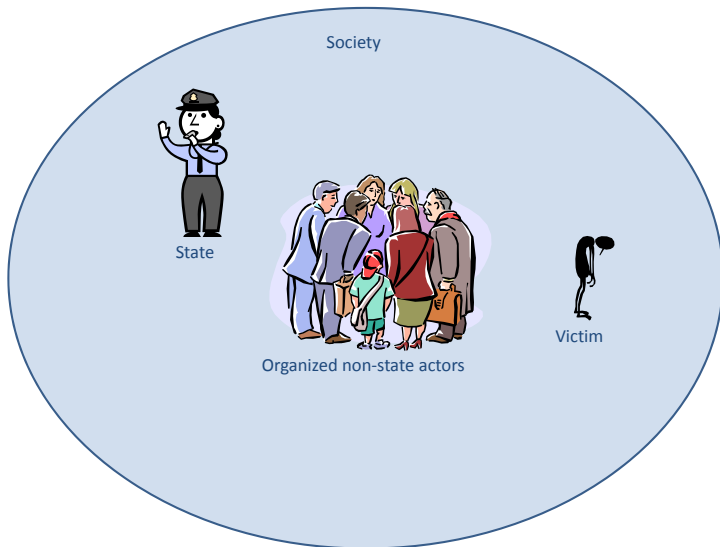
Gender and Asylum

Agents of harm



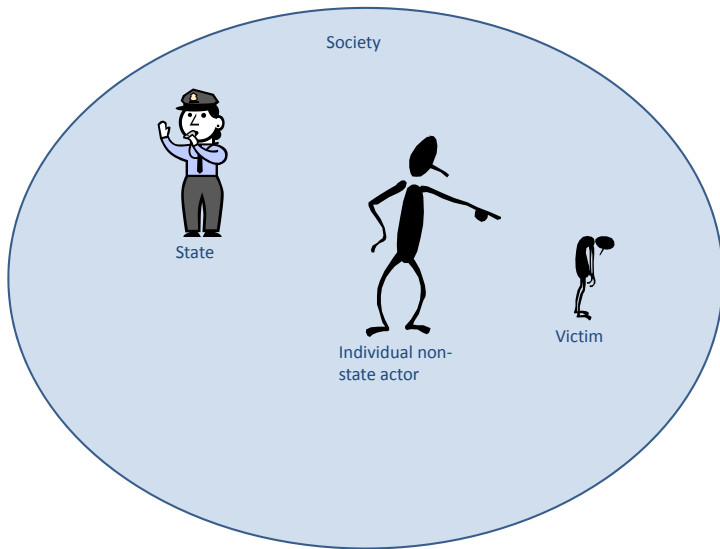
Gender and Asylum

Agents of harm



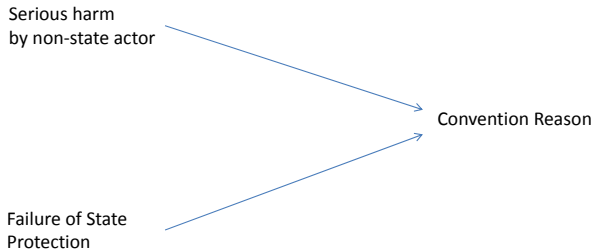
Gender and Asylum

Agents of harm



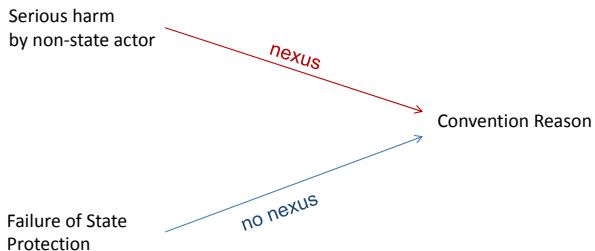
Gender and Asylum

Nexus



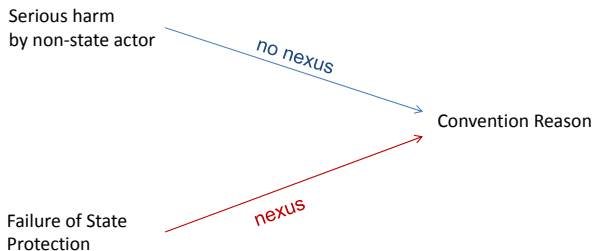
Gender and Asylum

Nexus



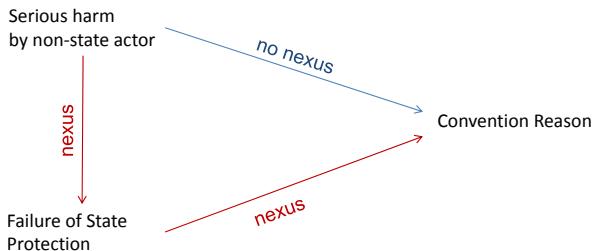
Gender and Asylum

Nexus



Gender and Asylum

Nexus



Review

Hypothetical

Maria is one of the sisters of Alejandro from the exercise on page 293–95. Assume all of the facts described in the exercise but add that Maria was raped by one of the guerrillas during a visit to the village in which he was searching for Alejandro. The guerrilla told Maria that her brother is a coward for going into hiding. Maria has now fled to the United States and is seeking asylum. In the meantime, however, Alejandro's asylum claim has been denied by the IJ, and that decision has been upheld by both the BIA and the Ninth Circuit. *See Sebastian-Sebastian v. INS*, 195 F.3d 504 (9th Cir. 1999).

As Maria's attorney, how would you argue her claim for asylum?

As an ICE trial attorney, how would you argue against her claim (leaving aside the possibility of supporting it)?