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Invisible Women: Syrian Victims of Gender-Based Violence as a Particular Social Group in U.S. Asylum Law

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Research Panel: Gender, Violence, and Agency

Presenter: Sarah Dávila-Ruhaak, John Marshall Law School

Title: Invisible Women: Syrian Victims of Gender-Based Violence as a Particular Social Group in U.S. Asylum Law

Abstract:

In the midst of the worst humanitarian crisis of our time, in Syria, we have seen extreme suffering by millions who have been summarily executed, tortured, imprisoned, raped, starved, and bombed with chemical weapons. Specifically, we have seen that women have been the target of gender-based violence in the conflict by and with the acquiescence of the Assad regime forces and by opposition groups.

Women have been human shields; hostages for the bargaining of prisoner release; and victims of sexual violence and exploitation, forced marriage, and other forms of violence such as honor killings. This gender-based violence has rendered women vulnerable in Syria and other countries where they are refugees.

Asylum law in the United States protects persons who meet the definition of a refugee, have suffered persecution, or fear future persecution. One basis for asylum can be “particular social group,” which is generally understood as an identifiable group of people who share a common experience or characteristics that are fundamental to their identities as members of that group. This article seeks to further the argument that Syrian women who have been victims of violence or are likely to be victimized by gender-based violence should be considered a “particular social group” for purposes of U.S. asylum law. They have been consistently targeted and share the common experience of being victimized for their gender.

About the presenter:

Sarah Dávila-Ruhaak is co-founder and director of the International Human Rights Clinic, established in 2014 at the John Marshall Law School. She teaches on international human rights and transitional justice and lectures on international topics as part of her clinical teaching.

She has experience in the domestic and international litigation of human rights cases and has engaged in impact advocacy at the United Nations. With the clinic, she has worked on behalf of Haitian cholera victims suing the United Nations and has addressed immigrant detention conditions, solitary confinement, inter-American litigation, human trafficking of Puerto Rican victims, and human rights for Syrians.

She is often invited to speak on the treatment and detention conditions of immigrants and asylum seekers, the rights of older persons, vulnerability in international law and human rights, and other topics in international and domestic human rights. She regularly represents the clinic and John Marshall Law School in international and domestic networks of human rights practitioners and scholars.