

# PROTECTING WOMEN FROM VIOLENCE AT HOME AND ABROAD: THE ROLE OF THE U.S. AND COMPREHENSIVE IMMIGRATION REFORM



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A worried mother outside of a hospital in Zanzibar.

Every year, thousands of women and their families come to the United States in search of a better life.

They migrate to the U.S. for various reasons—to be with their family, for employment, and in many cases, to flee from violence and persecution. Once they arrive in the U.S., women are vulnerable to violence and exploitation, and are unable to escape because of fear of deportation, fear of retribution from their abuser, or for lack of legal protections. The constraints of the U.S. immigration system have also posed obstacles for women seeking asylum or refugee status. For example, current U.S. law requires that asylum seekers file their application within one year. Further, gender-based asylum eligibility is only a recent phenomenon. In 2009, the Obama administration finally provided guidance that allows U.S. Citizenship and Immigration Services (USCIS) case workers to consider domestic violence as a cause to grant asylum.

The U.S. government has taken some positive steps to prevent and respond to the complexities of violence against women and girls in the U.S. and abroad, but some critical challenges remain. The proposed immigration reform pending in Congress will further address violence and discrimination against women and girls. While important, these measures only address the violence that women face once they arrive in the U.S., leaving untouched the deeply rooted norms and institutions that perpetuate violence.

**FACT:** IN THE UNITED STATES ONE IN THREE WOMEN EXPERIENCE

DOMESTIC VIOLENCE.<sup>1</sup> Immigrants are especially vulnerable to violence because of their isolation, lack of knowledge about rights and services, language barriers, and fear or threats of deportation by an abusive partner or law enforcement.

To make sustained progress in ending violence against women and girls, U.S. policymakers should adopt a two-pronged strategy that reduces U.S.-based violence against undocumented women and girls through immigration reform and pursues policies that will create a safe environment for women and girls around the world.

## VIOLENCE AGAINST WOMEN AND GIRLS KNOWS NO BORDERS

Violence against women persists in every country in the world, and it spans educational, economic, and cultural divisions. A World Health Organization study recently reported that one in three women around the world will be beaten, raped, or otherwise abused during her lifetime.<sup>2</sup> Violence comes in many forms at the hands of a stranger, authority, relative, or spouse. Not only is violence against women a violation of universal human rights, it also poses severe health, economic, and social consequences for individuals, families, and ultimately, for society.

Women account for roughly fifty-one percent of foreign-born individuals in the United States and forty-eight percent of refugee arrivals.<sup>3</sup> Some migrate willingly, while others are deceived and coerced by traffickers. Either way, migrant women face violence at various points in their lives: before, during, and after migration. Once they arrive in the U.S., immigrant women are vulnerable to abuse by exploitative employers and law enforcement aggressively implementing anti-immigration policies.

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**FACT:** It is estimated that at least 7,000 women and girls immigrate to the United States each year from countries where at least a majority of females, if not all of them, are circumcised.<sup>4</sup> WORLDWIDE, SOME 140 MILLION WOMEN HAVE UNDERGONE FEMALE GENITAL MUTILATION.<sup>5</sup>

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In recent years, various legal mechanisms have been successful in preventing and responding to violence against migrant women and girls in the U.S. but gaps still remain. The Violence Against Women Act (VAWA)—first passed in 1994 and reauthorized in 2000, 2004, and 2013—has paved the way for tougher punishment for abusers, broadening services for survivors, and establishing primary prevention programs for violence against women generally, and in particular migrant populations.

## IMMIGRATION REFORM: ADDRESSING GAPS AND ENSURING PROTECTION FOR WOMEN

Immigration reform would bring millions of undocumented women and their families out of the shadows, removing the conditions that make them vulnerable to abuse and exploitation. In particular, many migrant women work in the service sector, in areas not prioritized for visas, thereby making them vulnerable to abuse by employers and their partners. Currently, only twenty-seven percent of work visas are granted to women.<sup>6</sup> One study by Domestic Workers United found that 33 percent of domestic workers in New York City had experienced some form of physical or verbal abuse, often because of their race or immigration status.<sup>7</sup>



Photo Credit: We Belong Together, Photo by Chris Beecroft

A path to citizenship will also help many women who may feel trapped in abusive relationships. Women experiencing domestic violence are often unable to leave because of their abusers' threats of deportation. Many times their dependency on a spouse for economic means or legal immigration status prevents them from taking legal action or seeking other services that may help them escape the abusive relationship. In a study of immigrant Latinas and Filipinas who reported intimate partner violence, forty-eight percent said that their partner's violence against them had increased since they arrived in the United States.<sup>8</sup> Aggressive anti-immigrant policies in some states have only exacerbated women's fear of reporting their partners.

## IMMIGRATION REFORM THAT PROTECTS WOMEN SHOULD:

- Ensure protections for immigrant and refugee survivors of violence and trafficking, including facilitating and increasing access to T and U visas, asylum, and full and immediate access to health and social services.
- Strengthen worker protections to include all people in the United States, regardless of immigration status, so that immigrant women who experience sexual harassment and other exploitation in the workplace can assert their labor and civil rights.
- Include a broad and clear roadmap to citizenship that recognizes the contributions of women's work and workers, such as undocumented domestic workers, to reduce their vulnerability to exploitation and abuse.
- Promote immigrant integration that includes and empowers women by offering support services, including language assistance, during the legalization process.
- Reduce the backlog of immigration petitions in order to keep mothers with their children and to protect them from violence.
- Support alternatives to detention; write into law minimum standard conditions, at all types of immigration detention facilities nationwide, including zero tolerance for all forms of violence and policies that support family unity.

## IMMIGRATION REFORM IS ONLY ONE SIDE OF THE POLICY COIN

The adoption of comprehensive immigration reform would go a long way in reducing and preventing violence against migrant women. But those advances will only address one side of the equation in eliminating violence against women and girls worldwide. To make sustained progress in this fight, the U.S. must pursue policies that provide safe communities for women and girls and remove the need to flee their native countries.

The passage of the International Violence Against Women Act (IVAWA) would be an important step in that direction. The newly introduced IVAWA bill would support economic and educational programs that could help prevent women from becoming victims of abuse or trafficking. In addition, the legislation would help survivors of gender-based violence, improve U.S. humanitarian assistance to victims, and support in-country efforts to change attitudes about violence against women. It would also authorize the training of U.S. and foreign military so that they are better trained on how to protect women from violence.

The adoption of IVAWA would not only reduce gender-based violence worldwide, it would also reduce pressure on the stressed U.S. immigration system.



Photo Credit: We Belong Together, Photo by Chris Beecroft

## T AND U VISAS SAVE LIVES

In 2000, as part of the Victims of Trafficking and Violence Protection Act (VTVPA), the U.S. established a special “U visa” that provides legal status for noncitizens that are victims of crime, including domestic violence, and are willing to assist law enforcement in the investigation and prosecution of those crimes. The U.S. Citizenship and Immigration Services (USCIS) issued its first U visas in 2008 and has reached the 10,000 U visa maximum every year since 2010. Applications have quadrupled in this period—jumping from 6,835 in 2009 to 24,768 in 2012.<sup>9</sup>

As part of the VTVPA, the U.S. also established the “T visa,” which provides legal status to individuals who are survivors of human trafficking. The estimated number of trafficked people in the U.S. is in the hundreds of thousands, with 100,000 of those estimated to be children forced into the sex trade.<sup>10</sup> Currently, only 5,000 T visas for those who are trafficked are available each year due to a cap instituted by Congress.<sup>3,11</sup> In addition, the T visa program has been significantly under-utilized due to the severe challenges faced by many survivors of trafficking and the rigid rules for approval. As part of the T visa program, survivors must be willing to cooperate with law enforcement against their traffickers, but the sophistication of many trafficking networks enables threats of retaliation against survivors or their families.

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**FACT:** ANNUALLY, AN ESTIMATED 700,000 TO TWO MILLION WOMEN ARE TRAFFICKED ACROSS BORDERS.<sup>12</sup> The Department of Justice estimates that 50,000 people are trafficked into the United States every year.<sup>3</sup>

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**FACT:** AROUND THE WORLD ONE GIRL UNDER THE AGE OF 18 MARRIES EVERY TWO SECONDS.<sup>13</sup>

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## CONCLUSIONS

Women immigrants are vulnerable to myriad forms of violence globally. Domestically, some women come to the U.S. fleeing violence from war or domestic violence, while others are brought forcibly through trafficking. Regardless of how they came to the U.S., women immigrants face a much higher risk of violence, particularly undocumented women, or women who rely on a spouse's visa. Comprehensive immigration reform needs to address the needs of women and ensure that their safety and human rights are protected. At the same time, efforts to respond to and prevent violence against women and girls at home and abroad must take into account the specific needs of immigrant women. Ultimately, the U.S. government should make a strong commitment to women and girls by investing in efforts to end violence against women globally and ensuring that U.S. immigration reform is fair for women.

## FOR MORE INFORMATION ON IMMIGRATION REFORM AND IVAWA:

[www.welongtogether.org](http://www.welongtogether.org)      [www.nnedv.org](http://www.nnedv.org)  
[www.polarisproject.org](http://www.polarisproject.org)      [www.4vawa.org](http://www.4vawa.org)  
[www.tahirih.org](http://www.tahirih.org)      [www.futureswithoutviolence.org](http://www.futureswithoutviolence.org)  
[www.thehotline.org](http://www.thehotline.org)      [www.womenthrive.org](http://www.womenthrive.org)

## GLOBAL WOMEN'S INSTITUTE

### *Empowering Women and Girls through Research in Action*

The Global Women's Institute (GWI) at the George Washington University is a university-wide initiative to advance gender equality through interdisciplinary research, education, and civic engagement. GWI provides opportunities for research and learning across institutional boundaries via partnerships with international universities and non-governmental organizations. As a premier intellectual hub for national and international partners, GWI facilitates exchanges between academics and practitioners both on campus and abroad.

**We Belong Together** is a national campaign to mobilize women in support of common-sense immigration reform that will keep families together and empower women. An initiative of the National Domestic Workers Alliance and the National Asian Pacific American Women's Forum, We Belong Together focuses on women because immigration reform is central to women's equality and we are all better off when our communities are healthy and strong, we feel safe, and our children can thrive. To learn more about the campaign, visit us at [www.welongtogether.org](http://www.welongtogether.org).

**We Belong  
TOGETHER**

**The Global  
Women's Institute**  
THE GEORGE WASHINGTON UNIVERSITY

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A Suaahara field supervisor with his family in District of Dolakha, Nepal.