

Female Victims of Sexual Violence & Abuse by a Family Member

Membership in a Particular Social Group for Victims of Sexual Violence & Abuse by a Family Member

Membership in a Particular Social Group (PSG) - PSGs cannot be circular and “must have existed independently of the alleged persecutory acts.”

FGM/C was recognized as a basis for asylum in *Matter of Kasinga*, in which the cognizable PSG was “Young women who are members of the TchambaKunsuntu Tribe of northern Togo who have not been subjected to FGM, and who oppose it.”

Subsequently, many cases involving IPV have been brought by members of PSGs defined in part by elements of domestic abuse itself; eg, Matter of A-C-R-G: “Married women in Guatemala who suffer domestic abuse but are unable to leave their marriages due to cultural and legal constraints.” Neither PSG would be acceptable under the rule.

Matter of W-Y-C & H-O-B was a PSG proposed as "single Honduran women age 14 to 30 who are victims of sexual abuse within the family and who cannot turn to the government."

- **Rationale:** While "Women who are in a family too broad, unable to leave, and who lack state protection" is a PSG, this formulation attempts to narrow the group based on age, gender, the relationship to the abuser (male family member), and show the inability to escape the situation, which might speak to the "immutable" nature of their vulnerability and lack of state protection. *Matter of the*

POTENTIAL PSG FORMULATIONS

Combined Family and Vulnerability Characteristics:

- **Rationale:** This formulation combines the vulnerability of the family of relationship with the specific vulnerability tied to age, gender, and the abuser's vulnerability. a yo

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Considerations for Any Proposed PSG:

immutable). Because this is designed with a particular social purpose in mind, it is not a neutral or objective tool. It is a tool that is designed to prove, especially for groups defined by private relationships or vulnerabilities).

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