

women's asylum news

refugee women's resource project @ asylumaid

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also in this issue

RWRP news

p. 3 Two news reports on our website

UK news

from p. 3 Pakistan rape victim granted asylum - Trafficking ring jailed for up to nine years -Zimbabwean women detainees on strike, etc.

UK events & projects

p. 8

International news from Afghanistan, Pakistan, Albania, Poland, etc.

p. 9

International actions & events

p. 12

New publications international & UK

from p. 14

New resources international & UK

from p. 17

Notice board

p. 19

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Hungary recognises domestic violence as '*gender-specific*' persecution

The UNHCR has welcomed the decision by the Hungarian authorities to grant asylum to a woman who had fled her country after years of suffering domestic abuse. The UN agency points out that Hungary has '*joined the ranks of an increasing number of countries who recognize domestic violence as a form of gender-specific persecution.*'¹

Azita (not her real name), a woman from the Middle East, was married to a man three times her age when she was 13 and in her own words '*never knew any other form of sex but rape*'. She became pregnant very soon and nearly died in childbirth due to her young age. She faced daily beatings and further rapes and had three more children before 18 against the strong advice from her doctors. She had three more children after that. When expecting her seventh child, her husband kicked her so hard that she miscarried and was left unable to conceive ever again. Her husband subsequently took the children away and divorced her.

¹ Source: UNHCR, '*Abused woman granted refugee status in Hungary*', Budapest, 1 November 2005, online at: www.unhcr.ch/cgi-bin/texis/vtx/print?tbl=NEWS&id=436788e94.

Azita said she would have endured further beatings just to be able to be with her children but ended up ostracised by her society and some members of her own family instead because she was blamed for 'abandoning' her children. She had nowhere to go and lived for several years 'on the margins of society' with the dream of joining some of her siblings in Finland. With their help, she eventually contacted and paid smugglers whom she thought would bring her to Finland but they left her in Hungary instead, 'alone and helpless' where somehow she ended at the Debrecen refugee reception centre.

Like thousands of women around the world, Azita was unaware about the concept of seeking asylum, let alone the asylum procedure and even less so, as the UNHCR points out, 'the sophisticated legal issues and debates about gender-related persecution and refugee status determination'. Nevertheless, in a decision that many of us working in this field would warmly welcome, the Hungarian Ministry of Interior found that Azita had 'a well-founded fear of severe and persistent harm because of her status as a divorced woman in a society which offered her no protection'.

According to the UNHCR, a representative of the Ministry, Dr Agnes Garmavölgyi, Director of Refugee Affairs stated: 'There are many [in Hungary] who are recognized on the grounds of belonging to a certain social group. [Azita] was granted asylum because she was persecuted, and belongs to a particular social group. We had no doubt about that. However the case of Azita

who became uprooted because of domestic violence can indeed be considered as a unique case [in Hungary]'.

Although not all women suffering domestic violence are granted refugee status - as each case needs to be assessed on its own merits-, Hungary has joined the ranks of Argentina, Australia, Canada, Ireland, Romania, Spain (during this year also) and the United Kingdom by granting international protection to a survivor of such violence. We can only applaud.

related information

UNHCR

concerned about new asylum laws in Slovenia UNHCR is concerned about some amendments to Slovenia's Asylum Act currently under preparation.² If Parliament adopts the draft legislation proposed by the Slovene government UNHCR says there is a 'real danger that persons in need of international protection may be deported to countries where their life or freedom is threatened.' UNHCR's concern stems from the proposal to introduce a pre-procedure whereby the police will be entitled to decide whether a person qualifies to seek asylum or not: 'This new category of 'a person who has expressed intent to seek asylum' is unheard of. Such persons would have no safeguards against "refoulement" and might easily be deprived of their human right to seek asylum. Consequently, asylum seekers might be encouraged to move on irregularly within the EU instead of presenting an application in Slovenia.'

² UNHCR Briefing Notes - 25 November 2005.

The proposed changes undermine international law and go against the intention of the EU to harmonise the European asylum system.

RWRP News

Two new reports on our website

RWRP has contributed to the publication of a new report of the seminar we held during Refugee Week in conjunction with Refugee Women's Association, the British Red Cross Refugee Unit (Women in Crisis Project), IMECE Turkish Speaking Women's Group and the Iranian Community Centre, entitled '*Why women flee: persecution against women.*'

RWRP has also issued a paper '*Gender issues in assessing asylum claims: spreading good practice across the European Union.*'³ This recommends that all members of the EU should have some form of gender guidelines and encourages the UK Government to promote this idea as the UK is one of the few member States to have such guidelines. RWRP started working on this issue a year ago and will continue its campaign during the coming year. We were very pleased that the UK Government tabled this paper at the Inter-Governmental Committee Asylum Working Group meeting on gender persecution which was held on 15/16 November in Geneva.

According to the feedback received from Home Office officials, the discussion on gender persecution revealed some

³ We are grateful to Heaven Crawley for providing her comments on this document.

differences between State members, one notoriously being that the Netherlands recognises FGM as persecution whilst many of the other countries do not recognise FGM as a Refugee Convention issue at all. In relation to domestic violence, on the whole states saw this as a private family issue. During the discussion, the UK stood out for its willingness to recognise big PSGs whereas others define each 'particular social group' in a narrower way (as the UK did before Shah and Islam).

Both reports are available via our website at www.asylumaid.org.uk (see 'New Reports by RWRP').

UK News

Pakistan rape victim forced by authorities to flee her country granted asylum in UK

According to news portal WebIndia123.com, the UK has granted political asylum to Pakistan rape victim Dr Shazia Khalid.⁴ Dr Shazia was working at a hospital run by Pakistan Petroleum Limited as a physician until January 2005 last year when she was attacked and raped in her home in a guarded compound. Dr Shazia's rape in Baluchistan had sparked widespread unrest in the region traditionally opposed to the government.

⁴ Source: Story circulated by www.asylumpolicy.info, original: WebIndia123.com, 'UK grants asylum to Pak gangrape victim Dr Shazia' Lahore, November 25, 2005, available online at: <http://news.webindia123.com/news/showdetails.asp?id=172410&cat=Asia>.

In a campaign to support her case, the women's human rights organisation Equality Now says that despite '*intense pressure to keep silent*' from her employers, she reported the crime to the police but the government failed to apprehend and punish her attacker. Instead, the authorities '*forced Dr. Shazia to sign a statement saying that she had been given government help and that she wanted to close the matter.*' She was told that if she did not sign the statement, she and her husband would be killed and had no choice but to flee Pakistan. Their son was not allowed to leave the country with them.

Equality Now further reports: '*According to press reports cited by the Pakistan Human Rights Commission, a non-governmental organization, more than 10,000 women are raped every year in Pakistan, although the real figure is thought to be much higher. As in all countries, women are often reluctant to report rape, for social reasons as well as distrust of the judicial process. In Pakistan, there are additional legal barriers to pursuing a rape conviction.*

The rape law itself, one of the offenses of zina under the Hudood Ordinances, requires either the confession of the perpetrator or the eye-witness testimony of at least four Muslim adult male witnesses to the rape. If she is unable to prove rape, a woman who reports rape to the police is vulnerable to prosecution herself under the Hudood Ordinances for fornication if she is unmarried or adultery if she is married. In addition to these formidable legal barriers to the prosecution of rape, there have been several reports of police involvement in rapes and gang-rapes and of police

protection of those accused of rape, particularly when they are from influential families. Women who have been raped are also at risk of "honor" killings, whereby a male relative kills them because they are thought to have dishonored the family's name in the community by transgressing social norms, which is seen to include having been raped. It has been estimated that on average one thousand "honor" killings take place each year in Pakistan.

Even the Pakistan Government's National Commission on the Status of Women has recommended repeal of the Hudood Ordinances on the grounds that they are discriminatory towards women and not in accordance with Islamic injunctions. They are also contrary to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which Pakistan is a party, and to the Constitution of Pakistan, which states at Article 25 that "(1) All citizens are equal before law and are entitled for equal protection of law. (2) There shall be no discrimination on the basis of sex alone."

Dr. Shazia had applied for political asylum in Canada where she has family but her claim was rejected. Instead WebIndia123.com reports that she was immediately granted asylum when she applied in the UK. The couple have however applied to emigrate to Canada to join their family. In the meantime they will travel to the US where they will be honoured by Equality Now at a ceremony on 14 December.

related information

Mukhtaran Bibi (also known as Mukhtaran Mai), another rape survivor from Pakistan received a 'Woman of the Year' award from the US magazine *Glamour* in early November. Mukhtaran Bibi was gang-raped by neighbours on the orders of a council of elders but rose to testify in court. Her case sparked international outrage (see WAN issues no. 50 & 52).

Multi-million-pound trafficking ring jailed for up to nine years

The gang are believed to have brought at least 600 women from Eastern Europe into the UK, forcing them to work as sex slaves in Park Lane, Mayfair and Soho brothels.⁵ The gang, consisting of a married couple from Moldova and a Belarus national, was jailed to five years, nine years and two years and nine months respectively. The charges included helping smuggle hundreds of women from Eastern Europe, misuse of stolen credit cards, forgery, money laundering, as well as conspiracy to traffick for prostitution and sexual exploitation.

According to the court testimonies, the terrified women were locked up and subjected to rape by up to 40 men a day as they were forced to pay off £20,000 'debts' each. They were charged with 'fines' if they refused to have unprotected or anal sex. They were also told that their families back home would be killed if they refused to comply.

⁵ Source: Rosie Cowan, 'Immigrants tell of forced prostitution and slavery as trafficking gang is jailed', in *The Guardian*, 2 November 2005, available online at: www.guardian.co.uk/print/0,3858,5323763-115620,00.html.

One of the women was a computer graduated lured into the country by promises of a well-paid job in a restaurant or hotel. *The Guardian* reports her telling the court: 'I believed they would kill my family. I thought I hadn't a way out of this situation. I didn't think I had a life in front of me. I wanted to escape but everything was locked. We were locked up all the time. I was told I need to go with clients and I needed to do sex with them. I felt very bad. The first time I wasn't able to talk afterwards.'

Some women escaped after passing notes to each other via a client but persuading victims to come forward and testify remains extremely difficult, as they are terrified after having endured extreme forms of violence by their traffickers.

Despite their ordeal, the UK does not systematically provide adequate support to victims of trafficking such as legal advice and a 30-day period of reflection in a safe place. Only victims who have been forced into sex slavery for 30 days in the UK and collaborate with the authorities in terms of prosecution are provided with a safe place by the Poppy project, a Home Office funded pilot initiative. However many Immigration officers still treat victims of trafficking as illegal immigrants (as shown by a recent evaluation of the Poppy Project, see WAN issue no. 53, p.5) and too many are sent back to their home countries only to be re-trafficked all over again.

related information **Committee on Human Rights calls for evidence on trafficking into the UK**

The Joint Committee on Human Rights (JCHR) is conducting an inquiry into the human rights of people trafficked in the UK.⁶ The inquiry will assess the Government's policy regarding trafficking and to what extent the UK satisfactorily meets its human rights obligations to protect against trafficking and to protect victims of trafficking. It will consider, in light of national and international human rights law standards:

- The nature and extent of the problems arising from trafficking in the UK;
- The extent to which the UK legal framework is adequate to address the problem of human trafficking;
- The enforcement of the law on trafficking;
- The treatment of and protection provided to the victims of trafficking;
- The law and practice on the deportation of the victims of trafficking.

The inquiry will consider the recently agreed Council of Europe Convention on Action Against Trafficking Human Beings, which the UK has not yet signed. It will consider whether the signing of this Convention would improve human rights protection. The Committee welcomes individuals or organisations to submit written evidence on any of the above issues by **13 January 2006**.

⁶ Source: The United Kingdom Parliament, 'Joint Committee on Human Rights to inquire into human trafficking - Call for evidence', 19 October 2005, online at: www.parliament.uk/parliamentary_committees/joint_committee_on_human_rights/jchr_press_notice_05_06_no_06.cfm.

Submissions to the Committee should be emailed to: jchr@parliament.uk or posted to: Nick Walker, Commons Clerk of the Joint Committee on Human Rights, Committee Office, House of Commons, 7 Millbank, London SW1P 3JA.

Also **Anti-Slavery International publishes trafficking kit in the context of its campaign for the humane treatment of trafficking victims. See below in section 'new resources international'.**

Zimbabwean Women detainees on Hunger Strike

Following a two-month long hunger strike by Ugandan female asylum seekers in August and September this year, Legal Action for Women (LAW) reports that on 16 November five Zimbabwean women have been on hunger strike for 16 days in Yarl's Wood Immigration Removal Centre protesting their threatened deportation to South Africa despite providing evidence of their nationality.⁷ Last month a tribunal ruled that returning 'failed' asylum seekers to Zimbabwe endangered their lives. Despite this, the Home Office continues to try to deport Zimbabwean nationals to South Africa in 'a blatant attempt to side-step the current moratorium on deportations to Zimbabwe.'

LAW writes: '*The hunger strikers fled to South Africa to escape political persecution and torture (and in one case, homophobia) in Zimbabwe. But once there, they suffered further persecution in some cases including*

⁷ Information circulated by the National Coalition of Anti-Deportation Campaigns, email: ncadc@ncadc.org.uk, website: www.ncadc.org.uk/.

rape, imprisonment and deportation back to Zimbabwe. They fled to the UK, using false South African passports in order to escape.' Zimbabweans removed to South Africa are usually detained in the Lindela repatriation camp, which is notorious for its poor conditions and mistreatment of detainees, before being returned to Zimbabwe. LAW quotes South Africa Home Affairs Director-General Jeffrey Maqetuka saying: '*Since the beginning of the year, at least nine people died in the holding facility and 43 others in the nearby Leratong hospital after referral.'* (28 October 2005).

What you can do to help

Contact Legal Action for Women for a copy of a model letter that can be amended or write your own version that you can fax/write to the Minister for Immigration, Tony McNulty, requesting the release and/or temporary admission of the five women: Fax No: 020 7035 4745 (from outside the UK + 20 7035 4745). Address: Tony McNulty, Immigration Minister, Home Office, 3rd Floor, Peel Building, 2 Marsham Street, London, SW1P 4DF.

Wives of failed asylum seekers go to Europe to claim rights

Two Scots women who have married failed asylum seekers and were told they will have to live apart or leave the country with their husbands who will be sent back to oppressive regimes have taken their plight to Europe. Liberal Democrat MEP Elspeth Atwooll questioned the decision in the European Parliament.

Under UK law asylum seekers are not automatically granted British residency if they marry a UK citizen. However under European law a French woman married to an asylum seeker outside the UK and subsequently moved to Britain would be allowed to stay. Campaigners are hoping to change the law by taking this issue to Europe.

Source: Story circulated by www.asylumpolicy.info. Original story at: 'Wives of failed asylum seekers take plight to Europe' in *Scotland Today*, 15 November 2005, online at: http://scotlandtoday.scottishtv.co.uk/content/defaulttext.asp?page=s1_1_1&newsid=9526.

Lords say Section 55 breaches human rights

Three years after the controversial '*Section 55*' policy was introduced, the Lords held the Home Secretary was breaching the fundamental human rights of asylum seekers by denying them welfare support if they have not applied for asylum within a '*reasonable*' delay. The judges said the policy meant that asylum seekers were subjected to '*inhuman and degrading treatment*'.⁸

Asylum and housing agencies called on the government to scrap '*Section 55*', the immigration rule at the centre of the three-year legal battle. Ministers are now under pressure to amend the act.

⁸ Source: BBC News, 'Lords throw out key asylum rule', 3 November 2005, online at: <http://news.bbc.co.uk/1/hi/uk/4402596.stm>.

At the beginning of 2004, an estimated 500 people were sleeping rough in London because of the policy whilst up to 700 legal challenges were piling up at the High Court. The test case was prompted by three asylum seekers from Angola, Ethiopia and Sudan respectively, one of whom had claimed asylum the day after his arrival in the UK. The Home Office had already agreed to house those affected prior to the Lords' ruling. Immigration minister Tony McNulty conceded he would consider changing the rules but defended the controversial government's policies. A full copy of the judgment can be found online at: www.publications.parliament.uk/pa/ld200506/ldjudgmt/jd051103/adam.pdf.

UK events & projects

Launch of End Violence Against Women Coalition Campaign

In 1995, the UK Government signed the Beijing Platform for Action committing itself to undertaking specific measures to address violence against women. As part of that commitment the UK Government was required to deliver and implement a strategy to end violence against women. 10 years on the incidence of violence against women has not diminished, but the UK Government refuses to honour its human rights commitment to protect women.

In response to this situation a group of women's organisations and individuals have united to hold the UK Government and devolved administrations to account. For this year's International Day to

Eliminate Violence Against Women (25 November), the Coalition has produced a report grading each Government Department on their efforts to address violence against women.

The report entitled '*Making the Grade*' – and delivered to Downing Street by survivors and families of women killed, reveals that in the UK nearly half of all women experience some form of domestic violence, sexual assault, sexual harassment or stalking in the course of their lives. Despite this, the government lacks a strategic direction to tackle the issue. The study calls on the Government to appoint a single overseeing body to review and implement a strategy on the issue of violence against women. It also calls for the commissioning of awareness programmes to challenge the tolerance of violence against women. There will also be a Parliamentary Launch of the End Violence Against Women Campaign on 29 November at the House of Commons.

RWRP is a member of the Coalition and provided a case study for the report which can be found at:

www.endviolenceagainstwomen.org.uk/documents/Making%20the%20Grade.pdf.

Also **Imagine a World without Violence** From 25 November to 11 December 2005 there is an exhibition of work by young and established artists including New York's Guerrilla Girls, Tracey Emin, Alison Lapper, Marc Quinn, Grayson Perry and Stella Vine as part of Amnesty International's campaign to stop violence against women. AI UK is a

member of the End Violence Against Women coalition and visitors will be able to take action in support of the End Violence Against Women campaign at the exhibition. Visiting times are 11 am to 6 pm and admission is free.

***Sisters-In-Law*, followed by Q&A with Director Kim Longinotto Wed 7 December 2005 from 7.00 pm**

The latest documentary from director Kim Longinotto will be screened at the AI Human Rights Centre, 17-25 New Inn Yard, London EC2A 3EA, on 7 December. This will be the first screening of the film outside the festival circuit and Kim will be attending to answer your questions after the screening. Book for this event by emailing Anne O'Connell - aoholly@yahoo.co.uk or phoning Mary Wright on 0208 995 8334.

Gender, Marriage Migration and Justice in Multicultural Britain

This conference which will take place in London on 12 January 2006 will focus on three themes: inequalities in EU, legislation on family reunification, violence and security and marriage rights and human rights and minority women in Britain.

Speakers include the following: Newham Asian Women's Project (UK), Dr Samia Bano (University of Reading, UK), Kate Lewis (Joint Council for the Welfare of Immigrants, UK), Dr Amrit Wilson (South Asian Women Unite, UK), Roger Ballard (University of Manchester, UK), Women Living Under Muslim Laws (UK) Refugee

Council, UK, Ashiana Project, UK, Southall Black Sisters, UK.

RWRP will also run a workshop on the rights of women asylum seekers. For more details and booking, please contact Linda Wilson by email at:

l.wilson@roehampton.ac.uk.

Photographic Exhibition: 'IMPRISONED' *The damaging effects of immigration detention*

Asylum Aid, Bail for Immigration Detainees and Detention Advice Service invite you to a photographic exhibition by Isabelle Merminod at the Spitz Gallery, 109 Old Spitalfields Market, Commercial Street, London E1, 18 - 30 January 2006

Monday - Sunday, 12 to 5pm. Entrance is free.

International news

Afghanistan: violence against women not addressed, human rights groups say

Violence against women in Afghanistan is increasing according to Ahmad Fahim Hakim, deputy chairman of the Afghan Independent Human Rights Commission (AIHRC) interviewed by the UN Integrated Regional Information Network (IRIN).⁹ Hakim commented on the murder of a prominent female poet, Nadia Anjuman, after being assaulted by

⁹ Source: IRIN report, 'Afghanistan: UN and Afghan rights bodies condemn killing of female poet', 8 November 2005 at www.irinnews.org/report.asp?ReportID=49989&SelectRegion=Asia&SelectCountry=AFGHANISTAN.

her husband earlier this month: *'Unfortunately, this shocking act indicates there is increasing violence against women in our society.'*

IRIN reports that AIHRC and other human rights groups working in the country such as the Human Rights Research and Advocacy Consortium (HRRAC) also say that violence against women is not properly addressed, the authorities do not take appropriate action against women's abusers and have failed to properly investigate such cases in the past. They call for strict action against the perpetrator. Local police have said that an investigation is ongoing whilst Nadia Anjuman's husband has been arrested. The poet had just published her first volume of poetry entitled *'Dark Flower'* earlier in the year.

The government of Afghanistan was planning to mark the International Day for the Elimination of Violence Against Women on Friday with a further call to raise awareness.¹⁰

Pakistan: Fears that violence against women may increase following earthquake

In a country where 90 percent of women have been estimated to suffer physical, sexual or verbal domestic violence (according to reports by Human Rights Watch), relief agencies point to a situation *'worsening'* in particular in the camps set up after the 8 October

earthquake.¹¹ 70,000 people are said to be living in the camps in the areas affected by the earthquake in the North West Province and Kashmir.

Some women have complained of a lack of privacy and how they are vulnerable to sexual assault: *'We cannot even go to the toilet in peace. If we move far away from the camp in search of privacy behind boulders or bushes, young men follow us, and we are scared of being raped,'* Sunaiya, 19, one of the many young women based at the camp, told IRIN. IRIN further reports: *'She added that she, her mother and two younger sisters, living in a tent, felt particularly vulnerable as their father had died in the quake "and people here know we have no one to protect us.'"*

Some families have said they will not move to the camps because they do not want to *'expose their women to the "looks of men"'* or *'dishonour'*. Deeply conservative traditions and entrenched views on gender codes also mean that many women affected by the earthquake have refused to be examined by male doctors in case of injuries, even when their male siblings have begged them to do so. As a result, some have died of their injuries. Women demand to be treated by female doctors and nurses but these are also hard to find as the living conditions are particularly harsh and their own families may not want them to travel to *'unknown areas'*.

¹⁰ See IRIN, 'AFGHANISTAN: Calls for an end to violence against women', Kabul, 23 November 2005, www.irinnews.org/report.asp?ReportID=50273&SelectRegion=Asia&SelectCountry=AFGHANISTAN.

¹¹ Sources: IRIN, 'Pakistan: Women face violence, harassment at camps', 16 November 2005, at www.irinnews.org/print.asp?ReportID=50130 and 'Pakistan: Quake-hit women still await medical treatment', 18 October 2005 at www.irinnews.org/print.asp?ReportID=49613.

Albania: UN expert calls for child protection system to help to combat trafficking

Special Rapporteur on the sale of children, child prostitution and child pornography of the UN Commission on Human Rights, Juan Miguel Petit, said that '*Want, lack of opportunities and social services, stigmatized minorities, discrimination against women, and an inadequate educational system are at the root of the [trafficking] scourge*'.¹² He recognised the efforts made by the Albanian Government in order to improve the legal framework to help prosecute traffickers, provide better training for the police, improve border controls. However, he also called on the Government of Albania to take social responsibility and develop a national child protection system to combat poverty and exploitation in the country 'capitalizing on the experiences of NGOs and supporting their activities and programmes.' During an eight-day visit in early November, the Special Rapporteur met with over 100 persons in 40 meetings throughout the country.

Poland: AI concerned over LGBT rights

The human rights organisation issued a press release outlaying its concerns over the '*climate of intolerance in Poland against the lesbian, gay, bisexual and transgender (LGBT) community, characterised by the banning of public events organized by the LGBT community, openly homophobic*

¹² UN News Centre, '*UN expert fighting sex trafficking calls for child protection system in Albania*', 8 November 2005, at www.un.org/apps/news/story.asp?NewsID=16480&Cr=albania&Cr1=.

*language used by some highly placed politicians, and incitement of homophobic hatred by some right-wing groupings.*¹³ Against this backdrop, Amnesty International also notes with concern the recent abolition of the government office responsible for promotion of equal treatment for sexual minorities.'

On 19 November a peaceful '*March for Equality*' organised by gays and lesbians as well as left-wing groups took place in the city of Poznan but was brutally broken up by the police, who arrested 68 of the marchers. The mayor of Poznan had banned the event. Demonstrators protested against discrimination based on sexual orientation, gender, race, and disability.

African women celebrate as Protocol on rights of Women comes into force

Last month, Togo was the 15th African country to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. This means that the Protocol will now come into force within 30 days.¹⁴ It has

¹³ Sources: AI, Press Release, '*Poland: LGBT rights under attack*', 25 November 2005, online at: <http://web.amnesty.org/library/index/engneur370022005>. and Tomasz Szypula, '*Poland: A First-Hand Account of an Official Gay-Bashing*', 21 November 2005, online at: www.zmag.org/content/showarticle.cfm?SectionID=91&ItemID=9163.

¹⁴ Sources: Solidarity for African Women's Rights Press Release, '*Victory for Women's Rights in Africa, African Protocol on Rights of Women enters into force*', in *Pambazuka news*, 27 October 2005 at www.pambazuka.org/index.php?id=30177. See also: '*The Protocol on the Rights of women in Africa and National Legal Strategies*', *ibid.*, at

already been ratified by the following countries: Benin, Cape Verde, The Comoros, Djibouti, The Gambia, Lesotho, Libya, Malawi, Mali, Namibia, Nigeria, Rwanda, Senegal and South Africa.

According to Solidarity for African Women's Rights (SOAWR), a coalition of 19 organisations across Africa campaigning for the '*popularization, ratification and domestication*' of the Protocol, it represents a '*milestone in the protection and promotion of women's rights in Africa and creat[es] new rights for women in terms of international standards.*'

In particular, the Protocol calls for the legal prohibition of female genital mutilation; it also lays out the '*reproductive right of women to medical abortion when pregnancy results from rape or incest, or when the continuation of the pregnancy endangers the health or life of the mother*'; it specifically recognises the rights of particularly vulnerable groups of women such as pregnant or nursing women in detention, women from marginalised groups, poor women, the elderly and widows and sets forth economic and social welfare rights for women. Lastly it prohibits the abuse of women in advertising and pornography.

The work of the coalition continues, as 38 African states have not ratified the Protocol to date. For more information contact: Equality Now – SOAWR Secretariat, Tel +254-20-2719832;

www.pambazuka.org/index.php?id=30072. Both stories circulated by www.asylumpolicy.info.

+254-722-805539, Fax.+254-20-2719868, or email: equalitynow@kenyaweb.com. Website: www.equalitynow.org.

related information

Islamic states call for end to female genital mutilation

Ministers from nearly 50 Islamic countries and representatives from over 20 international Arab and Islamic organisations have called for an end to harmful traditional practices including child marriage, female genital mutilation and gender discrimination in education, according to UNICEF, the United Nations Children's Fund.¹⁵ The conference, which was backed by the UN agency, was an opportunity for some participants to share successful experiences in challenging such practices.

International actions & events

International Day to Eliminate Violence Against Women 25 November 10 December 2005

For details of global activities, take action kit and other resources, go to the Global Organising for the 16 Days website at: www.cwgl.rutgers.edu/16days/home.html.

¹⁵ UN News Centre, 'Islamic states at UN-backed meeting call for an end to female genital mutilation', 9 November 2005, online at: www.un.org/apps/news/story.asp?NewsID=16496&Cr=gender&Cr1=discriminat#.

Call for papers for Conference '*The Persecution of Women, Social Mobilisation and the Right to Asylum*'

This Conference will take place in Paris on 15-16 September 2006.

Forced marriages... genital mutilation... '*crimes of honour*' against adulterous women... domestic slavery... political use of rape particularly during ethnic conflicts... sexual slavery and forced prostitution...¹⁶ A large part of humanity is subject to persecutions specific to women. And yet there seems to be a disproportion between the demographic and geographic spread of this phenomenon, and the little attention which is paid to it in multiple social contexts (associational, political, academic, institutional etc). More specifically, the relationships between these types of persecutions and trajectories of exile have scarcely been explored both by social actors and by researchers in social sciences. Little research exists examining persecutions specific to women in the context of exile, migration and international protection apart from few recently published studies by the associational and scientific communities.

Moreover, although there is no legal reason for excluding these types of persecutions from the field of application of the Geneva Convention of 1951, it is still difficult to have them recognised as legitimate motives for exile and asylum. These persecutions and the women who suffer them seem, on the contrary, to be

affected by a triple illegitimacy: that which is imposed on them by their societies of origin, that which comes from the resistance of the host society to refugees in general and to the recognition of these types of persecution in particular, and that interiorised by the victims themselves who are often afraid of expressing their real motives for fleeing and hide them behind other motives which they perceive as more legitimate or more easily expressed.

It is necessary to produce rigorous academic knowledge of these phenomena and to provide reliable intellectual bases for political actions which might follow. The object of this conference is to produce such knowledge with respect to methodologies suitable to the social sciences and humanities. Three areas of study will be privileged, remembering that within each it is necessary to interrogate the notion of '*persecution*' itself, and also the social construction of political and analytical categories relating to this notion:

- Anthropologies of persecutions specific to women
- Social mobilisations in favour of persecuted women
- Public actions of prevention and protection

The organisers Jane Freedman (Southampton University) and Jérôme Valluy (Université Panthéon-Sorbonne) are requesting for proposals on the above subjects to be sent in French or in English by 15 December 2005 at: J.L.Freedman@soton.ac.uk and valluy@univ-paris1.fr. Proposals should include a 300 word abstract and a CV with the author's principal publications.

¹⁶ Source: This text is an edited edition of the text provided by TERRA Forum. For a full text please contact Jérôme Valluy at jerome.valluy@univ-paris1.fr.

Responses from the scientific committee will be received by 15th February 2006. Final papers (20,000 and 40,000 characters in length including spaces) in French or in English to be sent in RTF by email to the same addresses by 15 May 2006. The papers will be distributed to all participants at the conference. They may then be re-worked prior to the publication of the conference proceedings.

The Conference will take place at: Université de Panthéon-Sorbonne, 12 Place du Panthéon, 75005 Paris, salle no. 1. For more details, please contact the above-mentioned email addresses.

new publications

international

'An Absence of Choice: The sexual exploitation of North Korean women in China'

This new report by Anti-Slavery International (November 2005) reveals that *'the governments of China and North Korea are failing to protect North Korean women trafficked to China. Instead of helping them, the women are detained, forcibly repatriated and used as forced labour.'* The publication includes *'cases and interviews with North Korean women, who fled famine and dire poverty to China only to be trafficked into slavery. Lured by promises of help, food, work or shelter, they were deceived, coerced and forced through the threat or use of violence into marriage and prostitution.'*

Anti-Slavery International say that the Chinese authorities put trafficked North Korea women in detention facilities where they are held in horrific conditions before being forcibly repatriated to North Korea, where they are sent to forced labour camps. The Chinese Government, who is party to the UN Refugee Convention prohibiting the forced return of refugees, also returns refugees from North Korea despite the fact that leaving North Korea without permission can be punishable by death.

Anti-Slavery International calls for the Chinese Government to grant humanitarian status to all trafficked North Koreans, and allow the UNHCR access to them in order to assess their circumstances on an individual basis and seek a safe and permanent solution to their situation. It also calls on the North Korean Government to provide access to the UN Special Rapporteur on North Korea to monitor human rights conditions in the country. Lastly it calls on governments in the international community to raise the issue of protecting North Koreans in human rights discussions with China. A copy is available as a PDF download at <http://www.antislavery.org/homepage/resources/PDF/PDFtraffic.htm#korea> and as a hard copy publication. Contact: Beth Herzfeld, Anti-Slavery International's Press Officer on +44 (0)20 7501 8934; or email b.herzfeld@antislavery.org.

UNICEF study on female genital mutilation

In the context of the International Day to Eliminate Violence Against Women, (November 25), the UNICEF Innocenti Research Centre has launched a new Digest '*Changing a Harmful Social Convention: Female Genital Mutilation/Cutting*' which examines the social dynamics of FGM/C, a harmful practice which is a fundamental violation of girls' and women's human rights.¹⁷ The Digest reviews progress achieved to date in different countries towards abandonment of FGM/C, and identifies some of the most promising strategies being employed against it. However, the main findings show that:

- *Current prevalence of FGM around the world is roughly the same as it was nearly a decade ago.*
- *FGM/C affects far more women than previously thought. An estimated three million girls and women are cut each year on the African continent (Sub-Saharan Africa, Egypt and Sudan).*
- *Not only is FGM/C practiced among communities in Africa and the Middle East, but with increased population movements and migration, FGM/C is also an issue in immigrant communities throughout the world.*
- *Factors perpetuating the practice include woman's status, marriageability, chastity, health, beauty and family honour.'*

The launch of the UNICEF Digest aims to galvanize the International Community around supporting the Partnership

¹⁷ Source: UNICEF Press Release '*UNICEF to release study on female genital mutilation*', at: www.unicef.org/media/media_29902.html.

Strategy Plan to End FGM/C in 2010, as part of the global effort to achieve the Millennium Development Goals. The Digest was not available at the time of writing but can be expected to be found at:

www.unicef.org/publications/index.html.

¹⁸

'Must Boys Be Boys? Ending Sexual Exploitation and Abuse in UN Peacekeeping Missions'

In its latest publication, Refugees International says that a culture tolerating sexual exploitation and abuse has '*evolved*' in UN peacekeeping missions. Using UN peacekeeping missions in Liberia and Haiti as an example the report argues that a '*hyper-masculine culture*'... *breeds... a "wall of silence" that bonds together members to protect them from outside criticism. Even in countries where it is illegal, solicitation of prostitutes by men in post-conflict countries is treated as commonplace. Employees are reluctant to report sexual misconduct by colleagues due to fear of recrimination from within the system. UN employees confirm that many do not truly buy into the UN's official policy of zero tolerance and zero contact.'*

Recommendations in the report include systematically incorporating a gender perspective into all UN peacekeeping operations; using culturally-appropriate programs that are developed with women's organizations to train peacekeeping troops and monitor and evaluate training results; and improving

¹⁸ See also: UNICEF, '*Ending female genital mutilation and cutting in Senegal*', 24 November 2005, online at: www.unicef.org/infobycountry/senegal_30046.html.

access to the UN complaint system so that local women know who to reach out to when a problem occurs and understand that their complaint will be taken seriously; empowering women in local communities so that they have a means to support themselves beyond commercial sex work. Refugees International also urged the UN to ensure that adequate funding and resources are available to address the problem. Refugees International's report is available online at:

www.refugeesinternational.org/content/publication/detail/6976.

related information **'Still Waiting After 60 years: Justice for Survivors of Japan's Military Sexual Slavery System.'**

In this report, Amnesty International outlines the brutal treatment suffered by 'comfort women' – up to 200,000 women sexually enslaved by the Japanese military before and during the Second World War - and how many of the women enslaved have died without justice, adequate public apology or compensation from the Japanese authorities.¹⁹

Women, Law and Human Rights: An African Perspective

This publication by Dr Fareda Banda (Oxford, Hart Publishers, 2005) takes a comprehensive look at law as it affects the lives of African women, and could be a useful reference tool for practitioners and those working in the refugee field:

'Africa, with its mix of statute, custom and religion is at the centre of the

debate about law and its impact on gender relations. This is because of the centrality of the gender question and its impact on the cultural relativism debate within human rights.²⁰ (...) The book focuses on women's experiences in the family. This is because the lives of women continue to be lived out largely in the private domain, where the right to privacy is used to conceal the unequal treatment of women which is justified by invoking "custom" and "tradition".

The book shows how law and its interpretation is used to disenfranchise women, resulting in their being deprived of land and other property which they may have helped to accumulate. It also considers issues of violence within the home, reproductive rights and examines the issue of female genital cutting. The role of women in development is explored as is their participation in politics and the NGO sector. A major theme of the book is a consideration of the linkages of constitutional and international human rights norms with local values. This is done using feminist tools of analysis.' The book is available from www.hartpub.co.uk or by email on mail@hartpub.co.uk and costs £25.

Study shows restriction of health care for asylum seekers in nearly half of European countries

A study conducted by the University of Copenhagen shows that ten out of 25 European Union's countries restrict health care for all adult asylum seekers to emergencies only, the British Medical

¹⁹ AI, 'Japan: Appeals for compensation fall on deaf ears', [date and internet link to complete].

²⁰ Source: Hart Publishing, online at www.hart.oxi.net/bookdetails.asp?id=306&bnd=0.

Journal reports.²¹ The study also reveals wide variations in medical screening between countries with just over half providing mental health screening. In the UK, Austria, France and Spain, medical screening is only done in reception centres. HIV screening was only compulsory in five countries, although it existed in 19 countries. In Latvia, Luxembourg and Cyprus access to medical expertise for tortured and traumatised asylum seekers is not available. Restriction to emergency care only for pregnant women was found in five countries and for children in seven countries. The comparative study is based on a questionnaire of ministries and non-governmental organisations working in the field of healthcare. No replies were received from Portugal.

new publications

UK

'Refugee community organisations and dispersal: networks, resources and social capital'

This study by the Economic and Social Research Council is based on the results of fieldwork with Refugee Community Organisations (RCOs) in London, the West Midlands and the North-West. Changes in policy and legislation concerning refugees and asylum seekers have had a marked effect on the role of refugee organisations in the community and this research questions the conventional view of RCOs as the *'hub of*

²¹ Results of the study were published in the *European Journal of Public Health* (17 October 2005). Source: British Medical Journal, *'Ten out of 25 EU countries restrict health care for asylum seekers to emergencies only'*, 29 October 2005 online at: www.bmj.com/bmjournals.com/.

social activity and the prime movers of fostering integration'. At the same time it reveals changes in the profile of RCOs, what they aim to achieve and how they operate. See more at: [www.esrcsocietytoday.ac.uk/ESRCInfoCentre/Plain English Summaries/econ performance and development/public policy/index391.aspx](http://www.esrcsocietytoday.ac.uk/ESRCInfoCentre/Plain%20English%20Summaries/econ%20performance%20and%20development/public%20policy/index391.aspx).

new resources

international

Gender-Based Violence Guidelines
New 'Guidelines for Gender-based Violence Interventions in Humanitarian Settings - Focusing on Prevention of and Response to Sexual Violence in Emergencies' (September 2005) have been published by the Inter-Agency Standing Committee, a coalition of UN agencies, academic institutions, and local and international NGOs. The guidelines constitute an international effort to effectively prevent and respond to sexual violence in emergency settings (they will be field-tested in 2005/2006 and finalised in 2006).

In response to the use of sexual violence as a tool of war, the guidelines address prevention and intervention of sexual violence as well as practical recommendations for treating victims of the sexual violence and ensuring their safety, at local, national and international levels. The statistics are stark: at least one in three women or girls in the world has been either physically or sexually abused at some time in her life. The guidelines also state that *'sexual violence is the most immediate and dangerous type of*

gender-based violence occurring in acute emergencies. Whilst men and boys are also vulnerable to sexual violence especially when subjected to detention and torture, the majority of victims/survivors of sexual violence are females. Other forms of gender-based violence such as domestic violence, honour killing, female genital mutilation and forced early marriage are perpetrated *'in a more stabilised phase and during rehabilitation and recovery*.

A sample monitoring form and implementation of minimum prevention and response as well as a sample 'Incident Report Form' are provided. The guidelines can be found directly at: www.humanitarianinfo.org/iasc/IASC%20products/GBV%20guidelines%20Eng%209.13.05.pdf.

The Day I Became A Woman

This film is now available on DVD from Olive Films. Directed by **Marziyeh Meshkini** *The Day I Became A Woman* relates the stories of three women and three generations, incorporating a powerful socio-political message. Meshkini's film and its message may be read as a life-affirming tribute to the courage of women, in Iran and the entire world, and the freedoms that must be won only through realized struggle-individual and collective-and stubborn refusal to succumb to despair. A portion of the proceeds (10 %) from the DVD sales will benefit AIUSA's Stop Violence Against Women Campaign. To purchase a copy, go to:

<http://store.yahoo.com/olivefilms/index.html>.

New Protocol for Identification and Assistance of Trafficked Persons and Training Kit

This publication by Anti-Slavery International (2005) is a practical tool for identifying trafficked people. It provides basic and practical information to those most likely to encounter people who have been trafficked and aims to help make the difficult task of identification easier. The manual includes lists of indicators, checklists and recommends questions for interviewing trafficked people. The training kit is designed for training front-line workers. Price £5.00. Also available online in PDF at:

www.antislavery.org/homepage/resource/publication.htm.

Account of journalist following the trail of failed asylum seekers back to DRC

Journalist Jenny Cuffe, of the BBC World Service followed the footsteps of failed asylum seekers sent back from Europe to the Democratic Republic of Congo.²² She provided asylum seekers held in Harmondsworth Removal Centre with her phone number so that they could get in contact with her once deported to their country and give an account of what really happened to them.

She was helped in her investigation by a Dutch NGO trying to monitor clandestinely what happens to returned asylum seekers. They helped her find

²² Source: Press Gazette, 'BBC reporter trails deported asylum seekers back to Congo', 24 November 2005, www.pressgazette.co.uk/article/241105/bbc_reporter_trails_deported_asylum_seekers_to_the_congo. The story was circulated by www.asylumpolicy.info.

two insiders, an official from the secret services and one from the immigration department. Despite European countries denying the risk of failed asylum seekers when returned to their country of origin, one of the officials told her that the authorities in DRC are *'actually targeting asylum seekers who have been abroad and who we feel have besmirched the name of our country by talking about the Government and our country'*.

Jenny Cuffe's report goes out on 8 December at 9.05am on the World Service. It can be listened to online at www.bbc.co.uk/worldservice/programmes/assignment.shtml.

5060 | Fax: +44 (0)20 7040 5070.
Website: www.icar.org.uk/.

CARA - Grants to refugee academics: Call for applications

Applications are currently invited for the Council for Assisting Refugee Academics' next funding round. CARA helps refugees with academic backgrounds to re-establish their careers in the UK. The deadline for applications is 5:00pm on Monday 19 December 2005. For more information, telephone +44 (0)207 021 0880, address: London South Bank University, Technopark, 90 London Road, London SE1 6LN or visit online:

http://academic-refugees.org/index.php?option=com_content&task=category§ionid=1&id=18&Itemid=48.

new resources

UK

Guide for anti-racist campaigners and refugee rights activists

The Institute of Race Relations has published a 19-page guide for anti-racist campaigners and refugee rights activists on working with the media. The guide can be downloaded at: www.irr.org.uk/pdf/media_guidance.pdf.

notice board

ICAR's new address

ICAR, the Information Centre About Asylum and Refugees in the UK, has relocated to the School of Social Sciences at City University City University, Northampton Square, London EC1V 0HB. Telephone: +44 (0)20 7040

IOM Voluntary Return Programme

The IOM can help you if you are either an asylum seeker or have been trafficked into the UK or have overstayed your visa and wish to return to your country of origin. They pay for flight ticket, advise regarding travel documents and provide assistance with medical help and at time of departure and arrival. In some cases, the IOM may be able to offer assistance in country of origin to help individuals support themselves (e.g. to start a small business, further education or go into vocational training). Call the IOM free on 0800 783 2332.

Please send any information that you would like to see published in our next edition by 16 January 2006 (see email or postal address on back cover).

women's asylum news

Produced by RWRP (for more information on this issue, please contact Sophia Ceneda)
Asylum Aid, 28 Commercial street
London E1 6LS Tel: 020 7377 5123
Fax: 020 7247 7789
Email: sophiac@asylumaid.org.uk
Website: www.asylumaid.org.uk

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