

women's asylum news

refugee women's resource project @ asylumaid

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the 4th February 2009.

RWRP at Asylum Aid launches new research report

'Relocation, Relocation – The impact of internal relocation on women asylum seekers'

In November 2008 RWRP at Asylum Aid launched a new qualitative research report exploring how the legal principle of internal relocation (or internal flight alternative (IFA)¹ is applied in UK caselaw. The report was launched in November 2008 and Human Rights Barrister Kathryn Cronin presented and discussed key issues around internal relocation.

The project involved interviewing legal representatives and women asylum seekers to examine the application and appropriateness of internal relocation for women who have experienced gender based persecution.

In circumstances where non-state agent(s) persecute an applicant and their 'well founded fear of persecution' is perceived to be located in one area of the country, internal relocation would be considered when assessing whether the applicant is entitled to refugee status. Internal relocation is usually relevant to non-state persecution cases based on the assumption that non-state actors do not have the resources of the state to find and continue their persecution of that person.

¹ The term internal relocation or Internal Flight Alternative (IFA) or Internal Protection Alternative are often used interchangeably within refugee law and refer to the same legal principle

Internal relocation is not explicitly articulated within the 1951 Refugee Convention and only emerged and started to be applied in UK caselaw from the 1980s. At this time, alongside legal debates regarding its scope within international law, there was also a notable international political shift regarding the accessibility of international protection. From the 1980s onwards, 'asylum' and mechanisms to 'restrict asylum' became a key political issue in many western states. This research report explores the legal framework and key developments around internal relocation and also places this within the political context, policy shifts and changes in political and public rhetoric.

The prominence of internal relocation within UK caselaw is hugely significant to women asylum seekers as many women's asylum and human rights claims are based around gender based persecution committed by non-state agents. Many women who have experienced or are fleeing domestic violence, trafficking, FGM, rape and sexual violence, forced marriage and claims based on people's sexual orientation for example are usually affected by this principle. In reality this means a woman who has experienced gender based persecution may be denied refugee status on the grounds that she moves (relocates) to another area of her country of origin and lives away from her persecutor(s). This research report highlights the difficulties a single, separated, divorced or lesbian woman (with or without children) would face on her own, with no male or family protection in a relocation area.

The project consisted of five case studies with women who had all, at some point been refused international protection on the grounds of internal relocation. The research discusses their practical considerations and anxieties around this principle which they believed placed them

in direct risk of future persecution with little (if any) assurances of protection.

The case studies included:

- **A lesbian who had been raped by police officers in Uganda** (where homosexuality is illegal and comes with a mandatory prison sentence). This woman was denied refugee status on the grounds that if she relocated to a different town away from the police officers who raped her she would be safe. This woman was particularly concerned for her welfare as a lesbian in any town in Uganda.
- **A woman who had experienced sexual violence in detention in South Kivu, Democratic Republic of Congo.** This woman was denied refugee status on the grounds that she should move to Kinshasa (capital of DRC) where she had never been and did not speak the local language. She was particularly worried for her safety in Kinshasa as a single woman.
- **A woman (with children) from Yemen who experienced domestic violence** This woman was granted leave to remain (legacy case) but was originally denied refugee status on the grounds that she could move to a different city away from her husband and his family. This woman discussed the realities of internal relocation for a divorced woman in Lebanon including the fear of losing custody of her children
- **A woman from Pakistan who experienced domestic violence** This woman has been denied refugee status on the grounds that she can move to her parents house in a different city to her ex- husband. This woman discussed the impracticalities of life for a single

woman in Pakistan and her terror that her ex-husband will find her.

- **A group interview with three lesbians from Jamaica.**

Issue of internal relocation were pertinent to all three women. The women discussed where, in such a small island they can relocate to and given the accepted high levels of violence directed towards lesbians, what protection they would receive.

The key findings from interviews with legal representatives included:

- How internal relocation is being simplistically applied without sufficient evidence based analysis. Legal representatives believed that the complex nature and likelihood of risks for single, separated, divorced and lesbian women is not being given due consideration and scrutiny.
- Some UK Border Agency personnel and immigration judges place significant assumptions on the existence of entities (eg refuges, shelters and NGOs) without assessing whether such entities can offer the level of protection assumed.
- The application of internal relocation by the judiciary within UK caselaw has moved away from the guidelines set out by the UNHCR. This shift raises significant questions regarding the role of UNHCR's international frameworks within the UK.
- The removal of the IAA Gender Guidelines (2000) has had a detrimental impact on women asylum seekers by restricting debates and limiting the scope of legal arguments.

The key findings from interviews with women asylum seekers included:

- Women asylum seekers felt internal relocation placed them at direct risk of further abuse, exploitation and attack. A lack of protection mechanisms in place, an increased social exposure and an inability to hide were identified. This questioned whether internal relocation was a viable alternative to international protection.
- No monitoring and protection instilled a genuine fear regarding what would happen to women upon return to a new relocation area. Moreover, the women discussed how the police were not considered agencies of protection and offered no practical assurance of safety.
- The lesbian case studies questioned the practical realities of being 'discreet' about their sexuality as advised by the UK Border Agency and some immigration judges.

The report concludes with a series of recommendations for the Judicial Studies Board, the Asylum and Immigration Tribunal, legal representatives and the UK Border Agency.

The full report is available to download on Asylum Aid's website at:

http://www.asylumaid.org.uk/data/files/publications/89/Relocation_Relocation_research_report.pdf

For further information or for a hardcopy of the report, please contact report author Claire Bennett

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RWRP Update

Asylum Rights Watch

As part of our work on the *Charter of rights of women seeking asylum*, we are collecting evidence of how **women** asylum seekers are treated in relation to:

1. the asylum determination system
2. accommodation, support and healthcare
3. detention and removal

Below are examples of cases we have collected so far.

"My husband claimed asylum in 2004 and I was a dependant. This claim was refused and an appeal was lodged. Meanwhile, I was suffering domestic violence from my husband. He removed my name from the application without my knowledge. The Home Office did not write to me concerning this. I only knew about this through the probation victims support officer where I was attending some counselling sessions. Anyway I have since made an application in my own right sighting the domestic violence I have suffered for a very long time."

"During 11 days in Yarl's Wood detention centre Bedfordshire I didn't eat anything because I was terrified; I have never been in jail in my whole life. Some nurses behave as if I am pretending to be sick. I am shocked by the way I was treated."

If you have had recent examples of good or bad practice by the UK Border Agency (including regional asylum teams, NASS, Immigration Removal Centres, enforcement) please go to <http://www.asylumaid.org.uk/pages/asylumrights.html> and complete the survey. Or if you know of someone who has had recent interaction with the UK Border Agency please encourage them to complete the survey.

Significant Legal Cases

PS Sri Lanka²

Tamil woman raped by soldiers

Lord Justice Sedley, who gave the Court of Appeal's lead judgment in this case, described the facts as "*short and disturbing*". The appellant was a Tamil woman from the Jaffna Peninsula in Sri Lanka, an area where the LTTE have long been active. In November 2006 she was raped in her home, which was also a grocery store by 2 Sri Lankan government soldiers who used to come to make purchases there. 5 days later one of the soldiers returned and both of them raped her again. A week later, those 2 soldiers returned again, on this occasions raping her whilst holding her father at gunpoint so that he might witness the attack. Some while later the appellant tried to commit suicide by self immolation. She failed but her father took her to her uncle's house where she stayed whilst arrangement were made for her to leave Sri Lanka and come to the UK. During that time she found out that she was pregnant but then miscarried or aborted. In the meantime the soldiers had returned to her home looking for her.

Her application for international protection was refused, but her appeal allowed by the Asylum and Immigration Tribunal. The Home Office successfully appealed that decision and Senior Immigration Judge Gill set aside the original determination for error of law and then, after considering the merits, dismissed the appeal. The Court of Appeal overturned that decision, allowing the appeal, holding that the appellant was entitled to humanitarian protection. In his view that was the only conclusion that the evidence allowed and therefore the matter was not

² PS (Sri Lanka) v. Secretary of State for the Home Department [2008] EWCA Civ 1213

remitted to the Asylum and Immigration Tribunal for further consideration but rather to the Secretary of State.

The Court of Appeal found that the Tribunal had made a number of errors. The first related to the Senior Immigration Judge's finding that there was "*no reasonable likelihood*" that the soldiers who had raped her would come to know if she was returned and that therefore she was not at risk. In doing so the Tribunal either applied the wrong test or applied too high a test. The test to be applied in assessing risk was that of a "*real risk*" on the basis of the facts found. Even if the Senior Immigration Judge did apply that test, "*on the accepted evidence the only sustainable answer was there was such a risk*".

The second error related to her assessment of the facts and whether the applicant could be expected to obtain protection from the Sri Lankan government authorities. The Senior Immigration Judge found that the offending soldiers had made incursions into the area where the appellant had lived. However, the Court of Appeal found that the government soldiers must have been stationed there because of the fact that they had come to her father's store more than once for purchases and had then returned on more than one occasion to commit the rapes, acting with impunity. There was no material change in the situation in that area when the Senior Immigration Judge made her findings. She concluded that even if a risk did exist for the appellant, there was no reason that she could not seek the protection of the Sri Lankan government authorities. This conclusion was unsustainable.

By inference, the Court of Appeal found that the Senior Immigration Judge's analysis that the appellant had been raped by 3 rogue soldiers, which equated to being raped by three civilian criminals was mistaken. The past persecution or serious

harm that she suffered therefore proved the risk that she would again be targeted for rape by rogue soldiers in her home area. This finding was mandated by common sense and paragraph 339K of the Immigration Rules (transposing the Qualification Directive).

In consequence, the Court ordered that the matter be remitted to the Home Secretary for consideration of whether the appellant should be granted refugee status or humanitarian protection.

EM Lebanon³ **Domestic Violence in Lebanon**

The appellant in this case was a Lebanese woman who had experienced domestic violence, including a miscarriage after an assault by her husband who did not want her to have a baby. She left him when she became pregnant a second time, going into hiding in order to avoid her husband and his family taking the child from her by force. She then obtained a divorce on the grounds of his violent behaviour. However, under Lebanese law, once her son was seven years old, she would have to give up his sole custody to her husband. She therefore fled the country and sought asylum in the UK with the child.

Her application for asylum and protection on human rights grounds was refused and her appeals at the Asylum and Immigration Tribunal and Court of Appeal were unsuccessful. Her appeal to the House of Lords revolved around a technical question of human rights law, the appellant having abandoned her claim to be a refugee.

Her son, now 12 years old, was an interested party in the proceedings stating

³ EM (Lebanon) (FC) v. Secretary of State for the Home Department [2008] UKHL 64

that he did not want to be separated from his mother to live with his father and family who he had never met. The appellant argued that if she and her son were forced to return to Lebanon, the operation of Shari'a family law would result in a discriminatory breach of her right to respect for family life, contravening rights guaranteed by Articles 8 and 14 of the European Convention of Human Rights (ECHR). Her case was unlike most Article 8 cases in that the breach of the right would occur once the appellant and her son were removed to Lebanon, rather than the family being separated by the act of removal. It could therefore be described, to use the terminology adopted by the House of Lords in previous cases, as a "foreign" case.

The technical question the House of Lords had to resolve was the test that should be adopted in a 'foreign case' involving a qualified right such as Article 8 ECHR. The Court of Appeal had held that the test that the appellant had to meet was to show a real risk of a "complete denial" or "nullification" of the right in order to prevent her removal; a test she could not meet. This was to be distinguished from what the Court of Appeal considered was a lower test, namely a real risk of a "flagrant denial" or "gross invasion". The House of Lords unanimously concluded that the lower threshold of "flagrant denial" or "gross invasion" would be sufficient as "complete denial". They therefore allowed the appellant's appeal.

The House of Lords was quick to say that their decision did not mean that Article 8 and 14 ECHR would prevent the removal of any mother and child to face a system of family law that would automatically award custody of the child to a father.

Lord Hope found:

"The return of a woman who arrives here with her child simply to escape

from the system of family law of her own country, however objectionable that system may seem in comparison with our own, will not violate article 8 read with article 14. Domestic violence and family breakdown occur in Muslim countries just as they do elsewhere. So the inevitable result under Shari'a law that the separated mother will lose custody of her child when he reaches the age of custodial transfer ought, in itself to make no difference. On a purely pragmatic basis the Contracting States cannot be expected to return aliens only to a country whose family law is compatible with the principle of non-discrimination assumed by the Convention."

Sector Update

UK ratifies trafficking convention

In December 2008 the UK Government ratified the Council of Europe Convention on Action Against Human Trafficking. The ratification brings the UK in line with 19 other Council of Europe members and will become binding from the 1st April 2009.

The Convention includes:

- A new national referral mechanism, providing a nationally agreed process to help frontline staff identify and support people who have experienced trafficking
- A 45 day reflection and recovery period and the possibility of one-year residence permit for victims of trafficking
- Better support for people who have been trafficked and who give information about their traffickers to the police

Home Secretary Jaqui Smith stated: *"Ratifying this convention helps us build on the existing measures in place in the*

UK aimed at turning the tables on traffickers and providing victims with protection, support and a voice in the criminal justice system".

For further information on Council of Europe Convention on Action Against Human Trafficking see:
http://www.coe.int/t/dg2/trafficking/campaign/Docs/Convntn/default_en.asp

For further information on The UK Human Trafficking Action Plan see:
<http://www.homeoffice.gov.uk/documents/human-traffick-action-plan>

UK Events and Conferences

Asylum Aid Annual General Meeting 28th January 2009

St James Church, 197 Piccadilly,
London,

Asylum Aid's AGM will take place from 6pm. The evening includes guest speakers, open discussions and refreshments. The 2008 Asylum Aid Annual Report will also be launched at this event.

Guest speakers include: **John Vine CBE OPM**. John Vine took up the new position of Chief Inspector of the UK Border Agency in July last year, on secondment from his post as Chief Constable of Tayside. John is committed to establishing good working relationships with asylum and refugee NGOs

Neil Gerrard MP. Neil Gerrard has a distinguished record of championing refugee rights, both as a constituency MP and as Chair of the All Party Parliamentary Group on Asylum and Refugees. Neil is a new Patron at Asylum Aid

6pm Formal AGM business; 6.30pm Speakers; 8pm Refreshments

RSVP to Malak Bagher-Niakan
Tel: 020 7354 9631 or
Email: malakb@asylumaid.org.uk

Seminar: FGM, Asylum and Refugee Policies in the UK,

FORWARD 30th January 2009, London

Female genital mutilation (FGM) is globally recognised as a human rights violation and a form of gender-based persecution.

This seminar, which is run as part of a on-going project funding by the European Commission aims to clarify and assess UK policies and realities in relation to FGM asylum, refugees and young women.

The seminar will include;

- The context of FGM in the UK
- An overview on UK policies and legislation: Asylum and refugee issues
- Analysis of UK government policy on asylum, refugees and young people
- Research on FGM, asylum seekers and young refugees
- Refugee and Asylum dispersal policy: challenges and issues

For further information and to register email: Estelle@forwarduk.org.uk
Tel: 020 8690 4000

Refugee Council Vulnerable Women's Project Conference

'Sexual Violence and Refugee Women in the UK'

5th February 2009

Amnesty International Human Rights Centre, London

This conference will cover issues of rape and sexual violence against refugee and asylum seeking women.

The conference will include presentations and a series of workshops

Key note speakers include:

- The Right Honourable Harriet Harman MP, Minister for Women (invited)
- Donna Covey, Chief Executive, British Refugee Council

Workshops will cover

- Best Practice in casework with asylum seeking women survivors of sexual violence
- Overcoming the barriers women face in the asylum process
- Practical Assistance for Destitute Women: Section Four and Local Authority Support
- Advocacy & Campaigning on the issue of sexual violence against asylum seeking women

For further information and to register email:

sas_events@refugeecouncil.org.uk

Please also indicate your choice of workshop

UK News

Woman awarded damages after detention

A female asylum seeker who had been tortured and raped in her country of origin was awarded £38,000 in compensation for unlawful detention. The woman known as PB, claimed asylum in December 2006. She informed the Home Office that she was tortured in her native Cameroon. She was placed in the 'fast track' system but her account was considered to be not credible. Her appeal was also rejected. However in April 2007 the Medical Foundations for the Care of Victims of Torture medically assessed PB and found her scarring to be consistent with her accounts of torture

Judge Kenneth Parker QC was critical that the Home Office did not obey the 2001 Detention Centre Rules whereby it states all detainees should be medically assessed within 24 hours of being admitted. For Judge Parker, PB should have been adequately assessed and her scarring should have been identified before she was placed on the 'fast track' programme. This would have led to PB being granted early release from Yarls Wood detention centre in Bedford.

The judge stated that *"detention is stressful for anyone, whatever their past experienced, but torture survivors are particularly vulnerable to increased mental illness when detained."*

For full article see:

<http://news.bbc.co.uk/1/hi/england/beds/bucks/herts/7764828.stm>

Poor accommodation for asylum seekers who have experienced torture

The Medical Foundation for Victims of Torture reveals the housing conditions many asylum seekers who have experienced tortured are faced with in the UK. This article discusses the conditions Maria and her two sons (aged 3 and 6) live in. Maria a female asylum seeker has been housed in a Home Office approved accommodation managed by a private landlord. Her accommodation is infested with bugs and rats, the radiators do not work and there are blood stains on the walls. The Medical Foundation believes many asylum seekers are being housed in such conditions and the UK government maybe in breach of international law. The Home Office rejects these arguments and states: *"We're committed to a fair and compassionate asylum system, which means providing safe and habitable accommodation to all those seeking refuge...Anyone going through the asylum process is provided with housing that is*

compatible with the European Convention on Human Rights...Our accommodation providers are subject to regular review and we will take appropriate steps where there is evidence that standards are not being met."

For full article see:

<http://news.bbc.co.uk/1/hi/uk/7774973.stm>

International News

America: call to change rules for women asylum seekers fleeing violence

Human Rights Watch have criticised the United States asylum policy regarding its treatment of women asylum seekers who have experienced domestic violence. Currently, the United States has no standard national policy governing asylum applications from domestic violence survivors. The US government proposed rules to clarify this issues eight years ago however the rules were never finalised. This has left wide interpretations between states. During this time, many women's cases have been placed on hold awaiting clarity including a significant test case that has been on hold for ten years.

Meghan Rhoad, researcher in the women's rights division at Human Rights Watch states: *"In the eight years that these regulations have been pending, domestic violence survivors have faced uncertain futures and the US has fallen behind the international community in addressing gender-based persecution....New regulations are needed to ensure that the criteria for asylum do not exclude survivors of state-tolerated domestic violence."*

The article appeals for the new Presidential Administration to protect women asylum seekers fleeing violence as a matter of

urgency and to finalise and apply new rules in line with international standards.

For full article see:

<http://www.hrw.org/en/news/2008/12/10/us-protect-women-fleeing-violence>

Gender Based Violence Prevention Network website launched

A new website has been established to provide information, resources and a discussion forum for practitioners and agencies interested in preventing gender based violence. The website intends to be a 'one stop shop' for information on gender based violence in the Horn, East and Southern Africa. Facilities include a digital library, thematic working groups, discussion points, campaigns and research and monitoring materials.

The Gender Based Violence Prevention Network's activities are co-ordinated and supported by NGO 'Raising Voices' in Uganda and has a leadership committed consisting of members in Ethiopia, Kenya, South Africa and Uganda.

For the GBV Prevention Network website:

<http://www.preventgbvafrica.org/>

DR Congo: Rape and sexual violence against women

The Guardian reports how rape and sexual violence is commonly used as a means of torturing and punishing women as apart of the war in the Democratic Republic of Congo. This article and film footage describes several incidents of women from the age of one to 90 being subjected to horrific sexual crimes. This includes forcing sons to have sex with their mothers and women who have been repeatedly raped so many times they can barely stand. The film footage is taken in Walungu, eastern Congo, an area

humanitarian aid has not reached and there is no security.

The film which accompanies this article included interviewing 500 women who had all been raped during the conflict. Many women have born children from rape, one girl who was 14 had two children conceived through rape and one woman had her breasts cut off. The article and film cover how many of the women were abandoned by their families after they were raped (often in front of their families) and how some women are now also living with HIV. For many women, their injuries were so severe they have not stopped bleeding since they were attacked and permanently have to sit in a basin.

The article also draws attention to how the UK Court of Appeal has dismissed arguments that it is not safe to return 'failed' asylum seekers to the DRC and forced removals are expected.

For full article and accompanying film see: <http://www.guardian.co.uk/world/2008/dec/05/congo-rape-testimonies-walungu>

Mauritania: Child marriage and trafficking

This article reports on the growing trend of children being married off to older men in Mauritania. This practice was traditionally associated with poor rural areas; however, child marriage is reportedly a big business in urban cities with daughters as young as six being married off to wealthy men from Gulf States. This article highlights the story of one girl who was sold by her father aged eight and then raped and beaten as she waited to be introduced to a potential husband in Saudi Arabia.

Although the legal age of marriage in Mauritania is eighteen, child marriage is common as Islamic codes within Mauritania permits marriage to children from the age of six. Aminetou Mint Takki, Ministerial Director for the Ministry for the Promotion of Women and Families,

believes there are no government statistics regarding child marriage in Mauritania. She states *"the real rate of such marriages is not known because most cases are not recorded as official marriages and there are no official statistics."*

For full article see:

<http://www.irinnews.org/Report.aspx?ReportId=81891>

The Philippines: Law fails victims of domestic violence

This article highlights the difficulties women who have experienced domestic violence face in the Philippines where divorce is illegal. The Philippine National Police Women and Children Protection Centre (PNP) reported a 17% rise in violence against women during 2007 than the previous year.

The legislative framework and the 2004 Violence Against Women and Children Act (VAWC) is regarded as part of the problem in the Philippines. This Act recognises physical abuse as a criminal act punishable by law. The Act also stipulates that 'barangay's' (equivalent to a restraining order) are available. However in practice, the Act is hard to implement as an estimated 41,000 barangay's are in place. Such large numbers of barangay's are hard to monitor and train appropriate personnel on the relevant rules and regulations. The lack of training has led to some acts of domestic violence being dismissed as marital disputes. Alongside these logistical difficulties many women are reluctant to press charges as they do not want their husbands or father of their children to be imprisoned. Consequently, four years after the VAWC Act was introduced, there have been no convictions

Mary Alice Rosero, policy development and advocacy division chief of the National Commission on the Role of Filipino Women states *"It will require a total social*

rehabilitation to change the way people condone abuse."

For full article see:

<http://www.irinnews.org/Report.aspx?ReportId=81668>

Bangladesh: acid attacks still common

The Acid Survivors Foundation (ASF) state acid attacks against women and girls continue in Bangladesh despite legal campaigns. ASF believe many women and girls, predominantly under 18 are victim to acid attacks over dowry and land disputes and refusing to marry certain men. Acid is deliberately thrown over women to permanently disfigure the women and some are blinded as a result. Alongside the medical consequences, acid attacks have long-term psychological effects with some women and girls never recovering from the trauma.

In 2002 parliament introduced two laws to address acid attacks against women which included a prison sentence of 3-10 years for the unlicensed production, import, storage, sale and use of acid. This legislation appears to have limited success in reducing women's risk of an acid attack. ASF state in 2000 and 2001 there was 234 and 349 acid attacks on women and girls in Bangladesh respectively. In 2006 there were 221 acid attacks and 192 attacks in 2007. ASF maintain however, only acid attacks which go to court are recorded and many cases, including the women and girls from the poorest areas are not reported.

Deputy Commissioner of Dhaka, Mohammad Zillar Rahman calls for a *"distinct monitoring team to control acid use and sale; the fact is that we do not have one. Normally a mobile court visits specific shops and issues or renews their licenses. I can't tell you when the last visit took place."* Similarly, ASF and other NGO's call for greater effort to implement the Act and protect women.

For full article see:

<http://www.irinnews.org/Report.aspx?ReportId=82194>

Iraq: The Trauma of Rape

This article discusses the vulnerability and abandonment women often face after they have been raped. The article highlights the story of one woman who was kidnapped, beaten and raped in Iraq and then fled to become a refugee in Jordan. After her husband discovered she had been raped he abandoned her and consequently as she was alone, she became vulnerable to further attacks. A neighbour recently broke into her apartment and tried to rape her.

Refugees in Jordan often live and work illegally. Imran Riza head of mission in Jordan for the United Nations High Commissioner for Refugees (UNHCR) states *"the lack of legal status does lead to these sorts of protection issues [and] puts them [women] in very exploitative situation...[Women] are certainly vulnerable, and much more vulnerable than others."* Many women who have been raped and abandoned by their husbands face a life of poverty, fear and isolation in Jordan, often being too afraid to leave their houses for fear of being arrested by the Jordanian authorities.

Human Rights organisation MADRE believe the true extent of rape and violence against women in Iraq and Iraqi refugees is unknown and goes largely unreported.

For full article see:

<http://womensphere.wordpress.com/2008/11/25/rapes-vast-toll-in-iraq-war-remains-largely-ignored/>

Colombia: sex tourism increasing

The sex tourism industry is increasing with high incidence of adult and child sexual exploitation in tourist areas of Colombia. This article discusses how the up-market tourist destination of Cartagena, on Colombia's Caribbean coast is dominated by the sex industry at night. Mayerlin Verqara Perez, who works for Fundación Renacer, a non-governmental organisation believes that almost every other person on Cartagena's streets after a certain hour is connected in some way to the sex trade. Perez states: *"It's become a lot worse in the last 10 years... There are more children doing sex work and they're starting younger."* Fabian Cardenas, regional director of Fundación Renacer estimates 650 children are working in the sex tourism industry. Many of whom have been coerced by parents and family members. Once part of the sex industry, sex workers are often given drugs by their pimps as a mechanism to keep them in the sex industry.

Cartagena is predominantly a poor area and many families have been displaced due to the armed conflicts within the country by rebel and parliamentary groups. Statistically, the Caribbean coast of Colombia has the highest prevalence of HIV/AIDS with one in every three women living with HIV. Ricardo Garcia, UNAIDS country director says many women in Cartagena are afraid to be tested and myths surrounding HIV still exist. For example, many sex workers believe that you can tell if somebody is HIV positive by just looking at them. Moreover, young children working in the sex industry have a low knowledge HIV and other sexually transmitted infections and tend to comply with their pimps and clients demands.

For full article see:

<http://www.irinnews.org/Report.aspx?ReportId=81528>

New Publications – UK

"Am I Safe Yet? Stories of women Seeking Asylum in Britain "

WAST (Women Asylum Seekers Together)

WAST Manchester recently published *"Am I Safe Yet? - Stories of women Seeking Asylum in Britain"*. This book conveys the first-hand experiences of nine women asylum seekers (WAST members) and explores why they fled their countries of origin and the realities they faced being an asylum seeker in the UK. Through women's direct accounts, the book examines issues around breaking enforced gender norms; the politics of rape; searching for a home and the right to health and support. In addition, the book highlights the imposed destitution and mental health conditions many women asylum seekers experience in the UK. The book concludes with the journey of Farhat Khan, the founding member of WAST Manchester. She recounts her seven year battle for refugee status in the UK.

WAST is a self help and self led organisation for women seeking asylum in the UK. In 2008 WAST was awarded the Emma Humphries Memorial Prize for its work campaigning on violence against women. WAST Manchester started in 2005 for women living in Greater Manchester to help each other take forward their asylum applications and start public campaigns. Since then, WAST London and Leeds have also been established. WAST women have experienced torture and persecution, fled domestic and sexual violence, the threat of honour killing, FGM and faced oppression due to their sexuality, race or political activity.

WAST Manchester now has approximately 70 members and works across a wide

variety of voluntary and statutory organisations to enable members to access training, specialist advice, information, volunteer work and support for their campaigns. WAST Manchester runs a weekly drop in group to offer support, advice and friendship. WAST also runs workshops and public talks on issues relating to women asylum seekers and gender persecution and violence.

For further information about WAST Manchester or to attend meetings please contact:

Email: wastmanchester@yahoo.co.uk

Tel: 0161 833 8835

website www.wast.org.uk.

Address: Ada House, 77 Thompson Street, Manchester, M4 5FY

To order a copy of the book (£8 plus postage and package) see:

<http://www.racearchive.org.uk/publication/s/Howtoorderourpublications.htm>

Supporting disabled refugees and asylum seekers: opportunities for new approaches

Metropolitan Support Trust/ Refugee Support

This report examines the role of refugee community and mainstream disability organisations in supporting disabled refugees and asylum seekers in London.

Apart from in the specific field of mental health, there is a significant lack of research on disabled asylum seekers and refugees in the UK. The research identified that disabled asylum seekers and refugees face particular disadvantage. Experiences of war or torture, cultural and linguistic differences and a system of rights and entitlements for immigrants that is complex and increasingly restrictive, means that this population present a very specific set of needs and experiences.

The research identified that very few mainstream disability organisations work with disabled refugees and asylum seekers. It is Refugee Community Organisations who provide a wide range of practical support to disabled asylum seekers and refugees, as well as offering a means of engaging with social activities and networks. Whilst disabled men and women rely on the work of RCOs, women tend to seek support from women's RCOs, due to the inaccessibility of male-dominated RCOs. Additionally disabled women face additional disadvantages, such as childcare difficulties, particularly when they need to attend appointments.

Noticeably the individual experiences of refugees and asylum seekers differed significantly when it came to accessing support from social services. On the whole refugees were reasonably satisfied with the assistance they received. All of the asylum seekers in the sample who approached social services for an assessment had experienced great difficulty in accessing the care they needed. Female asylum seekers also felt particularly vulnerable asking for assistance with their children given the precarious nature of their immigration status.

The research included a literature review of relevant policy, legislation and research, followed by qualitative research with both service providers and disabled refugees and asylum seekers. In total 51 short, survey-based telephone interviews were carried out initially, followed by 19 in-depth interviews with Refugee Community and disability organisations, Citizens Advice bureaux, representatives of local and central government and specialist solicitors. Semi-structured interviews were also held with 21 disabled refugees and asylum seekers.

The full research report and executive

summary can be downloaded from the following links:

Full report:

http://www.refugeesupport.org.uk/documents/MST_RCU_DisabilityFullReport_1108.pdf

Executive Summary

http://www.refugeesupport.org.uk/documents/MST_RCU_DisabilityExecSummary_screen_1108.pdf

New Publications – International

Trafficking Cases in USA - Legal issues

The American Bar Association

The American Bar Association (ABA) has recently published three new reports as part of the Legal Response to Human Trafficking series. The publications are produced to ensure legal representatives effectively represent their clients in complex trafficking cases in America. The documents aim to provide practical guidance. The three ABA Trafficking reports are:

- ***Meeting the Legal Needs of Human Trafficking Victims: An Introduction for Domestic Violence Attorneys & Advocates***
- ***Meeting the Legal Needs of Child Trafficking Victims: An Introduction for Children's Attorneys & Advocates***
- ***Human Trafficking Cases: How and Why to Use an Expert Witness***

For copies of all reports see:

<http://www.abanet.org/domviol/tip/>

Don't Turn Your Back on Girls: Sexual Violence against Girls in Haiti **Amnesty International** **AMR/36/004/2008**

This report exposes widespread levels of sexual violence experienced by women and girls in Haiti from members of their family and the wider community. The research reveals that younger girls appear to be increasingly targeted and many rapes are reported during the run up to carnivals. For example, in 2007, 50 rapes were reported in 3 days in Port-au-Prince. Gangs of armed men committing acts of rape and sexual violence are also extremely common. This particular form of sexual violence intensified during the military rule in the 1990s and during and after the armed rebellion (2004). At this time, violent rape (often in front of family members) was frequently used as a political tool to instil fear and punish supporters of the opposition. This research reveals women continue to be frequently raped in this brutal way.

The research charts various government interventions to address this escalating problem of sexual violence and argues how the implementation of these initiatives has failed to protect women. The report concludes with various recommendations for the international community, the government, the judicial authorities and the police to address, investigate and eliminate sexual violence against women and girls in Haiti.

For full research report see: (this report is also available in French)

<http://www.amnesty.org/en/library/asset/AMR36/004/2008/en/f8487127-b1a5-11dd-86b0-2b2f60629879/amr360042008eng.pdf>

Darfur: Abductions, Sexual Slavery and Forced Labour **The Darfur Consortium**

The Darfur Consortium has been collecting information from three states in Darfur over the last two years. The research reveals that civilians have been systematically abducted for sexual slavery, forced marriage, rape and forced labour as part of the conflict in Darfur by government supported militia. The research involved interviewing people who had experienced abduction, sexual slavery and forced labour, families of victims and witnesses. The majority of abductions are women and girls and the length of time held ranges from days to years. One woman was held captive as a domestic and sexual slave for nearly two years. The report also highlights how many women are forced to marry militia men and some women are sold as 'wives' to men they have never met in Khartoum.

The report criticises the Sudanese government for failing to protect its civilians from serious human rights violations committed by government forces and militias the government supports. To date, there has not been any conviction for abductions or associated rape and abuse in Darfur.

The report concludes by demanding the government disarm the janjaweed, the Popular Defence Forces and other militia in order to cooperate with the United Nations and the African Union. The report also calls for a judicial system which ends the impunity perpetrators of human rights violations have enjoyed as well as for national laws and policies to be in line with international human rights standards that have been ratified.

For full research report see:

http://www.crin.org/docs/Abductions_sexual_slavery_and_forced_labour_in_Darfur_final..pdf

So Much to Fear – War Crimes and the devastation of Somalia **Human Rights Watch**

This research charts the impact of war upon the civilian population in Somalia. The report documents civilian deaths and the destruction of Mogadishu, human rights abuses, attacks on humanitarian workers and civil rights activists and abuses of refugees and displaced people. The research highlights how civilians are at risk of rape, assault and killings by the Transitional Federal Government Forces (TFG), Ethiopian Military Forces and Insurgent Forces. Women and girls are particularly vulnerable for being targeted, attacked and violently raped. This includes women and girls being raped during routine house-to-house searches by the TFG and Ethiopian Military Forces soldiers repeatedly raping women in front of their children.

The reports recommendations include urgently addressing the growing incidents of gender and sexual based violence experienced by women and girls. Currently, there is limited essential health care or any form of psychological support available to help women deal with the level of trauma and social stigma experienced. Furthermore, there is no justice for women as the report documents how one 14 year old girl was publicly stoned to death for adultery after reporting being raped by three men (October 2008). Other specific recommendations for the Transitional Federal Government of Somalia, the Alliance and Re-Liberation of Somalia, insurgent groups, the government of Ethiopia, the UN and the international community are discussed.

For full research report see:

<http://www.hrw.org/sites/default/files/reports/somalia1208web.pdf>

women's asylum news

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