

women's asylum news

refugee women's resource project @ asylumaid

issue number 77

August/September 2008

In this issue

Leading article: CEDAW Committee Criticises UK

p.1-3

RWRP Update:

p.3-5

Sector Update:

p.5

Significant Legal Case:

p.5-7

UK news

p.7-10

UK Courses

p.10-11

International news

p.11-14

New International Publications

p.14-15

If you want to subscribe to this free bulletin, please send your details to: Claireb@asylumaid.org.uk.

All RWRP/ Asylum Aid publications are available at: www.asylumaid.org.uk

Please forward any information that you would like to include in the next edition of WAN to Claireb@asylumaid.org.uk by the 8th October 2008.

CEDAW Committee Criticises UK

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted by the United Nations General Assembly in 1979 and came into force in 1981. 185 countries - over ninety percent of the members of the United Nations - are party to the Convention. The UK ratified CEDAW on 22 July 1981.

Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice by undertaking measures to end discrimination against women in all forms. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their obligations under CEDAW.

This year the UK Government submitted its 5th and 6th periodic reports. In July 2008 the UK Government was formally examined at the UN CEDAW Committee's 41st session in New York on the progress made in implementing CEDAW.

Asylum Aid was instrumental in ensuring that the government included its policy on women asylum seekers (the gender guidelines) in its report to the Committee.¹ We were also one of many NGOs that contributed to two of the shadow reports.

The *UK CEDAW shadow report* by the Women's National Commission included

¹ see Women's Asylum News June/July 2007 Issue 67

recommendations that the UK Border Agency and Asylum and Immigration Tribunal (AIT) should better understand the persecution women face; that the AIT should reinstate the IAA Gender Guidelines or that equivalent status be secured for these guidelines; that non-detained processes should be used to decide asylum claims and that the use of the detained fast track should be ended.

The *CEDAW thematic shadow report on violence against women* by Dr Purna Sen and Professor Liz Kelly included the need for the gender guidelines to be comprehensively integrated into all aspects of the asylum determination process, provision of childcare during asylum interviews and safety whilst women are in the care of the government.

Following their formal examination of the UK, the CEDAW Committee produced a report of concluding observations dated 18th July 2008. This covered topics such as the principle of equality, national machinery for the advancement of women, women in prison, violence against women, trafficking, political participation, employment and health. The following two paragraphs were included under the heading of vulnerable groups of women:

"47. The Committee is concerned at the situation of immigrant women and women asylum-seekers, who may be subject to multiple forms of discrimination with respect to education, health, employment and social and political participation. It notes that asylum on the grounds of gender-related persecution, including violence against women, is not frequently granted. It also notes that women in insecure immigration status are not allowed to access public funds, particularly health care services, public housing and social security benefits, with particularly negative consequences for victims of violence. The Committee is concerned that proposals to introduce pre-entry English-language tests for people applying for

spouse visas may discriminate against certain groups of vulnerable refugees, particularly women.

48. The Committee calls upon the State party to keep under review and carefully monitor the impact of its laws and policies on women migrants, refugees and asylum-seekers with a view to taking remedial measures that effectively respond to the needs of those women. In this respect, the Committee urges the State party to review its 'no recourse to public funds' policy to ensure the protection of and provision of support to victims of violence. The Committee also urges the State party to take effective measures to eliminate discrimination against immigrant and refugee women, both in society at large and within their communities. It calls upon the State party to pay specific attention to the vulnerability of women asylum-seekers while their claims are under examination and to ensure the full implementation of the Asylum Gender Guidelines."

In paragraph 12 of its report, the CEDAW Committee says that it views the concerns raised in its concluding observations as requiring the priority attention of the UK government and asks it to focus its implementation activities on these areas. It also asks the UK government to report on action taken and results achieved on these issues when it next reports to the CEDAW Committee in four years time. The UK government is expected to present this report of concluding observations to all relevant ministries, other government structures at all levels, to Parliament and to the judiciary in order to ensure their effective implementation.

Additional information:

When the UK ratified CEDAW they entered a reservation concerning immigration. This stated that the UK reserved the right to continue to apply such immigration legislation governing entry into, stay in and departure from the UK as it deemed

necessary. The rights to laws relating to movement of persons and freedom to choose their residence and domicile detailed in CEDAW were subject to the provisions of such legislation. In July 2004, the UK Government withdrew this reservation putting the UK position in line with domestic equality in not allowing discrimination against women in immigration legislation. In December 2004 the UK Government acceded to the Optional Protocol to CEDAW, which allows for individual complaints to be made under CEDAW. Both these developments were as a result of a major government review of human rights treaties.

To access the reports:

UK's reports to CEDAW Committee

<http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>

Women's National Commission UK CEDAW Shadow Report

http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/WNC_UK41.pdf

CEDAW Thematic Shadow Report on Violence Against Women

<http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/UKThematicReportVAW41.pdf>

Concluding Observations of the CEDAW Committee

<http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW.C.GBR.CO.6.pdf>

Optional Protocol and reservation to CEDAW

<http://nds.coi.gov.uk/environment/fullDetail.asp?ReleaseID=124322&NewsAreaID=2&NavigatedFromDepartment=True>

RWRP Update

Women's Asylum Charter endorsements reach 86.

In July the Refugee Women's Resource Project introduced an exciting new initiative: the *Charter of rights of women seeking asylum*². Its aim is to encourage the growth and implementation of a gender-sensitive culture surrounding the policy and procedures of the UK Border Agency.

The level of interest in and enthusiasm shown for the Charter is extremely encouraging. At present it has been endorsed by 86 organisations, including Amnesty International UK, The Law Centre's Federation, Liberty, Oxfam, The Poppy Project, and Women's National Commission. For the complete list please see the endorsements list on the website, www.asylumaid.org.uk

The *Charter* was also mentioned on BBC Radio 4's Woman's Hour when Debora Singer, Coordinator of the Refugee Women's Resource Project, was interviewed alongside MP Margaret Moran about the 'Good Intentions' report (see 'positive response to research' article below). The *Charter* was cited as the best way forward for the UK Border Agency.

Articles promoting the *Charter* have been published on the End Violence Against Women Campaign Blog, the F-word (a feminist critique Blog), the Asylum Support Partnership newsletter and the Bulletin of the Joint Council of the Welfare of Immigrants.

The coverage together with the endorsements, are positive steps for the *Charter* in the lead up to its launch in Parliament to be held simultaneously in Westminster, the Scottish Parliament and

² see WAN June July 2008 Issue 76 – Leading article

the Welsh Assembly in October. After this a series of workshops will be organised to explore and refine ways in which stakeholders can get together to use the *Charter* in trying to improve the lives of women seeking asylum.

Individuals supporting the *Charter* can join the electronic Google group, which is dedicated to women's asylum issues. The group currently has 42 members and will be integral to implementing the *Charter*.

To endorse the Charter or join the Google group, please go to www.asylumaid.org.uk

UK Border Agency positive response to research on trafficking.

Asylum Aid and the Poppy Project had a constructive meeting with the UK Border Agency to discuss their joint research on how the asylum claims of women who have been trafficked into the UK are dealt with. The *'Good Intentions'* research showed that whilst there was improvement in the procedures used and in ensuring the provision of female case owners and interpreters, there was still concern about the quality of decision-making. This was demonstrated by the finding that all the Poppy clients who had decisions made were refused asylum initially and the majority had this refusal overturned on appeal. The research found that decisions were hampered by the use of out of date case law, failing to engage with the facts of the case, inappropriate interpretations of concepts and on particular social climate and internal flight alternatives.

The meeting resulted in seventeen action points for the UK Border Agency including that they would:

- provide a named lead contact on trafficking in each region
- rewrite operational guidance notes to reflect current case law

- provide training on trafficking for senior caseworkers to cascade.

This was reported at the public launch of the research held on 24th July at Amnesty's Human Rights Centre, London which was attended by over fifty people. The research also resulted in an item on 'Women's Hour' which included a moving interview with a Poppy Project client and an interview with Debora Singer.

For a copy of The Poppy Project and RWRP's joint research report *'Good Intentions – A review of the New Asylum Model and its impact on trafficked women claiming asylum'* see:

http://www.asylumaid.org.uk/data/files/publications/83/Good_Intentions.pdf

"Random Acts"

"Random Acts," the play about a woman seeking asylum written by Debora Singer, Coordinator of the Refugee Women's Resource Project, is now available online and as a DVD.

The play tells the story of one woman asylum seeker but it is based on the stories of many women who have been represented by Asylum Aid. Their refusal letters and appeal determinations were woven together to demonstrate the difficulties women face when seeking protection from human rights abuses abroad. Following its success as a live performance, both to the public and to staff of the UK Border Agency, funding was obtained from the Helen Tetlow Memorial Fund to film the play. This means that it can be used more widely to raise awareness of the barriers faced by women when they claim asylum in the UK.

The play runs for 20 minutes. It is performed by members of Actors for Human Rights, iceandfire theatre's national outreach network which is dedicated to drawing public attention to a

range of human rights concerns and to giving voice to people whose basic human rights have been violated. (www.iceandfire.co.uk/afhr)

Go to www.asylumaid.org.uk to see the play, an interview with Debora Singer about writing the play, and for a fact sheet about the issues facing women asylum seekers in the UK.

For a DVD containing the play, the interview and the fact sheet, contact: women@asylumaid.org.uk This is free but donations to Asylum Aid are encouraged.

The script can be made available to colleges, community groups, etc to arrange their own performances of the play. Please contact women@asylumaid.org.uk

Sector Update

Equality Scheme

The UK Border Agency has produced a revised Race, Disability and Gender Equality Scheme for 2008-2009. Asylum Aid, along with a number of other agencies, has been consulted on this. Disappointingly none of our suggestions were included in the final version. However, we have incorporated these ideas into the Charter of rights of women seeking asylum as an alternative way to influence the UK Border Agency to treat women fairly.

The UK Border Agency's Equality Scheme is available at: <http://ukba.homeoffice.gov.uk/aboutus/workingforus/equalityanddiversity>.

Significant Legal Issues

Article 8, European Convention on Human Rights

On 25th June 2008, the House of Lords provided important decisions in three cases, Chikwamba, EB(Kosovo) and Beoku-Betts.

Chikwamba³

Where a person claims that to remove them would be a breach of their rights to a family life and to a private life, the Government can only oppose this claim where, in exceptional cases, they may be required to leave the UK and re-enter via the entry clearance system from abroad.

Mrs Chikwamba was a failed asylum seeker from Zimbabwe. While in the UK she met someone she knew and they formed a relationship. They married and had a child. Her husband was granted refugee status. Mrs Chikwamba decided to apply for leave to remain in the UK as his wife. The Home Office told her that she could only make this application if she left the UK and travelled to Zimbabwe. Mrs Chikwamba did not want to do this as it would mean staying in an unstable place for an indefinite period. Her husband could not go with them as he was at risk in Zimbabwe. The family would be separated and there would be a breach of their right to family and private life (Article 8).

The House of Lords agreed with Mrs Chikwamba. They noted that the marriage was genuine and that her application was valid apart from the condition that it be made outside the UK. They contrasted her case with that of Ekinici⁴, where it was decided that a person without children could leave the UK and travel to Germany

³ Chikwamba [2008] UKHL 40

⁴ R(Ekinici) v SSHD [2004] EWCA Civ 765

where it would take around a month to obtain an entry clearance visa. Additionally, unlike Mrs Chikwamba, Ekinçi had an "appalling" immigration history.

Therefore, if a person with no history of trying to deceive immigration officials, has a child and wishes to make an application to remain in the UK as a spouse of a person settled in the UK, they need not necessarily have to return to their country of origin and apply for entry clearance.

The House of Lords made this clear in their statement that to make this type of application inside the UK was not to "jump the queue", as in fact, the "queue" at posts abroad could only be shortened by applications being made in the UK.

EB(Kosovo)⁵

EB originally arrived as an unaccompanied child, but due to Home Office delays did not obtain leave to remain under the policy in force at that time, while his cousin, who travelled with him, did get status. He made an application but the Home Office took a long time to make a decision. As the long delay was through no fault of his own, he could build up Article 8 rights in the UK while awaiting the decision.

Had the Home Office processed his case within a few months, this would not have been allowed. However, the lengthy delay caused him to get on with his life with the thought of removal no longer at the front of his mind.

Prior to this decision, the Home Office would always argue that a person could not rely on Article 8 rights accrued while awaiting a decision, as they would be aware that at any time they may be refused and, possibly, removed from the UK.

⁵ EB (Kosovo) [2008] UKHL 41

Beoku-Betts⁶

Mr Beoku-Betts arrived in the UK as a child. After his arrival in the UK, other members of his family also arrived and obtained settlement.

Mr Beoku-Betts mistakenly did not renew his permission to stay in the UK when he should have done. It was agreed that this was a genuine error. The Home Office refused his application, saying that he could now return to Sierra Leone. He was no longer a child and the country was much safer than when he left. As an adult, although his mother and sisters were in the UK, he could not say he had "family life" with them.

The House of Lords disagreed. Although Mr Beoku-Betts was an adult, all his close relatives were in the UK. Additionally, his mother was emotionally dependent on him. When not at university, he lived with her and his sisters. The Court criticised the failure to take in to account the approach of the European Court in similar cases.

What mattered was whether there was "a functioning family unit where the parents and children are living together" or, where relationships existed between adults who had "additional elements of dependence, other than normal emotional ties".

Summary

All three cases demonstrate that the UK Immigration Tribunals must take heed of decisions made by the European Court of Human Rights and follow their lead.

The rights of children are particularly important, with regard to the importance of parental contact. Even once a child reaches adulthood, such ties may remain.

⁶ Beoku-Betts [2008] UKHL 39

The right to establish one's private and family life is sufficiently strong that where a person waits a long time (that is more than a few months) for a decision from the Home Office, their private and family life during the delay must be taken into account.

The Right to Marry

On the 30th July 2008, the House of Lords heard an appeal against the decision of the Court of Appeal that the current rules governing the right to marry for non-UK and non-EEA nationals was unlawful⁷.

In the 2004 Asylum and Immigration (Treatment of Claimants) Act, the Government set out to prevent people getting married in order to be able to stay in the United Kingdom. Such marriages are referred to as marriages of convenience.

The Act introduced the idea of Certificates of Approval. If someone who was not a national of either the UK or one of the European Union States (known as "3rd country nationals") wanted to marry in this country, they had to apply for a certificate from the Home Office and pay a fee. Initially that fee was £135.00 per person, but this increased to £295.00 in April 2007. Thus if both people wanting to marry were from countries outside the European Union, they must now pay £590.

Their Lordships agreed that the way the law was being applied was discriminatory, that the right to marry (Article 12 of the European Convention on Human Rights) was a "strong right" and that the only interference permitted by a national government was in order to regulate the right with regard to "procedure and substance" (i.e prohibiting bigamy etc).

⁷ R (Baiai & Others) [2008] UKHL 53

It was accepted that when a 3rd country national wanted to marry in this country the Government had the right to check that the marriage was genuine and not a marriage of convenience which might help them remain in the UK.

However, their Lordships decided that the way that the Home Office had gone about applying this in law was not correct. This was because instead of carrying out research into whether there was a problem with marriages of convenience in the UK, the Government had chosen to simply exclude certain people from the process (such as asylum seekers) and to charge a very high fee for a Certificate of Approval that might prove unaffordable. The high cost may have had the effect of stopping people enjoying their right to marry, protected under Article 12 of the ECHR.

The whole system of Certificates of Appeal and the way in which the Home Office administers them will have to be re-examined. People who wish to marry in the UK must be free to do so and the Home Office may only check where they believe this is being done in order to get around the immigration system. If the Home Office feels that this has happened in a particular case, they will have to consider whether under existing Immigration law they have the right to deny that person.

UK News

Reports on Detention of Women and Children

HM Chief Inspector of Prisons, Anne Owers has produced reports on the management, conditions and services provided in Immigration and Removal Centres (IRC's) across the UK. This article looks at the reports relating to the two main IRC's to detain women and children.

Yarl's Wood IRC

Yarl's Wood IRC near Bedford, is the main detention centre for women and families in the UK and can detain up to 405 people. The private company 'Serco Ltd.' have been responsible for all aspects of the management, operations and maintenance of Yarl's Wood since April 2007.

This report discusses all aspects of the detention process including arrival, access to legal casework, health services, provision of activities, rules and preparations for release. The report concludes with a series of practical recommendations including housekeeping and good practice issues.

Significantly, this report raises several areas of concern regarding different aspects of the detention process within Yarl's Wood. Particular attention is given to the 'plight of detained children' and the length of time and impact this has on families. The report also discusses the inadequacy of services including educational programmes, work opportunities and physical activity given the average length of stay for families.

Anne Owers concludes by stating: *"Yarl's Wood must seek to meet these concerns, but they are ultimately issues for the UK Border Agency, which must urgently address them"*.

For full report see:

http://inspectorates.homeoffice.gov.uk/hmiprisons/inspect_reports/irc-inspections.html/544687/Yarls_Wood_2008.pdf?view=Binary

Tinsley House IRC

Tinsley House is located at Gatwick airport and detains men, women and children predominantly waiting for removal. Tinsley House is managed by Global Solutions Ltd (GSL) and can detain up to 150 people.

This report raises several concerns regarding the conditions and accommodation available for single women. It states the current situation whereby single women are sharing facilities with men is "embarrassing and intimidating" and needs to be "addressed as a matter of urgency." The report also highlights a lack of activities particularly for people detained for many months including school-aged children and a lack of progress on preparing people for release.

Anne Owers concludes that: *"our principal concerns related to children and single women. Staff did their best to support the care of children, but the centre remained poorly equipped to mitigate the inevitably damaging effects of substantial periods of detention on such a vulnerable population"*.

For Full report see:

http://inspectorates.homeoffice.gov.uk/hmiprisons/inspect_reports/irc-inspections.html/544670/tinsley-house-IRC-2008?view=Binary

Detention of Children

The New Statesman has launched a '**No Place for Children**' campaign.

This campaign highlights the physical and emotional impact detention has on the welfare of children.

The campaign calls for:

- Better independent oversight of the system
- Accurate records to be kept of all children in the immigration detention system
- Welfare assessments to be made of all children on entry into detention
- Reasons for detention and reviews to be given to parents in their own language.

The New Statesman will release a series of reports over the next few weeks.

For further information and details of the campaign see:

<http://www.newstatesman.com/subjects/no-place-for-children>

In addition, Channel Four News recently covered the detention of children.

For further information and to watch the **'Commissioner attacks the 'inhuman treatment of asylum children'** report see:

http://www.channel4.com/news/articles/society/law_order/commissioner+attacks+inhuman+treatment+of+asylum+children/2441807

Southall Black Sisters' (SBS) Victory against Ealing Council

Since the mid eighties Ealing Council has been providing SBS with 'core' funding – an average of £100,000 per annum in order to provide advice, advocacy, counselling and support services to black and minority women in the borough who experience violence and abuse. Last year the Council decided to withdraw their funding by April 2008 and to commission instead one generic borough wide service on domestic violence on the grounds of 'equality' and 'cohesion'.

SBS received several letters of support from service users and organisations. Over the years it has developed to become a strategically important service, providing advice on policy and legal developments to government, and international, national and local organisations and professionals.

SBS took court action and on 18 July 2008, Ealing Council withdrew their case after one and a half days at a High Court hearing. In his written judgment Lord Justice Moses reiterates some important principles about equality. *'Cohesion is*

achieved by overcoming barriers. That may require the needs of ethnic minorities to be met in a particular and focussed way. The Southall Black Sisters illustrates that principle...There is no dichotomy between the promotion of equality and cohesion and the provision of specialist services to an ethnic minority.'

SBS stated that: *'This case has raised important questions about the meaning of equality and cohesion and reminded us of the need to maintain solidarity between white and black women in the face of 'divide and rule' tactics. We hope that our victory will encourage other grassroots groups to fight back. We believe this case has set a precedent and that the guidance that will be available should enable all specialist groups to fight for the right to exist as autonomous groups.'*

The Council has agreed to continue to fund SBS at the previous level until it completes the process of commissioning based on any new decision on domestic violence services.

Top Judge warns: Asylum seekers put at risk by law

The Government has imposed a rule forcing judges to dismiss an asylum seeker's entire story if he or she has fled their country of origin using a false passport.

Writing in the London Review of Books, Sir Stephen Sedley, one of the most senior judges in England and Wales states: *"As is obvious, many people fleeing persecution have no option but to travel on false papers. An enactment which may have the effect of prescriptively requiring a judge to disbelieve an individual's otherwise credible story, and so possibly send them back to torture or death, is a serious invasion of judicial independence."*

The law was first brought in under the 2004 Asylum and Immigration (Treatment of Claimants...) Bill. This also included a proposal for ending an asylum seeker's right to appeal against their asylum decisions in court. This aspect of the Bill was however subsequently removed as MPs strongly objected.

Other immigration judges and members of the senior judiciary, as well as asylum campaign groups support Sir Stephen's comments.

According to organisations working in the asylum and refugee sector, this legal direction on false documents has led to many refugees being sent back to their country of origin to face further persecution. They said that most asylum seekers fleeing torture have little choice but to use false travel documents.

A spokesperson from the UK Border Agency said: *"We do not enforce return unless we are satisfied that it is safe to do so. The Government remains committed to removing from the UK those who have no lawful basis to stay here."*

For full article see:

<http://www.independent.co.uk/news/uk/home-news/asylumseekers-put-at-risk-by-law-warns-top-judge-858323.html>

UK Courses

Protecting Women from Persecution: claiming asylum and financial support in the UK

Rights of Women and ASAP

London 22 September 2008

Leeds 19 November 2008

Rights of Women and Asylum Support Appeals Project (ASAP) are organising a one-day training course that focuses on

the needs of asylum seeking women who experience gender-based violence. This practical course gives an overview of the legal asylum procedure. The course will explore who should be granted asylum or human rights protection, what kinds of financial support is permitted and how claims are determined. The course is aimed at female professionals in the statutory and voluntary sector.

The training will cover:

- The legal framework for protection (including the Refugee Convention 1951, the European Convention on Human Rights 1950 and the EU Qualification Directive)
- Application for asylum in the UK (including the New Asylum Model and Legacy Cases)
- The different types of status given and refusals
- Financial support available throughout the process
- Different types of protection given, including refusal and appeals
- Financial support available for 'failed' asylum seekers including section 4 support
- Information regarding supporting asylum seeking and refugee women

For more information about the course including booking details and costs contact:

Rights of Women - Tel: 020 7251 6575/6

Email: training@row.org.uk

Asylum on the grounds of sexual and gender identity

ILPA and UKLGIG

London 27th October 2008

2-5.15pm – 03 CPD hours

The Immigration Law Practitioners Association (ILPA) and the UK Lesbian and Gay Immigration Group (UKLGIG) are

providing training for legal practitioners working with LGBT asylum seekers.

Key topics include:

- How is the refugee definition applied to sexual and gender identity claims?
- What is the appropriate Convention ground - membership of a social group/religion/political opinion?
- How could Article 3 or 8 of the ECHR help your client?
- What is Home Office policy and practice?
- Recent cases dealing with LGBT asylum issues.
- Practical tips on preparing an application and an appeal including issues of credibility (e.g. proving sexual identity, relationships, an inability to be "discreet", persecution, prosecution and protection).

Course costs: £120 – ILPA members /non members £240 (early bird discount rates and concessions are also available)

For further information, prices and to book please contact ILPA on:

Email info@ilpa.org.uk

Tel 020 7251 8383

Fax 020 7251 8384

<http://www.ilpa.org.uk/>

International News

Iran: Conditions difficult for women's rights campaigners

Amnesty International's 'Campaign for Equality' continues to raise concerns over the harassment and imprisonment of women's rights activists in Iran. According to Amnesty, women continue to face *"repression as they try to take their demands for equal treatment to the broader population while the authorities continue to impose restrictions on their*

use of public space to carry out their peaceful and legal activities."

Amnesty have collected information on the treatment of several 'Campaign for Equality' activists as they attempt to promote women's rights across Iran. They state that women continue to face harassment, receive threatening phone calls and have been prevented from organising meetings and demonstrations. Some activists have also been arrested, sentenced or face charges for work associated with the 'Campaign.' Amnesty is calling for their immediate and unconditional release.

Amnesty also chart worrying developments within Iran that may directly impact upon women with regard to the introduction of a new 'Family Protection Bill'. For Amnesty, this bill does not address the discrimination faced by Iranian women regarding marriage, divorce and issues around child custody. Amnesty urges the Iranian government to introduce reforms that end discriminatory practices against women and to immediately ratify the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).

For full article see:

<http://www.amnesty.org/en/news-and-updates/iran-end-pressure-women-s-rights-defenders-20080827>

Mali: Call to end FGM

Equality Now is calling on the Mali government to legally ban the practice of Female Genital Mutilation (FGM). 92% of women have experienced FGM and it is practiced in all regions across the country. FGM operations are usually conducted without anaesthetic on girls under the age of 10 and some girls have been subjected to FGM from as young as three months old. FGM can have long-term physical and psychological consequences for girls. Some girls also die after the operation from severe bleeding or infections.

The Mali government has ratified various Conventions and Protocols including: The African Charter on Human and People's Rights and The Rights of Women in Africa which confirms: "States should prohibit FGM through legislative measures backed by sanctions". Equality Now is urging the Mali government to "*honour its commitments and to enact a strong law against FGM as well as supporting education and outreach to relevant communities on the dangers of FGM.*"

This article also includes the story of one Mali woman who became incontinent after her urethra was cut during her FGM operation when she was aged five.

For more information regarding this woman and the full article see:
http://www.equalitynow.org/english/actions/action_2502_en.html

Afghanistan: economic hardship forces women into sex work

The current social and economic conditions within Afghanistan are having a devastating impact on women's lives. The high food prices and lack of employment opportunities are forcing many young girls and women to turn to the commercial sex industry in order to survive. One woman stated: "*I am a widow and I have to feed my five children. I am illiterate and no one will give me a job. I hate to be a prostitute but if I stop doing this job my children will starve to death.*"

In Afghanistan, there are strict penal codes regarding extra marital relationships that many sex workers are vulnerable to. Every year hundreds of women are arrested and face the death penalty or long prison sentences for "allegedly having unlawful sexual relationships."

Alongside all the health and penal risks associated with sex work in Afghanistan, one woman also talks about the social and

attitudinal difficulties. She states: "*we cannot live in one place for long...we move as soon as local people become suspicious of us...people will spit on us and no one will interact with us if they know about our work.*"

For full article see:

<http://www.irinnews.org/Report.aspx?ReportId=79278>

Lebanon: domestic workers dying

A high number of unnatural deaths amongst women domestic workers have been reported in Lebanon. At least 95 domestic workers have died since January 2007 of these, 40 deaths are reported to be suicides and 24 deaths are caused from falling off high buildings. Human Rights Watch states that many unnatural deaths are linked to working conditions and calls upon the government to improve the situation for female domestic workers. Embassy officials and friends of women who have committed suicide cite confinement, workloads, employer abuse and financial difficulties as the key reasons for the deaths. An official from The Philippines Embassy also discussed the suicide of one woman who was accused of stealing from her employer, who then physically abused her and kept her locked in the house.

Women often fall from buildings in a desperate attempt to flee their working conditions and forced confinement. One woman who fell from the building but survived explained: "*I was locked in for two days, and they [the employers] did not give me food and water. Then after two days, I wanted to run away. The apartment was on the fifth floor. I tried to go down using cable wires running along the wall of building. The cable broke, and I do not remember what happened afterwards.*"

Human Rights Watch urges the government in Lebanon to establish a clear strategy to address and prevent the

deaths of domestic workers. In addition, they state the strategy should improve working conditions, labour laws and stop the practice of forced confinement.

For full article see:

<http://hrw.org/english/docs/2008/08/25/1ebano19690.htm>

Trafficking of girls worsening in Nigeria

The trafficking of girls particularly for domestic servitude appears to be on the increase within Nigeria. Issues around extreme income inequality, gender discrimination and lack of government scrutiny are believed to be the causes of the increase. Many girls are taken from villages to work with families in cities. However, once employed as a domestic maid, the girls are subjected to abuse and exploitation.

The National Agency for the Prohibition of Traffic in Persons (NAPTIP) believes that a lack of legislation has left them unable to "stop the trade" and prosecute traffickers. In addition, the Child Rights Act that legislates for prison sentences for perpetrators of child labour has not yet been endorsed by states in the north as aspects of the Act are deemed to be culturally controversial. These on-going debates about the Child Rights Act have created tensions between the Nigerian federal government and the northern legislative house. Mohammed Aliyu Mashi from Unicef, believes however that northern states could still prosecute people if there was the "political will to enforce existing penal codes."

For full article see:

<http://www.irinnews.org/Report.aspx?ReportId=79118>

Israel: Increasing assaults against Arab women

There has been a notable increase in the number of reported assaults against Arab women in Israel. A reason cited for this increase is a few 'high profile' cases of attacks against Arab women that have consequently encouraged other women to report similar crimes against them. According to Women Against Violence (WAV) an Arab NGO, recent separate scandals involving cases of sexual harassment by the former president and former Minister of Justice and a government official trying to 'force women to sleep with him in exchange for work' have affected women.

However WAV also report that socially and culturally women who experience violence and sexual assault including rape are still blamed for their attack. In addition they state 42% of women have been abused within their home and received little support. Khawaled-Abu-Hof from WAV said "*we must eliminate the phenomenon of violence in all its forms...and deal with the reality that all too often imposes silence on the crimes [against women] instead of punishing the perpetrators.*"

For full article see:

<http://www.irinnews.org/Report.aspx?ReportId=79518>

Pakistan: Women buried alive

Five young women from Pakistan were killed because they attempted to make their own choice in marriage. This article states whilst laws are in place to ensure that every adult, male or female, has the legal right to choose the person they want to marry they are ineffective and crimes against women continue daily in the name of custom and tradition. In Pakistan, the fear of being labelled 'immoral' and going against traditional customs can lead to death and serious acts of violence being committed against women. Local NGOs

reported that in the first three months of 2008, 1321 cases of violence were committed against women. The Independent Human Rights Commission of Pakistan (IHRC) also reports that whilst 636 'honour killings' were committed in 2007 the true figure could be much higher as many cases go unreported.

The murders of the five women have brought attention to crimes committed against women in the name of "tradition". In Parliament, it was reported that attempts to defend the murders as "tribal custom" provoked outrage. A leading human rights activist Iqbal Haider, told IRIN "it is one of the paramount functions of democratic institutions to get rid of these outrageous Stone Age practices and ensure the rights, life and property of citizens as guaranteed by the constitution...." The Pakistan Government has ordered an investigation.

For full report see:

<http://www.irinnews.org/Report.aspx?ReportId=80096>

New Publications – International

Venezuela: The law is there, let's use it - Ending domestic violence

**Amnesty International
July 2008, AMR 53/001/2008**

This research report explores the extent of and issues relating to domestic violence in Venezuela. In 2007, nearly 4500 women called a telephone helpline run by 'INAMUJER' (National Institute of Women's Affairs) to report and seek advice on abuse they were experiencing. Guadalupe Marengo, Deputy Director of Amnesty International's Americas Programme states that: "Thousands of women in Venezuela live in a constant state of fear of violence from their partners, fear for their lives and the safety of their children."

When a safety net is not provided, many women feel that they have no choice but to stay with their abuser or to be homeless and unable to support themselves or their children."

The research covers the reality of intimate partner abuse and barriers women experience in escaping the violence. The report also discusses the mechanisms that should be in place to support women to leave abusive partners. This includes the implementation of 'The 2007 law' that addresses violence within the family. The report concludes with recommendations on how to ensure 'The 2007 law' is implemented.

For full report see:

<http://www.amnesty.org/en/library/asset/AMR53/001/2008/en/7ca044fd-4daa-11dd-b4c6-7b3441f92ab8/amr530012008eng.pdf>

Mexico: Women's struggle for justice and safety – Violence in the family in Mexico

**Amnesty International
August 2008, AMR/41/021/2008**

In 2006 a national survey revealed nearly one in four women had experienced domestic or sexual abuse from an intimate partner. This research examines the issues women who experience domestic violence in Mexico face, particularly focussing on the legislative and prosecution process.

The report outlines the barriers women face in reporting domestic violence including a lack of police response and dismissive attitudes. In addition, the report highlights that women who do report crimes against them to the police face further trauma and risks during the prosecution process. This research is particularly critical of the onus of proof being placed on the women and women being given the responsibility for

delivering the summons letter to their aggressors. The research states *"violence against women in the family is a human rights violation. The state has an obligation to ensure that women's human rights are respected, which includes preventing and punishing domestic violence. The failure to recognise this responsibility at all levels of government remains a major obstacle to the development of effective policies to address violence in the family."*

For full report see:

<http://www.amnesty.org/en/news-and-updates/report/women-mexico-let-down-failures-justice-system-20080724>

As if I Am Not Human: Abuses Against Domestic Workers in Saudi Arabia

**Human Rights Watch
July 2008, 1-56432-351X**

Over 1.5 million domestic workers are employed in Saudi Arabia, predominantly from the Philippines, Indonesia Nepal and Sri Lanka. This report explores the conditions of domestic workers and challenges the lack of protection available to women domestic workers who experience human rights abuses.

This research examines the 'Kafala' (sponsorship) system and the difficulties and restrictions this poses for many women who become 'tied' to their employers. In addition, as labour law protection does not currently extend to domestic workers, many women are forced to work against their will and experience severe physical, sexual and psychological abuse and isolation.

The research also discusses forced labour, trafficking and 'slavery like conditions' as well as recruitment agents and immigration related abuses. Recent criminal cases against domestic workers and protection measures and gaps are also documented. The report concludes

with a series of recommendations for the national government and international agencies.

For full report see:

<http://hrw.org/reports/2008/saudiArabia0708/saudiArabia0708webwcover.pdf>

Today you will understand – Women of northern Uganda speak out

**IRIN Radio Project – with FEMRITE
2008, Funded by the German Embassy**

This report was a collaborative project to record the oral testimonies of women's experiences in northern Uganda. Representatives from FEMRITE Uganda Women's Writers Association interviewed all the women involved in this project in January 2008.

The project aimed to raise awareness about the realities of women affected by the conflict in the north and with the Lords Resistance Army (LRA) since the mid 1980s. The report consists of 16 women's individual accounts of living in a conflict situation, charting their circumstances and difficulties and raising several issues regarding the risks and pressures women face.

For Full report see:

<http://www.irinnews.org/pdf/IRINFemrite-TodayYouWillUnderstand-Uganda-Publication-July2008.pdf>

Produced by RWRP (for more information on this issue, please contact: Claire Bennett)
Asylum Aid, Club Union House
253-254 Upper Street
London N1 1RY
Tel: 020 7354 9631
Fax: 020 7354 5620
Email: Claireb@asylumaid.org.uk
Website: www.asylumaid.org.uk

Any views expressed in this publication are those of the authors. Any legal information in this bulletin is intended as a general guide only, and should not be used as a substitute for legal advice. Any contributions from, or references to, external sources (including website links), agencies or individuals do not necessarily reflect the views of Asylum Aid nor receive our endorsement.



Asylum Aid provides free legal advice and representation to asylum-seekers and refugees, and campaigns for their rights. We rely on the generosity of individuals to help us continue our work. Your support would be greatly appreciated.

A gift of just £5 each month could support our free legal advice line.

Name _____

Address _____

Tel _____

Email _____

I wish to make a gift of £ _____

Asylum Aid - STANDING ORDER FORM

To: The Manager, _____ Bank, _____
(Address of Bank) _____

Please pay **ASYLUM AID** the sum of £_____ each
month/quarter/year (delete as appropriate) until further notice
and debit my account no. _____
sort code: _____ starting on (date) _____

Name: _____

Address: _____

Postcode: _____

Signature: _____ Date: _____

[FOR OFFICIAL USE ONLY] To:
The Cooperative Bank, 80 Cornhill, London EC3V 3NJ
Sort code: 08 02 28 account number: 65281262

Gift Aid Declaration

Asylum Aid
Registered Charity no. 328729

If you are a UK taxpayer, Asylum Aid can claim back 28p for every £1 you donate, making your donation worth almost a third more at no extra cost to you. Please complete and return this declaration.

Name _____

Address _____

I would like Asylum Aid to treat my donations as Gift Aid donations (please tick)

Signature _____ Date _____

Your declaration covers all donations you have made to Asylum Aid since April 2000 and any donations you might choose to make hereafter. You must have paid as much tax (or more) in this year as we will reclaim on your donation

**To support Asylum Aid's work, please complete and return this form to:
Asylum Aid, Club Union House, 253-254 Upper Street, London, N1 1RY**