

women's ASYLUM NEWS

Refugee Women's Resource Project - Asylum Aid - Issue 18 February 2002

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RWRP launches 2 new reports on Women's Rights

WAN's readers are warmly invited to attend the launch of our two new publications which will take place on Wednesday 27th March at 4.30pm at the Arts Café, 28 Commercial Street, London E1 6LS (Please contact us if you would like to come).

The first publication, '**Romani Women from Central and Eastern Europe**' highlights some of the experiences of multiple discrimination that Romani women in Central and Eastern Europe face, experiences that relate in particular to issues of persecution and lack of recourse to protection. The report aims to describe the actual experience of Romani women confronted by rising racism and xenophobia and denial of women's rights in three countries: the Czech Republic, Poland and Romania.

The research reveals that in these countries abuse and violence against Romani women, including sexual assault, remain both largely invisible and unpunished. Romani women, like many other women belonging to minority groups, experience multiple discrimination, both in the way their rights are been violated and in the way access to protection and justice is denied to them. As the evidence gathered demonstrates, the lack of protection of Romani women's rights

clearly occurs in a context where minorities and women are deprived of actual protection when confronted with abuse and violence from both state agents and non-state agents (the information provided is mainly based on the most recent publications and other documents produced on these issues).

Prior to the country studies, the author also argues that a number of cultural elements or traditional values/structures need to be looked at because such values may impede the full realisation of Romani women's rights *within* their community and in their own country. Such traditional values can also be an obstacle to accessing refugee status in an asylum process where Romani women's experience can remain invisible both because the procedures do not encourage women to speak separately about their experiences when they are not the main claimants¹ and/or because some subjects are considered too taboo to talk about or to disclose to a non-Roma.

The report therefore provides an update on the overall *internal* debate on Romani women's rights as discussed amongst the Roma; a description of some of the traditional structures/values that are shaping the lives of Romani women; and also some background information on the violence experienced by Romani women

¹ The great majority of Roma asylum seekers in the UK are male.

generally speaking, at the hands of Roma men.

Such information is deemed important to help the reader to understand why violence committed against Romani women *within* their own community remains yet to be thoroughly investigated and documented; why the full extent of violence committed against them by *outsiders* (non-Roma), especially in the context of racism and xenophobia, also remains to be exposed; and consequently why Romani women are less likely to access protection for *all forms of violence* committed against them.

The report, aimed at legal advisers and Home Office officials in particular, also provides a number of recommendations, including the need to look at all aspects of Romani women's experience of racial discrimination; and the need to adopt adequate procedural measures (for instance in terms of encouraging Romani women to provide their own testimony) to ensure that such experience is fully understood; the report also calls on human rights and women's rights organisations to undertake further research on the issues of violations of Romani women's rights in general and disseminate this information as widely as possible.

RWRP is also publishing the second instalment of its report '**Refugee Women and Domestic Violence: Country Studies**'. The aim of the report is to provide legal practitioners with evidence to assist women asylum seekers fleeing domestic violence to gain protection under the Refugee Convention or on Human Rights grounds.

This instalment includes country reports on the situation for women experiencing domestic violence in Colombia and the

Democratic Republic of Congo (DRC). Each study considers the overall context of women's human rights, the law relating to domestic violence, the reality of available protection, and the situation that might face a woman forced to return to her country of origin. Also included are updates on the country reports issued in the first installment - Albania, Bosnia and Herzegovina, China, Iran and Pakistan.

The DRC is a country devastated by civil war, with less than half its territory under government control. Human rights abuses are committed by both government and anti-government forces. In a country with millions of displaced persons and in the midst of a humanitarian crisis, women's issues are low on the agenda and women's rights are routinely violated. Discriminated against under the law and relegated to a secondary role in society, women who suffer domestic violence have little, if any, redress under a judicial system which observers regard as effectively dysfunctional. A woman forced to return, especially without family support, would face an increased risk of sexual violence and exploitation as well as a struggle to survive in a country suffering severe shortages of food and minimal or no health services.

In Colombia, the 40-year armed conflict to overthrow the government continues. The government itself is unwilling or unable to prevent human rights abuses by its own security forces or the paramilitary organisations and armed opposition groups. This conflict has led to mass displacement of the civilian population and this and other effects on women are discussed in our report. Gender equality is enshrined in Colombian law, but despite this, discrimination and human rights violations against women are widespread. There is a high level of sexual violence and

domestic violence is common but under-reported. Recent legislation has aimed to address violence against women but in practice protection is limited. Separated or divorced women also face discrimination, particularly in the context of internal displacement due to the conflict.

Both reports will be published at the end of March and will also be available on our website (www.asylumaid.org.uk) where other RWRP publications are already accessible in pdf and word formats.

Other UK Projects, Events, News

AFRW celebrates International Woman's Day (8 March 2002) Action for Refugee Women invites you to celebrate International Women's Day at Conway Hall, Red Lion Square, Holborn, London, from 10.00am to 4.00pm.

The event comprises a contribution from Assiya Amini who will talk about women in Afghanistan and a series of workshops around several issues: racial harassment and women after September 11, violence as ground for protection, media representation and Blunkett's New Proposals. The workshops will be followed by artistic performances and other activities such as massage, theatre and henna, in the afternoon. To confirm your participation, please contact Asther Hagos at Refugee Action, 240a Clapham Road, London SW9 OPZ, tel: 0207 840 6513.

White Paper on future UK policy on immigration and asylum The White Paper "*Secure Borders, Safe Haven*" issued on 7 February claims to be a comprehensive review of future UK policy in respect to immigration, asylum,

trafficking in people, citizenship and nationality, working and illegal working in the UK and border controls.

In terms of asylum issues, the document contains a number of positive elements such as the government's commitment to widen access to quality legal advice for asylum seekers and the abolition of certification of asylum applications. The idea of introducing an independent documentation centre is also mentioned whilst the government commits to close Campsfield House and end the detention of asylum seekers in prison.

On the other hand, organisations working with refugee and asylum seekers in the UK,² are concerned about other aspects of the asylum proposals, including *inter alia* removal targets, increase in detention capacity, and support system arrangements. A major criticism is the fact that the proposed measures will divide communities in the UK further and prevent integration. Other questions have not been (adequately) covered, for example issues around the decision-making process and health issues.

An important announcement in terms of women's rights is the government's commitment to adopt legislation on trafficking for labor and sexual exploitation. The government plans to use the forthcoming Bill to introduce an offence of trafficking for sexual exploitation by amending the Sex Offences Act.³

However, the White Paper provides no official commitment to support an organisation that would assist trafficked

² including the Medical Foundation for the Care of Victims of Torture, Jount Council for the Welfare of Immigrants, the National Assembly Against Racism and the Refugee Council and Asylum Aid.

³ Such legislation will fulfil the UK's commitments under the EU Framework Decision.

persons, who are very often extremely vulnerable and require specific needs. There is no commitment either to ensure that individuals at risk of suffering serious harm if removed from the UK are given temporary or permanent residence, irrespective of whether they are cooperating in a prosecution.

Comments on any aspect of the White Paper can be sent to the Home Office by 21 March 2002 (see page 21 of the report for details). The report is available in pdf at <http://www.homeoffice.gov.uk/new.htm>.

Asylum Aid's own response to the Paper will be posted on www.asylumaid.org.uk in the near future.

Another change to the asylum system was announced when the Home Secretary David Blunkett declared on 26 February that vouchers would be scrapped on 8th April 2002, instead of being removed in the autumn as originally planned. Sodexo goods vouchers will be replaced by Sodexo cash vouchers to be collected from the Post Office. However, asylum seekers who have forgone the offer of free accommodation (under NASS) and have chosen to live with relatives or friends will not be allowed to claim the cash. They will have to agree to be dispersed.

For more on this, contact nic.alderson@refugeecouncil.org.uk or visit www.ncadc.org.uk/letters/news25/cab.html

Conference to defend asylum seekers: The Conference, which takes place on Saturday 23rd March 2002 in Manchester, will focus on a number of campaigning workshops and aims to include as many refugee voices as

possible. It is called by Barbed Wire Britain, Committee to Defend Asylum Seekers, National Civil Rights Movement and National Coalition of Anti Deportation Campaigns (and others). For more details, email: info@defendasylum.org or consult the web at: <http://www.defendasylum.org>.

International News

Fight against Trafficking in Women won a decisive victory: The Coalition Against Trafficking in Women (CATW) has led and won a major battle to effect a strong and inclusive definition of trafficking at the core of a new UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and to provide the fullest protection possible for all victims of trafficking. The significance of this victory, won in conjunction with the international Human Rights Network (and that involved 140 NGOs), cannot be overstated as far as women's human rights are concerned.

Amongst other provisions, the National Alliance of Women's Organisations reports that the new UN Protocol reverses the trend in recent years to separate prostitution from trafficking and provides that victims of trafficking will not bear the burden of proof and disallows a consent defence for traffickers. It also states that force, coercion or slavery-like conditions are insufficient to characterize the means of trafficking.

For more, see CATW's publications on www.catwinternational.org/un_protocol.pdf Source: NAWO Update, Issue No. 23 New Year, 2002.

Campaign against UNHCR's Violations of Refugees Rights in Turkey highlights

failure to protect women asylum seekers

The International Federation of Iranian Refugees and the International Federation of Iraqi Refugees launched a joint international campaign against the treatment of refugees and refugee claimants in Turkey on 28 February. This protest campaign is primarily against the UN High Commissioner for Refugees' (UNHCR) treatment and performance vis-à-vis thousands of Irani and Iraki refugees and claimants in Turkey.

According to the organisations, the process of determining refugee status in Turkey takes months and sometimes years whilst those refused by the UNHCR are not even given reasons for their rejection. They also report that refugees are often humiliated by UNHCR legal officers, translators and women and men have been beaten by guards when attempting to gain assistance from the agency.

UNHCR is also accused of failing women asylum seekers as it is reported that they '*are often not interviewed separately from their spouses and sex-based are not addressed in a serious and comprehensive manner*' (UNHCR produced '*Guidelines on the Protection of Women Refugee: Legal Procedures and Criteria for the Determination of Refugee Status*' in 1991).⁴

Refugee claimants are also said to be denied medical or financial assistance whilst their claims are being processed, and they are denied the right to work in Turkey. These conditions, the organisations contend, impose hunger, abject poverty, deprivation, homelessness and serious health problems for women, men and children. The campaign demands

inter alia recognition of the right to asylum for all those fleeing Iran, Iraq and Afghanistan, especially women and children.

Source (and for more details, contact):
ifir@ukonline.co.uk

West African Lawyers and Magistrates participate in gender awareness programme

The programme, which started in January 2002, aims to provide gender awareness training to target groups such as magistrates and lawyers but also police officers, doctors and traditional and religious leaders (i.e. people traditionally involved in conflict resolution but also whose role in the actual protection of women's rights is essential). It is jointly organized by a network of women's organizations called Wildaf/Feddaf and the European Union in Benin, Burkina Faso, Ghana, Mali, Nigeria, Senegal and Togo and is planned to last 30 months. It will include follow-up monitoring workshops to assess the target groups and the set up of a database of professionals aware of gender issues, especially in the legal field. For more details on the programme, contact wildaf@cafe.tg.

Publications & Resources

Women's Aid Federation has published the first issue of '*Safe*', a domestic abuse quarterly journal aiming to provide a multi-agency forum and information exchange to support and promote the development of effective responses to reduce domestic violence. The issue offers research reports and book reviews and gives information about events and training. For more, contact: info@womensaid.org.uk

The **Women's Resource Centre** compiled a database that covers women's organisations in London since the 19th

⁴ UN Doc. ES/SCP/67 (1991).

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century to the present day across a wide range of issues. Contact: Andri Soteri, CIS, UEL, Maryland House, Manbey Park Road, London E15 1EY.

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