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March 2011



# Women's Asylum News

## Women's Project at Asylum Aid

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## One Hundred Up: *Women's Asylum News* from 2000 to 2011

The very first issue of *Women's Asylum News* (WAN), published by Asylum Aid in July 2000, was a relatively simple affair. Printed on two sides of A4 paper, its short main article focused on the aims of the Refugee Women's Resource Project, which had been launched at Asylum Aid two months earlier. Readers were invited to provide feedback about what might be most helpful from a monthly bulletin about the rights of women seeking asylum. They were also asked to request future issues by email if possible: the minutes of early meetings about WAN refer to an initial print-run of six hundred, and Asylum Aid probably had at least one eye on monitoring the costs of such a new venture.

The design and structure of WAN would change over the years but its ambitions have held firm. Looking back at that first issue from a distance of more than eleven years, WAN has remained remarkably true to the objectives to which it committed over a decade ago:

"The bulletin is aimed mainly at legal advisors working with women asylum-seekers and refugees, to highlight new developments and raise awareness of issues that could help women with their claims for asylum. In future issues we plan to feature important legal decisions affecting women asylum seekers, information on gender-based persecution, articles on issues facing women in their countries of origin, and sources of information for advisors".

As this mission statement would suggest, it was intended from the start that WAN would provide regular summaries of relevant case law, but would also link this legal analysis to more general

'information' that aided longer-term campaigning and advocacy work to improve conditions for women seeking asylum.

The creation of a dedicated women's caseworker position at Asylum Aid as part of the Refugee Women's Resource Project was central to the success of this approach, especially in the earlier days of *WAN*. This frontline legal work resulted primarily in expert representation and advice for women in need of protection, of course, but it also served to connect practice with campaigning. Highly specialised legal work has provided a clear focus for much that followed, with *WAN* operating both as part of the campaigning process and as the main means to share the successes and frustrations along the way.

In September 2001, for example, *WAN* #14 reported the case of a young woman under threat of female genital mutilation (FGM) if returned to Guinea. She was represented by the Women's Project caseworker, and was recognised as a refugee by the Home Office. *WAN* quoted on its front page the young woman's experiences with her family, and the consequences for her:

"I refused to have female circumcision done to me. When I stood up to my father, I was beaten very badly and threatened. No one in the community would protect me from this continuous ill-treatment. In fact I was shunned for rebelling against the practice".

Her caseworker argued successfully and compellingly that return to Guinea under such circumstances would "guarantee the violation of her body's integrity and the destruction of her identity as a human being".

This is the human rights work being carried out daily by Asylum Aid and others, and *WAN* is an ideal vehicle for sharing the lessons learnt from decisions by the Home Office and at appeal. Such cases were also a constant reminder – if one were needed – of the very real stakes involved when the same issues are subject to labyrinthine negotiations among policy makers or in the higher courts. *WAN* has returned again and again to these negotiations, which were discussed in particular detail during the middle of the 2000s. A "cautious welcome" was given to the new Home Office guidance on asylum decisions issued after the Government introduced its Female Genital Mutilation Act in 2004 (*WAN* #41); but the very next edition noted with worry that recent rulings by the then Immigration Appeal Tribunal narrowed the grounds on which protection could be extended to women at risk of FGM (*WAN* #42). A year later, *WAN* printed one of its longest and strongest leading articles to express horror at the Court of Appeal's judgment on FGM in the Fornah case (*WAN* #52); it also celebrated the decision when this judgment and its "circulatory argument" was finally overturned by the House of Lords (*WAN* #64).

The passion and consistency with which *WAN* has made its case on topics like FGM is evidence of the detailed inter-relationship that exists on these issues between frontline human rights work by legal representatives and far-reaching campaigns for change.

*WAN* has been central to campaigns built in other ways, too. With public debate so often hostile to those advocating for the rights of both women and refugees, effective alliances among NGOs is an indispensable means to challenge the worst excesses of UK asylum policy. *WAN*'s role as a platform on which to host these alliances has been especially marked since 2009, during which time *WAN* has regularly commissioned leading articles from writers elsewhere in the sector. But this is the continuation of a long-standing approach in *WAN*, which since 2001 has led with relevant campaign and research news from organisations whose main focus lies beyond asylum.

Typically, *WAN* has emphasised above all the vivid human stories that illustrate Government policy gone horribly wrong: Maternity Action's revelations about asylum seeking women forced to beg on the streets so they can afford nappies for their children (*WAN* #20); the absence of legislation to protect women trafficked into "slave-like conditions" in Europe, as identified by Human Rights Watch (*WAN* #13); the report co-written by Asylum Aid and Bail for Immigration Detainees (BID) that reported on the presence of mothers with babies "as young as four weeks old" held in immigration detention

(WAN #46 – this was more than six years before child detention started to receive the political attention afforded to it today).

The benefits when a broad range of NGOs work together were clearly illustrated when Asylum Aid launched the *Charter of Rights of Women Seeking Asylum* in 2008 (announced in WAN #76). The *Charter* was, in every sense, the sort of collaboration that WAN had been encouraging and enabling for years. Not only was it written “in consultation with a number of specialist organisations in the refugee, women’s and human rights sectors”, but it took its authority from the number of independent endorsers who signed up to its aims. This includes, among its two hundred and sixteen signatories to date, most of the organisations hosted in WAN over the years, including Maternity Action, BID, the Refugee Council, Rights of Women, the Immigration Advisory Service and others. WAN, established in part to promote the campaigns work carried out to support women seeking asylum, deserves recognition for its role in the progress made so far by the coalition of NGOs lined up behind the *Charter*.

Although this gives some indication of the sort of attention WAN enjoys from colleagues working in the sector, it is nonetheless difficult to derive true audience numbers from circulation figures alone. The initial print run of six hundred organised in 2000 assumed that issues would be “placed where multiple copies could be picked up by those who needed them”. That assumption has remained, as has the belief that WAN must be available to asylum seeking women themselves. Copies are requested by several grassroots women’s organisations, including Women Asylum Seekers Together in London and Women Seeking Sanctuary Advocacy Group in Cardiff. The six hundred printed copies has now been replaced with nearly a thousand emails, eighty hard copies, and back issues available for reference on the Asylum Aid website and on UNHCR’s [www.refworld.org](http://www.refworld.org). New subscribers – solicitors, refugees, Government officials, Asylum Aid supporters, independent researchers – are added each month.

So what will future WAN readers find? Some good news, for sure, above all for those such as the young Guinean woman who found safety in the UK when she most needed it, and for the other asylum seekers whose successful fights for protection have been covered in its pages. The recurrence of key campaigns issues over the years, meanwhile, is evidence of WAN’s rigorous focus, but also of the size of the challenge it has set itself. Unsurprisingly, gender-based violence has not gone away, and positive changes to the asylum system are needed as much as ever.

In this context, it is salutary to go back as far as the second issue of WAN. It outlined work by the Refugee Women’s Legal Group to ensure gender guidelines were incorporated into the way asylum decisions were made. The aim described is simple, and the tone optimistic. In the event, though, only watered-down guidelines were adopted, and this after four more years of pressure from WAN and elsewhere. Two years on from that, widespread concerns were reported that the guidelines were being ignored by decision-makers anyway (WAN #59). More than four years on, the gender guidelines have been updated twice, but intransigence remains. As noted earlier in 2011, Asylum Aid’s most recent research found once more “that the gender guidelines ... were not being fully implemented” (WAN #98).

The challenge to enshrine women’s rights in Home Office policy, picked up by WAN from the outset, has quickly been replaced with the need to ensure that this policy is followed in practice. And that fight, like so many others, is still going on, no doubt with WAN leading the way.

*Women’s Asylum News would like to thank Russell Hargrave for writing this article and Mary Lawrey for undertaking additional research.*

*Women’s Asylum News has devised a survey to receive your feedback and opinion on the publication and receive suggestions on how best to improve it. It would also be very useful in knowing why subscribers read it. We would be grateful if you could complete the survey (attached with hard copies*

and available online at

[http://www.asylumaid.org.uk/data/files/publications/156/WAN\\_Survey\\_2011.doc](http://www.asylumaid.org.uk/data/files/publications/156/WAN_Survey_2011.doc)) and return it by 18 April to [womenasylumnews@asylumaid.org.uk](mailto:womenasylumnews@asylumaid.org.uk)).

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## Legal Issues

### Country Guidance case on trafficked women from Nigeria to be re-determined

#### **PO (Nigeria) v Secretary of State for the Home Department [2011] EWCA Civ 132 (22 February 2011)**<sup>1</sup>

PO is a victim of trafficking from Nigeria who arrived in the UK in 2005. She was forced into prostitution by her trafficker and was used for sexual gratification by her trafficker and his two associates. She escaped her horrific treatment three months later and was later arrested by the police who handed her over to the immigration authorities who detained her. While in detention she applied for asylum and was taken into the care of a charity after her release from detention. PO was diagnosed with severe depression and post-traumatic stress disorder.

The Secretary of State refused her application for asylum and she appealed to the Tribunal. After protracted proceedings, her case was re-determined by the Tribunal before a panel of three judges, including two Senior Immigration Judges. It was identified as a suitable case for giving Country Guidance on trafficked women from Nigeria and the resulting determination was reported as PO (Trafficked Women) Nigeria CG [2009] UKAIT 00046.<sup>2</sup> Prior to the determination of her case before the panel, it was agreed that the issues of (i) whether or not she would be exposed to a real risk of persecution from her former trafficker in her home town and (ii) whether she was a member of a particular social group had been decided in her favour and no longer needed to be reconsidered at the second stage. The Country Guidance case addressed the following issues: (i) whether the Nigerian state provide a sufficiency of protection to victims of trafficking; (ii) the availability and adequacy of shelters in Nigeria for such victims; and (iii) the enhanced risk to a returned victim when she has been trafficked by a gang. The Tribunal in the Country Guidance case concluded that the Nigerian state is in general able and willing to protect its own nationals from traffickers. In relation to PO, it found that she and her child would receive adequate care and facilities in a shelter in her home area and that she had been the victim of an individual trafficker as opposed to a gang. The Tribunal went on hold in the alternative that it would not be unduly harsh or unreasonable for PO to relocate to another part of Nigeria. PO appealed to the Court of Appeal.

The Court of Appeal allowed the appeal of PO on two grounds. The first was that the Tribunal's finding in the Country Guidance case about whether shelters for former victims of trafficking with children younger than 8 were available was irrational and could not stand, on the ground of procedural unfairness. The Tribunal had accepted an email from the National Agency for the Prohibition of Traffic in Persons and Other related Matters (NAPTIP) providing evidence on the availability of such shelters which differed from the evidence provided by the expert instructed by PO. The Tribunal rejected the expert's evidence in this respect and instead chose to rely on the information provided in the email despite the author not being made available for cross-examination, and it being submitted as evidence much later in the proceedings. The Court of Appeal disapproved the approach adopted by the Tribunal in rejecting the expert's evidence about the shelters, as it failed to apply "anxious scrutiny" to the case when considering the background evidence.

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<sup>1</sup> <http://www.bailii.org/ew/cases/EWCA/Civ/2011/132.html>.

<sup>2</sup> <http://www.bailii.org/uk/cases/UKIAT/2009/00046.html>.

The second ground of appeal related to the additional risk category of former victims of trafficking that had been trafficked by a “gang” or a “network”. The Secretary of State argued that the point was academic since PO had been granted Indefinite Leave to Remain in the UK. However, the Court decided that there was good reason in the public interest to consider the issue, because there was an apparent discrepancy between the guidance given in the Tribunal’s determination, and the summary of that guidance in the headnote to the determination. The headnote failed to correctly reproduce the test regarding the evidential burden of proof regarding trafficking gangs as set out in the text of the determination. In the present case, the Court of Appeal found that the Tribunal had imposed an inappropriate burden on PO by requiring that she provide personal evidence that her trafficker was part of a gang. Furthermore and on this point, the Court of Appeal also found that the Tribunal had failed to give due consideration to PO’s evidence regarding her trafficker’s affiliation with other traffickers in Nigeria.

The Court of Appeal thus allowed the appeal on the two grounds explained above, set aside the Country Guidance case on these two points and remitted the case for further reconsideration by the Upper Tribunal. Lord Justice Carnwath added some comments on the Country Guidance aspect of the case. He clarified that the headnote is not part of the determination, but underlined its utility in providing a shorthand summary of the effect of the decision. He noted the importance of ensuring that the headnote correctly reflects the guidance contained in the determination, and observed that it may assist the Tribunal in doing this if it took more care to identify the “issues” on which it was intended to give guidance. He pointed out that the resolution of these issues may need to await the identification of another suitable appeal as PO no longer had any personal interest in pursuing her appeal in light of the grant of leave to remain. He was careful to note that the findings of the Country Guidance case on the ability of Nigerian authorities to offer protection and the risk of re-trafficking should stand as interim guidance.

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## **Article 3 ECHR: medical cases are only exceptional if the applicant is beyond the reach of medical treatment**

### **GS (Article 3 - health exceptionality) India [2011] UKUT 35 (IAC) (24 February 2011)<sup>3</sup>**

GS is a national from India who after overstaying his visa as a working holiday maker, applied for leave to remain in the UK on compassionate grounds because he suffers from kidney failure and requires regular dialysis. The UKBA refused his application and issued him with removal directions. GS’s medical history was not disputed. He requires dialysis three times a week for four hours per session and has only one kidney due to congenital absence of his other kidney. A Consultant Nephrologist provided expert evidence that GS was likely to die after a period of one to two weeks if his treatment was discontinued. It was also accepted by the parties to the proceedings that GS could not afford to pay for dialysis or to support himself in his home town, he would be unable to work to support himself and his family was unable to support him to secure medical treatment.

The Secretary of State for the Home Department (SSH) was appealing the decision of the Immigration Judge who had allowed GS’s appeal on the basis that his medical circumstances brought him into the exceptional category whereby his removal from the UK would amount to a breach of the UK’s obligations under Article 3 of the European Convention on Human Rights (ECHR). The Immigration Judge had clarified that albeit medical treatment for his condition was available in theory in India, he would be unable in practice to access that treatment to prevent his early death.

The Upper Tribunal considered that the Immigration Judge was not entitled to hold that GS’s circumstances placed him in the category of exceptional medical cases leading to protection under

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<sup>3</sup> [http://www.bailii.org/uk/cases/UKUT/IAC/2011/00035\\_ukut\\_iac\\_2011\\_gs\\_india.html](http://www.bailii.org/uk/cases/UKUT/IAC/2011/00035_ukut_iac_2011_gs_india.html).

Article 3 ECHR. The Upper Tribunal distinguished GS's case from that of D<sup>4</sup> and said that it was "in all real senses the same as Miss N".<sup>5</sup> The Tribunal considered the case of N before the House of Lords as a starting point and argued firstly that GS's illness is not irreversible unlike D who was suffering from AIDS, and that GS's condition is currently controlled by dialysis. The Tribunal explained that D fell into the exceptional category of medical cases because "he was beyond reach of treatment; he was dying and thus by allowing him to remain in this country, no medical care obligation was placed on the expelling state". GS is not according to the Tribunal "beyond the reach of medical treatment in this country". If GS's condition was irreversible he would only have stayed in the UK for a short amount of time until his death would take place, however, if he was allowed to stay he would continue to benefit from the medical treatment he is currently receiving. The Tribunal said that the Immigration Judge had made a fundamental error of law because he failed to recognise that the ECHR does not impose an obligation of medical care on its signatory states as established in the European Court of Human Rights' jurisprudence. The Tribunal also highlighted that the critical question in the case of D was not where he should live and be treated but rather where and in what circumstances he would die.

The Tribunal therefore concluded that although the Immigration Judge had in mind the test of exceptionality when considering the case of GS, he had misunderstood the case of N and the preceding case law of the European Court of Human Rights. The Tribunal applying its interpretation of this case law considered that GS's case was not exceptional. The Tribunal said that the ECHR does not impose a medical care obligation on the UK and that medical care would however be imposed on the UK if GS was allowed to stay under Article 3 ECHR. D was allowed to stay because this did not impose on the UK a medical care obligation seeing as D was going to die irrespective of treatment. The Tribunal thus concluded that removing GS back to India would not result in a breach of Article 3 or 8 ECHR.

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## National News

### Coalition Government publishes its 'Call to End Violence Against Women and Girls'

The Home Office launched its campaign to end violence against women and girls on 8<sup>th</sup> March, and published its plans to invest £28m in this work over the next four years. Asylum Aid worked with the Government to ensure that the needs of women seeking asylum were included in these plans, and you can read the document at <http://www.homeoffice.gov.uk/publications/crime/call-end-violence-women-girls/vawg-action-plan?view=Binary>.

Among its aims, the Government has reaffirmed its wish "to make the asylum-system as gender-sensitive as possible", and to ensure that women are treated appropriately throughout the asylum system. Although Asylum Aid lobbied for the inclusion of far more concrete commitments, this is a welcome proclamation, and we will keep working to hold the Home Office to its promise.

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### 'I am every woman'

<sup>4</sup> D. v. United Kingdom, 146/1996/767/964, 2 May 1997, <http://www.unhcr.org/refworld/docid/46deb3452.html>. D suffered from AIDS and relied on Article 3 ECHR to prevent his deportation to St Kitts.

<sup>5</sup> N v. Secretary of State for the Home Department [2005] UKHL 31 (5 May 2005), <http://www.bailii.org/uk/cases/UKHL/2005/31.html>. N also suffered from AIDS but the House of Lords decided that there were no compelling humanitarian grounds for not removing her back to Uganda under Article 3 ECHR. The House of Lords explained that "given the enormous advances in medicine, the focus now is rather on the length and quality of the applicant's life than the particular circumstances of his or her death. In these cases, therefore, the real question is whether the State is under a positive obligation to continue treatment on a long-term basis."

To mark International Women's Day, the *New Statesman* this month published a lead article 'I am every woman' about the plight of women seeking asylum in the UK. Written by Natasha Walter, the journalist and founder of Women for Refugee Women, it tells the story of several women who have found themselves isolated and destitute in the UK after fleeing persecution in their countries of origin. As well as speaking with several women, Natasha draws on recent projects by the Medical Foundation for the Care of Victims of Torture and on Asylum Aid's new research report *Unsustainable*.

To read full article see: <http://www.newstatesman.com/society/2011/03/women-asylum-rights-saron>.

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## **Government announces its intention to opt in to the EU Trafficking Directive**

On Tuesday 22<sup>nd</sup> March 2011, the Minister of State for Immigration, Damian Green, announced the government's intention to opt in to the EU Trafficking Directive.<sup>6</sup> After having carefully considered the final text of the Directive, the Minister has asked the views of the Parliamentary Scrutiny Committees in both Houses. The Minister explained that by waiting for the European institutions to agree a final text, the UK has avoided being bound by measures that are against its interests.

To read the full written ministerial statement see:

<http://www.homeoffice.gov.uk/publications/parliamentary-business/written-ministerial-statement/eu-direct-human-trafficking-wms/>.

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## **International News**

### **Democratic Republic of the Congo: Mass rapes escalate in eastern regions**

Amidst increasing violence and insecurity, the use of mass rapes as a weapon of war in the DRC's eastern region of South Kivu is now escalating. Since the beginning of January 2011, the organisation *Médecins Sans Frontières* (MSF) has treated over 200 women, children and men for sexual violence and rape. Survivors said, they were taken hostage, forcefully undressed and systematically beaten and raped by armed men. According to witnesses, the attackers appeared to be members of the *Forces Démocratiques pour la Liberation du Rwanda* (FDLR), a group founded by ringleaders and other perpetrators of Rwanda's genocide in 1994. Despite staggering numbers in 2010 – approximately 8,000 rapes were recorded for last year - MSF said that it had not provided medical treatment for rape on such a large scale since 2004. The UN Office for the Coordination of Humanitarian Affairs has expressed concern about the situation and condemned the systematic use of rape as a weapon of war, targeting both women and whole communities.

To read full article see: <http://www.irinnews.org/Report.aspx?ReportID=92062>.

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### **European Union: Urgent need for implementation of new pact on gender equality**

In response to the adoption of a new pact on promoting gender equality by the Council of Ministers, Human Rights Watch has urged EU governments to step up to their commitments as soon as possible. The pact calls on governments to close the gender gap in the labour market, promote a

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<sup>6</sup> For more information about the EU Trafficking Directive see Women's Asylum News, November 2010, Issue 97, pp. 1-4, [http://www.asylumaid.org.uk/data/files/publications/148/WAN\\_November.pdf](http://www.asylumaid.org.uk/data/files/publications/148/WAN_November.pdf) and Women's Asylum News, September 2010, issue 95, p. 10, [http://www.asylumaid.org.uk/data/files/publications/142/WAN\\_September.pdf](http://www.asylumaid.org.uk/data/files/publications/142/WAN_September.pdf).

better work-life balance for men and women and combat all forms of violence against women. With regard to the last point, governments are urged to develop prevention strategies and protect victims from all disadvantaged groups. Most vulnerable to abuse and at the same time the least protected are asylum-seeking and Roma women, as well as women with disabilities. While there are no EU-wide statistics on the prevalence of violence against women, research from the wider Council of Europe region suggests that approximately a quarter of all women experience domestic violence at some point during their lives. It is therefore of utmost importance for EU member states to bring in the necessary legislation to back up the conclusions of the pact.

To read full article see: <http://www.hrw.org/en/news/2011/03/07/eu-urgent-action-needed-pact-gender-equality-fighting-violence>.

To read the Council Conclusions on the European Pact for gender equality see: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/lsa/119628.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/119628.pdf).

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### **Guatemala: Misogynist killings on the rise**

Heidi Velásquez, a young mother of two, used to be one the many women in Guatemala suffering domestic violence on a daily basis. Unlike many, she sought support and managed to leave her abusive husband. She is still struggling for justice and dealing with the psychological trauma of being trapped in a circle of violence for several years. Thousands of victims of gender-related violence, however, have not been as 'fortunate': according to the police, more than 5,200 women were killed between 2000 and 2010, most of them shot to death. 680 women died in cases of so-called 'femicides' (also reported in Argentina)<sup>7</sup> in 2010 alone. Many women who survive this are not only left to deal with the psychological remnants of their experiences and financial difficulties, but also struggle to achieve legal justice due to widespread issues of impunity. Although the issue has become increasingly prominent in the last few years it has also been officially acknowledged that the situation is still far from good.

To read full article see: <http://ipsnews.net/news.asp?idnews=54404>.

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### **Ivory Coast: Sexual violence and other human rights abuses perpetrated by security forces**

An Amnesty International investigation has revealed that security forces loyal to both outgoing president Laurent Gbago and his successor Alassane Ouattara are involved in perpetrating grave human rights violations, including sexual violence and unlawful killings. The situation is particularly grim in the west of the country, where 70,000 people had to flee their homes as tensions between ethnic groups were exacerbated by the political stand-off between the presidential candidates. Victims and eyewitnesses have reported numerous cases of women being gang-raped in front of their children, houses being burnt and looted, and people being beaten and intentionally killed in the streets. According to residents in some western regions, the attacks on people were targeted and based on alleged political affiliations and ethnicity.

To read full article see: [http://www.amnesty.org.uk/news\\_details.asp?NewsID=19275](http://www.amnesty.org.uk/news_details.asp?NewsID=19275).

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<sup>7</sup> See Women Asylum News, February 2011, Issue 99, p. 9, [http://www.asylumaid.org.uk/data/files/publications/154/WAN\\_February2011.pdf](http://www.asylumaid.org.uk/data/files/publications/154/WAN_February2011.pdf).

## **Middle East: Three million maids living in slave-like conditions**

The uprisings sweeping across the Middle East in recent months have drawn the world's attention to the widespread human rights abuses and injustice in the region; yet the plight of three million maids remains hidden from the public eye. A survey carried out by the Saudi Magazine *Sayidaty* revealed that more than three million domestic workers, mainly women, across the Arab world are living in conditions akin to slavery. Often tricked into unjust employment through recruitment agencies and driven to find desperate means in order to escape extreme poverty in their home countries, many maids are subjected to abuse, confinement and rape by their employers. Due to the abuse usually taking place in the confinement of private homes, their suffering remains invisible to the authorities. The survey also found a distinctive absence of laws regulating the relationship between domestic workers and their employers in countries such as Saudi Arabia, Kuwait, Bahrain and Lebanon, allowing abuse to run wild.

To read full article see: <http://ipsnews.net/news.asp?idnews=54665>.

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## **Sudan: Female protestors at risk of sexual assault**

According to human rights groups, anti-government protestors in the capital Khartoum and other Sudanese cities are at risk of sexual assault, torture and detention by security services. Amnesty International reported several cases of women who were sexually assaulted both during and after taking to the streets to demonstrate for political change and draw attention to ongoing issues of corruption and torture. It has also been reported that there have been cases of torture and denial of medical care for injured people in detention. While the focus of the international media has been on the uprisings in Tunisia, Egypt and now Libya, demonstrations in Sudan have been greatly underrepresented in the media. The unrests in the war torn country come amid rising prices of food and other necessities as well as the near-unanimous decision by South Sudan to secede from the North.

To read full article see: <http://www.irinnews.org/Report.aspx?ReportID=92031>.

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## **Uganda: Former female combatants struggle to resettle in their home communities**

Upon their return from forced conscription with the Lord's Resistance Army (LRA), many women and girls struggle to reintegrate. The LRA, originally formed as an armed rebellion against the Ugandan government is now active in parts of Sudan, DRC and the Central African Republic with an estimate of 200-400 combatants and hundreds of abductees. Many of the women, who manage to escape, return as single mothers to their home communities, with children forcibly fathered by LRA commanders. Stigmatised by their communities and shunned by their families, these women and girls are often forced to sell their bodies in order to survive. A study by researchers from Tufts University showed that female ex-combatants are also particularly marginalised in relation to land rights, with many returning to their family land only to find it re-allocated to strangers. The problem is aggravated by gender-biased customary law which allows women to work their family's or husband's land but not own it themselves. Existing re-integration or training programmes, as well as medical care and conflict mediation projects fail to comprehensively respond to the needs of former female fighters.

To read full article see: <http://www.irinnews.org/report.aspx?ReportID=92122>.

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## **New Publications**

## ***The Causes and Consequences of Re-Trafficking: Evidence from the IOM Trafficking Database***

**Alison Jobe for the International Organization for Migration, 2010**

While the secondary trafficking of previously trafficked persons is becoming a substantive issue there is still considerable lack of research in this area. With this report, the International Organization for Migration (IOM) takes a closer look at 79 known re-trafficking cases from its Human Trafficking Database over ten years (1999-2009). On this basis, Jobe looks at the characteristics of victims of secondary trafficking, most of whom are female, and explores their trafficking and re-trafficking experiences.

The report is available free of charge at:

[http://publications.iom.int/bookstore/index.php?main\\_page=product\\_info&cPath=41\\_7&products\\_id=684](http://publications.iom.int/bookstore/index.php?main_page=product_info&cPath=41_7&products_id=684).

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### ***"We are here because..."***

Grown out of a project intended to enable asylum-seeking women to share and develop technical skills, this website is an inspiring and moving collection of testimonies. The majority of the participants, who took responsibilities at every stage of the project, were members of the All African Women's Group, a self-help group for asylum seeking women. Most of them are mothers, some have experienced detention and many have been forcibly separated from their children. All give compelling accounts of their experiences and the challenges they face in getting protection and rebuilding their lives.

For more information about the project, to arrange a speaker or to make donations see:

[www.womenagainstrape.net/resource/we-are-here-because](http://www.womenagainstrape.net/resource/we-are-here-because).

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## ***From Rights to Action: Using International rights and mechanisms on violence against women in the UK***

**Rights of Women, March 2011**

Published as part of the *Rights of Women* toolkit, this new handbook is a practical introduction to the international human rights law, policies, and mechanisms relevant to combating violence against women. It seeks to shed light on the law around human rights and empower organisations working to promote women's rights to apply human rights to their work in order to influence law, policy and practice on violence against women, thus promising to be a vital resource for NGOs working to support women affected by violence in the UK.

The handbook is available free of charge at:

[http://www.rightsofwomen.org.uk/pdfs/From\\_Rights\\_to\\_Action.pdf](http://www.rightsofwomen.org.uk/pdfs/From_Rights_to_Action.pdf).

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## **UK Training and Events**

### **Safety Through Justice:**

**A full day conference addressing key legal issues affecting victims of trafficking**

The Anti-Trafficking Legal Project and The AIRE Centre

**10 / Issue 100 / March 2011**

**Friday, 27 May 2010 from 9.30am – 4pm**

*Freshfields Bruckhaus Deringer LLP, 65 Fleet Street, London EC4Y 1HT*

This Conference, for Third Sector and Refugee Community organisations, is aimed at building individual and organisational capacity to identify victims of trafficking and respond effectively. Specialist legal practitioners working in the field of human trafficking will lead practical and interactive sessions on identifying victims of trafficking and their rights under a range of protective measures. Choices of sessions include:

- Identifying victims of trafficking in the UK
- The implementation of the Convention on Action Against Trafficking of Human Beings in the UK
- Immigration Law and Process
- Victims of trafficking and the criminal justice system
- Rights of EEA nationals who have been trafficked into the UK
- Welfare entitlements of victims of trafficking
- Accessing protection for child victims of trafficking under care provisions and family support for trafficking victims with children.

**The conference is free of charge but advanced booking is required.**

To **book your place**, please complete a booking form available at [www.airecentre.org](http://www.airecentre.org). Early booking is advised as the conference is likely to be over-subscribed.

Please contact Esther Lieu at the AIRE Centre with any enquires: [elieu@airecentre.org](mailto:elieu@airecentre.org) or on 020 7831 4276.

***ATLeP and The AIRE Centre are grateful to Comic Relief and Freshfields Bruckhaus Deringer for their generosity in sponsoring this conference.***

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### **Free therapy spaces available for refugee and asylum seeking women**

The Women's Therapy Centre offers psychotherapy for refugee and asylum seeking women and provides access to the centre's link worker, who can offer practical information and advice on a variety of issues and direct the women to other more appropriate services.

The services are free of charge; interpreters are available when necessary and childcare can be arranged.

For further information, to make a referral or to arrange self-referral please email [appointments@womenstherapycentre.co.uk](mailto:appointments@womenstherapycentre.co.uk) or call 020 7263 6200.

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### **Women Together/Women in Exile: Women refugees and asylum seekers group every Friday**

The Asylum and Refugee Service at the Women Centre in Huddersfield invites women refugees and asylum seekers who have experienced sad times, loss and abuse to join its weekly women-only

group. The group meets Fridays from 9:30-11am to celebrate women's strengths and share skills and experiences. Activities include exercising, dancing, singing, gardening, painting and new ideas are always welcome. The group of women and their children is supported by a parental support worker and a therapeutic support worker who is also available on Thursdays to provide limited one-to-one sessions, help accessing other services and run mini-outreach sessions for interested women and referrers. It is also possible to simply drop in on Fridays between 12-2pm for support around asylum issues, counselling, clothes exchange, or information on education, training and domestic violence.

For more information and to discuss referrals please contact Rachel (Thursday and Fridays) on 01484 536 272.

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### **Roj Women support project for Kurdish women facing gender-based violence**

Funded by the Big Lottery Fund, the Roj Women Association has launched a new project to support Kurdish women in challenging and overcoming violence. Kurdish women who face domestic violence, forced marriage or honour-based violence will have access to up to 18 sessions of free, culturally sensitive, general and legal advice as well as individual counselling. These women-only services are provided in Turkish, Arabic and the Kurdish dialects of Kurmanci and Sorani and referrals can be made from any London borough.

For further information please email [rojwomen@googlemail.com](mailto:rojwomen@googlemail.com) or visit [www.rojwomen.com](http://www.rojwomen.com).

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### **Human Rights Watch Film Festival, 23 March – 1 April 2011**

Returning to London for its 15<sup>th</sup> edition, the Human Rights Watch Film Festival brings a powerful line-up of 16 documentaries and 5 dramas to the UK audience and many of the screenings are followed by Q&A sessions with the filmmakers, subjects and experts on the individual topics. The festival is organised around various themes, with a particular focus of this year's event being women and migrants' rights. For the screening of *Illegal*, a drama which vividly depicts the harsh reality of detainees in Belgium's detention centres, Human Rights Watch has teamed up with Migrants Rights Network. The other films on this subject include *Familia* (Peru), *Pushing the Elephant* (DRC), *When We Leave* (Turkey/Germany) and *The Whistleblower* (Canada/Bosnia).

For further information on the films and how to book tickets go to: <http://www.hrw.org/en/iff/london>.

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### **Women in Transition, 30 March 2011, 2-4:30pm**

Marking the 100<sup>th</sup> anniversary of International Women's Day, the Migrant and Refugee Community Forum (MRCF) invites anybody who is interested to recognise and celebrate the leadership of refugee and migrant women in the integration of their communities in London. The speakers include Waris Mohamoud (founder of Midaye Somali Development Network), Daisy Sands (policy and campaigns officer at the Fawcett Society) and Yasmin Rehman (consultant and trainer on violence against women) and is intended as a day of planning on how to coordinate efforts to support refugee and migrant women and their communities at a time of public cuts. The event is taking place at the MRCF Resource Centre, 2 Thorpe Close, London W10 5XL. Lunch will be provided and travel expenses can be refunded, and interpreters can be arranged in advance.

Places are limited so it is essential to books early via [events@mrcf.org.uk](mailto:events@mrcf.org.uk) or call 020 8964 4815.

## Research Launch: Report on LGBT asylum and refuge in Scotland, 30 March 2011

Everyone IN, a project delivered jointly by Equality Network and BEMIS and funded by the EHRC, will be launching a new report on the issues and priorities on lesbian, gay, bisexual and transgender asylum seekers and refugees in Scotland. Researched and written by Tim Cowen, the report will present findings on changes needed within the process of claiming asylum, in the way LGBT asylum seekers are supported as well as changes needed to raise awareness and improve cooperation.

The launch will take place at Glasgow University's Charles Wilson Building, 9:30-2pm. For detailed information on the event visit <http://madikazemi.blogspot.com/2011/03/event-new-research-on-lgbt-asylum-and.html> and to book a place email Sam Rankin at [sam@equality-network.org](mailto:sam@equality-network.org).

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### *Walk with us* **Support Asylum Aid's 2011 fundraising**

**Royal Courts of Justice, 16 May 2011 – 5.00 pm**



Be part of the Asylum Aid Team and join us for the London Legal Support Trust Walk or sponsor the Asylum Aid Team.

The 10 km walk starts at the Royal Courts of Justice and walks 5 km out to Hyde Park then a different 5 km route back ending at the Law Society in Chancery Lane. It takes about 2.5 hours and we all celebrate at the end! The London Legal Support Trust has set up a fundraising page for the Asylum Aid team - <http://uk.virginmoneygiving.com/team/AsylumAid>

Paper sponsorship/gift aid forms will also be available. **You can register your interest now!**

Email: [mariag@asylumaid.org.uk](mailto:mariag@asylumaid.org.uk) or call 020 7354 9631 ext 237

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## Volunteering Opportunity

Asylum Aid is currently recruiting for a Women's Asylum News volunteer:

Asylum Aid expects that the volunteer will commit 1 day per week for a minimum of 6 months based in our office in Highbury and Islington.

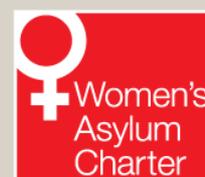
To view the role description and background information see <http://www.asylumaid.org.uk/pages/vacancies.html>.

**Deadline for application is 15 April 2011.**

**Interviews will be held on 5th May 2011.**



## *Charter of rights of women seeking asylum*



**Endorsements: 218**

**Google group membership: 141**

### **Raising Refugee Women's Voices: new women's project at Scottish Refugee Council in Glasgow**

Scottish Refugee Council has secured two years' funding from Comic Relief for an exciting new women's project, '*Raising Refugee Women's Voices: rights, advocacy and access*'. The overarching aim of the project, which was launched in February, will be to empower refugee and asylum-seeking women in Scotland to influence the policy and practices that impact so profoundly on their lives.

Two staff members have come into post at Scottish Refugee Council to lead on the project outcomes. Women's Community Development Worker, Elaine Connelly, will continue to work closely with the Refugee Women's Strategy Group to help refugee women identify and raise their own concerns with decision makers. This work will feed into that of Women's Policy Development Officer, Nina Murray, who will also be advocating on behalf of refugee women on a number of key issues such as access to mainstream services, health care, gender-related violence, and the asylum determination process.

Service providers in Scotland have made progress in addressing many of the support needs of asylum-seeking women over recent years, where areas such as health, education, policing and legal aid are devolved. The provision of childcare facilities at asylum interviews and secondary healthcare provision would be examples of this. However, this project will provide a focus and a channel for developing and expanding this work, helping to ensure that women are not exposed to prolonged suffering, abuse or destitution. The project will work closely with Asylum Aid and other Charter signatories to build a UK-wide picture of the need for more effective gender-specific responses by UKBA and other bodies to ensure refugee and asylum-seeking women are properly protected and can rebuild their lives.

For more information about the project, please contact Nina Murray at Scottish Refugee Council: [nina.murray@scottishrefugeecouncil.org.uk](mailto:nina.murray@scottishrefugeecouncil.org.uk) / 0141 248 9799.

For more information on the Charter and the Every Single Woman campaign, please go to [www.asylumaid.org.uk/charter](http://www.asylumaid.org.uk/charter).

If your organisation would like to endorse the charter, please send an email simply stating the name of your organisation to [charter@asylumaid.org.uk](mailto:charter@asylumaid.org.uk).

She was detained without charge

Nobody believed her story and no-one spoke up for her

Her family and friends didn't know where she was

**Afraid...isolated...**

She had no idea what would happen to her next

**And that was after she sought asylum in the UK**

Our asylum system is now so tough that, all too often, this is how people seeking help are treated. And that can't be right.

We believe the system should be fair and just and that every asylum seeker should have legal help to make their case - only then can we say in good conscience 'let the law take its course'.

Asylum Aid is an independent, national charity that secures protection for people seeking refuge in the UK from persecution in their home countries.

We provide expert legal representation to asylum seekers and campaign for a fair and just asylum system. Founded in 1990, we have since helped 30,000 people to get a fair hearing. In 2009 85% of our clients were granted leave to stay in the UK when decisions were made on their claims for protection.

**Please support us**

**Your donation will safeguard our independence and enable us to stand up for fair asylum rights without fear or favour.**

You can make a donation via our website:  
[www.asylumaid.org.uk/pages/give\\_now.html](http://www.asylumaid.org.uk/pages/give_now.html)  
OR send it to us by post with this form:

Name: .....  
Address: .....  
.....  
Postcode: .....  
Telephone: .....  
Email: .....  
I want to make a one-off gift of £ .....

(please make cheques payable to Asylum Aid) *giftaid it*

**Your Gift Aid declaration**

If you are a UK taxpayer, the value of your donation can increase by at least 25% under the Gift Aid scheme — at no additional cost to you! Please tick the box below to join the Gift Aid scheme.

I confirm that I am a UK taxpayer and that I pay as much income or capital gains tax as Asylum Aid will reclaim in the tax year. Please treat all donations I make or have made to Asylum Aid for the past four years as Gift Aid donations until further notice.

Please notify us if you are no longer eligible to Gift Aid your donations.

We will not sell or swap your personal details with any other organization. We would like to keep you informed about our work, campaigning and membership. If you do not wish to receive any information from Asylum Aid other than relating to your donation, please tick this box.

[www.asylumaid.org.uk](http://www.asylumaid.org.uk)

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Or, I want to make a regular gift to Asylum Aid by setting up a Standing Order

To: The Manager, Bank: .....  
Address: .....  
Postcode: .....  
I wish to make a regular gift of £ .....  
each month/ quarter/ year (please circle) until further notice and debit my bank account:  
Account number: .....  
Sort code: .....  
Starting on (date): .....  
Signature: .....  
Date: .....

(FOR OFFICIAL USE) To: The Cooperative Bank, 80 Cornhill, London EC3V 3NJ. Sort code: 08-02-28, Account number: 65281262

**Please return this form in an envelope to:**  
**Freeport RRJJ-BRGA-ZHAR,**  
**Asylum Aid, Club Union House,**  
**253-254 Upper Street,**  
**London N1 1RU**



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