

# women's asylum news

refugee women's resource project @ asylumaid

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## Asylum Aid wins domestic slavery case in the IAA

We are delighted to inform our subscribers and members that a trafficking for domestic slavery case from Nigeria was allowed by an Adjudicator of the Immigration Appellate Authority. Unlike the Home Office in its initial decision, the Adjudicator found Asylum Aid's client to be credible on the facts of her case. The Adjudicator found that she was a member of a social group of 'trafficked women' who are used for enforced domestic or sexual services in the recipient country.

He also allowed it under Article 3, that were she to be returned it was likely that she would be re-trafficked and that this would amount to degrading treatment. Further that the likelihood that she would be re-trafficked also invoked a breach of Article 4 of the ECHR.

The case was however fraught with obstacles and incompetence both from the Home Office and the UK police authorities. We thought it was worth describing them in full below to alert practitioners and campaigners alike of such bad practices.

The case was referred to us via a call on our advice line from *Kalayaan - Justice for Migrant Domestic Workers*, asking whether we could take on a trafficking case, from Nigeria who had been arrested

and detained at Tinsley House Detention Centre. They had good reason to believe that this young woman had been trafficked to the UK as a domestic slave for the last 3 years, where she had suffered daily beatings, humiliations and no schooling.

We immediately contacted her at Tinsley House, and said that we would arrange a visit to see her in the next two days. However, the following day we received a phone call from *Kalayaan* informing us that she had been moved to Heathrow Airport to be removed from the UK. So, by telephone we took further instructions from her, and it became very clear that she was frightened to return to Nigeria. We advised her that to prevent removal that she would have to make an application for asylum.

### **The Immigration Service says '*it's too late to make an asylum application*'**

We telephoned and faxed the Immigration Service at Heathrow Airport, to confirm that she wished to make an application for asylum. Throughout the day, we received phone calls from her. She was clearly very upset. She said that she had been told by the Immigration Officers present that it was too late to make an application and that she was due to be removed to Nigeria. We told her that this was clearly not true - she had every right to make an application for asylum. Throughout the whole day of waiting she was told that she was going to be removed.

After a very long day, and an extremely stressful situation including numerous phone calls between ourselves, the Immigration Service and our client, she was told that she was not to be removed.

On deferring the removal, the Immigration Service made it clear that they intended to maintain detention. However, after normal office hours the Immigration Service decided to grant her temporary admission to the UK, leaving a young and vulnerable woman to roam Heathrow Airport, with nowhere to go. At around 10.00pm, a worker at Asylum Aid got her accommodated temporarily through the Refugee Arrival Project.

### **Breach of confidentiality by Immigration Service puts asylum seeker at risk**

During this time, the Immigration Service had been contacted by one of her traffickers, who were posing as a 'sister', acting concerned about her. The Immigration Service told them that she had not been removed to Nigeria, that she was going to be given temporary admission, and that she was being represented by Asylum Aid. We only found this out because we started to receive calls from the traffickers who were making enquiries after her.

Shortly afterwards, she was given temporary housing in a refuge for victims of domestic violence. We made an application for NASS to support her, however they refused to provide the finances for safe housing in secure refuge. She ended up being dispersed to another part of the UK, but through lengthy negotiation she was eventually housed by NASS in a part of the UK where she had made a friend. This was not a refuge or supported housing, but at least she was relatively safe and at a distance from her traffickers.

### **Immigration Service lax re: trafficking**

When we finally got to interview our client, it became very clear that she was extremely vulnerable. She had been trafficked to the UK, by a friend of her mother, her mother having knowingly given her away. She had worked for her trafficker for three years from the age of 15, looking after up to seven children under the age of six and cooking and cleaning for the family, for no pay or schooling. She had also received daily beatings and humiliations.

She told us that her trafficker had tried to return her to Nigeria, by deceiving her to go through passport control. This was when she 'made a fuss' at the airport and ran for it. The Police and the Immigration Service were called to the disturbance. Both she and her trafficker were interviewed separately by the Immigration Service. This is obviously a point where the trafficker could have been caught. They then allowed her trafficker to go free to travel to Nigeria and put her into Tinsley House detention centre.

It appears from this that neither the Immigration Service nor the Police were at all concerned that a young woman who had been unaccompanied had been brought to the UK illegally.

### **Lack of cooperation from the police and Home Office alike**

We then submitted her application for asylum, giving a full and comprehensive statement of her case and she underwent a full asylum interview at the Home Office. Initially the interview had been cancelled because we wanted further time to take instructions from our client

and to go to the police station to report the very distressing abuse that she suffered over the previous three years. Although the police appeared at the time to be sympathetic to her circumstances, we did not receive a crime reference number or any follow-up. In fact the whole case had not even been logged onto their computers.

Eventually, almost a year after the day from when she had initially reported her case, and after many phone calls, the police apologised for not dealing with her case properly.

At the HO interview, the interviewing officer showed the Caseworker present, copies of the interview records on file from when she and her trafficker were interviewed separately at Heathrow Airport but refused to provide Asylum Aid with the copies. Instead, we were told that we should write to them to ask for these documents. Yet, continuous written requests over the year to obtain them failed to generate a HO response or even an acknowledgement to our requests. This is clearly a case of the HO withholding evidence crucial to our client's claim.

After 6 months of waiting we received notice from the Home Office that her application for asylum/human rights had been turned down. Her claim was disregarded purely on credibility, in spite of the case that the Home Office could have made investigations of its own, via the police, into some of the allegations that had been made. This refusal is in our view symptomatic of the general culture of disbelief that is rife within the Home Office. Fortunately, for our client she at last received justice.

### Adjudicator's comments on the dealing of the case

In his statement, the Adjudicator was critical of the way in which both the Home Office and the Police had dealt with her case:

*'Given the Home Office statements on the need to address trafficking of people in the UK I am somewhat surprised and concerned at the treatment of this appellant from the authorities within the United Kingdom on whom she should have been able to rely. The Metropolitan Police...now appear to accept that their investigation was somewhat inept. The authorities at the airport do not appear to have conducted as rigorous an investigation as one might have expected when a complaint of people trafficking has been made.'*

On the other hand, the Adjudicator commended Asylum Aid along with other organisations for their handling of the case: *'In contrast [she] has been well served by some ... organisations..., [and her] legal team (for their quick and positive intervention, their case preparation and sympathetic advocacy).'*

Although the adjudicator's decision is by no means binding, it does highlight how badly victims of trafficking are treated by the UK's own authorities. The other worrying fact is that this case was only successful after the caseworkers dedicated endless numbers of hours to it. The proposal to cut legal aid to a mere five hours of representation at initial level<sup>1</sup> will no doubt gravely undermine

the potential successful outcome of similar cases confronted with incompetence and/or wrong initial decisions.

### Policy against trafficking of domestic slaves

We believe that our client was let down by the people who should have provided her with protection, namely the Home Office and the Metropolitan Police. We urgently ask the Home Office to:

- Give training to all levels of Immigration Officers on trafficking issues so that they are alerted to the possibility that women and children are being trafficked to the UK for domestic slavery or worse;
- Provide victims of trafficking with safe, supported housing and access to counselling;
- Verify and investigate allegations made against traffickers, and not to simply engage in the usual culture of disbelief against them;
- Ensure the police deal appropriately with trafficking cases
- Provide these women with the support and encouragement to report allegations of abuse to the police.

Asylum Aid is particularly grateful to all the people involved in this case for their support and especially to Bisi Olateru-Olagbegi, who has provided an invaluable expert witness on trafficking in Nigeria.

<sup>1</sup> Legal Aid will be limited to 14 hours in asylum matters where the client is detained or subject to fast

track processes, 10 hours for the Adjudicator stage and 7 hours for the Tribunal stage.

## RWRP's latest report published

### Safe for whom?

#### Women's rights abuses and protection in 'safe countries': Albania, Jamaica and Ukraine

by the refugee women's resource project  
@ asylumaid, june 2004

The report covers information on women's rights abuses in three countries included on the Home Office 'safe country list'. In these particular countries, the research conducted by RWRP shows that women's rights continue to be systematically violated whilst women have very little recourse to protection and/or legal redress.

Girls and women who have been trafficked from Albania may be returned to family members who trafficked them in the first place or to the very same situation from which they were trafficked and often this leads to re-trafficking.

Lesbian women in Jamaica have been subjected to vigilante action by the community including being beaten, cut, burned, raped and shot on account of their sexuality.<sup>2</sup> Ukrainian law against domestic violence refers to a victim's behaviour in provoking outbreaks of domestic violence and this can serve as an excuse for the perpetrator's behaviour.

<sup>2</sup> Related information: Gary Younge, 'Chilling Call to murder as music attacks gays', in *The Guardian*, 26 June 2004, [www.guardian.co.uk/gayrights/story/0,12592,1247769,00.html](http://www.guardian.co.uk/gayrights/story/0,12592,1247769,00.html).

Yet the presumption is that women asylum seekers from these countries are 'safe' so, on the basis of their nationalities only, they are automatically deemed not to be in need of international protection under the terms of the 1951 Refugee Convention. Extensive women's rights abuses and lack of access to meaningful protection is not limited to the three countries covered in this report. On the basis of our own past research, RWRP believes that further research in many other countries included in the 'safe country list' would reveal a similar situation.

RWRP contends that the use of 'safe country list' is a breach of one of the 1951 Refugee Convention's main principles according to which each asylum case should be treated on its own merits. Also RWRP believes that the combination of the presumption of 'safe country' and the removal of right of appeal in the UK for women asylum applicants from these countries constitute additional obstacles to the fair determination of their cases which are often complex and for which supporting evidence can be more difficult to obtain.

The report includes a number of recommendations including a call for the government to reinstate procedural safeguards, like an in-country right of appeal, for all asylum seekers in the UK. It is available for free on Asylum Aid's website at [www.asylumaid.org.uk](http://www.asylumaid.org.uk) (then click on 'publications'). Alternatively you can order a hard copy by contacting either Bethany Collier at [bethanyc@asylumaid.org.uk](mailto:bethanyc@asylumaid.org.uk) or Sophia Ceneda at [sophiac@asylumaid.org.uk](mailto:sophiac@asylumaid.org.uk), or telephone 020 7377 5123.



### RWRP news

#### RWRP's Resource Room now open!



The resource room was launched on the 12<sup>th</sup> of June, along with the publication of our latest report 'Safe for whom?' (see below for more details). The event was a great success, attended by nearly 50 people with outstanding contributions from Catriona Jarvis, Adjudicator at the Immigration Appellate Authority and Helen Bamber, Former Director of the Medical Foundation.



Here is some of the feedback we have received on our two new projects:

'Congratulations on the launch, the resource room and the new report [which] has gone down a storm here, particularly as we have just had two women's claims rejected at first instance and have [another] woman's claim on the go. Is it possible to have a couple more copies of the report? My colleagues are fighting over them!'  
Poppy Project, London

'Thanks so much for what you are doing... Asylum Aid are launching a brilliant project (...) to help asylum seeking women to undertake their own research for their cases. Personally, I think it's the best use of funding possible... to empower asylum seekers to take ownership for doing research for their cases.'  
Detention Visitors Group

'I write to say your Resource Room sounds fantastic and I only wish it was available to women in dispersal areas. Again, Asylum Aid is leading the way with the struggle for women asylum seekers rights. (...) I wish you every success with your new library and thank you for all the ongoing support I have received through you advice line and the Women's Asylum Newsletter.'

Outreach and Development Worker  
Womenspace - Huddersfield

If you would like more information on how to access the resource room, please contact Bethany Collier, Resource and Information Officer, email [bethanyc@asylumaid.org.uk](mailto:bethanyc@asylumaid.org.uk) or telephone 020 7377 5123.

### Another successful Celebrating Sanctuary Festival, at London's South Bank

Thank you to all who visited Asylum Aid's stall at the vibrant, Celebrating Sanctuary Festival marking the launch of Refugee Week 2004 and celebrating cultural diversity and the contribution of refugees to the UK.



Asylum Aid's stall (above) stacked with our updated leaflets, newsletters, T-shirts and our worldmap (just seen).

Asylum Aid t-shirts proved very popular once again, as did our world map asking visitors to indicate where they were from (using stickers); demonstrating the ethnic diversity of the thousands of people attending the festival and enjoying a wide range of music, dance, food, poetry and more.

Thank you for making it an enjoyable and successful day and we hope to see you for next year's festivities.

For further information about Refugee Week, log onto the following weblink: [www.refugeeweek.org.uk](http://www.refugeeweek.org.uk).



Asylum Aid's new advice line number is 0207 247 8741, Monday and Tuesday 2-4.30pm, Thursday 10-12.30pm (Closed on Wednesday and Friday).

Please send any information that you would like to see published in our next bulletin by 24 July 2004 (see email or postal address on back cover)

### Other UK news

#### Section 55: Court of Appeal ruled against the Home Secretary

On 21 May, on the case of three destitute asylum seekers, for which the housing charity Shelter intervened (and supported by the Refugee Council),<sup>3</sup> Lord Justice Jacob ruled that *'shelter of some form from elements at night'* was in fact a *'basic amenity'*, and that the Home Secretary had implemented Section 55 unfairly by denying them access to support. The asylum seekers were denied access to government support under Section 55 of the Nationality, Immigration and Asylum Act 2002 because they had not applied for asylum as soon as *'reasonably practical'*, in their case, within three days of arrival.

The ruling also established that the mere threat of not having access to shelter in the future is enough to prove a breach of Article 3 of the European Convention on Human Rights and that enquiries into what other support is available do not need to be exhaustive.

Following the Court of Appeal judgement, NASS should grant support under section 55 to anyone unless it is positively satisfied that the individual concerned has some alternative source of support available to him/her.

#### Safe House for trafficked girls

<sup>3</sup> For a full copy of the judgement, see the following link: <http://asylumsupport.org.uk/limbuela.htm>.

#### forced to shut for lack of referrals<sup>4</sup>

Only last month RWRP informed WAN readers of the opening of a new safe house to offer refuge and rehabilitation to trafficked girls aged 16 and 17 in the South East of England from 1<sup>st</sup> April. Unfortunately, less than two months after it opened, no children were referred there and the house was forced to shut. According to Lee Ruth, director of Integrated Care, the agency responsible for funding and staffing the project, there was sufficient interest in the project to open it. The agency consulted senior local authority managers and had also received enquiries from a number of local councils, including several from London boroughs.

### UK events & projects

#### ILPA Directory of Experts on the EIN

ILPA and the EIN are nearing the launch of the electronic ILPA Directory of Experts on the EIN. By basing it on the Web, ILPA/EIN will be able to keep it updated and respond quickly to demand for experts on new countries and issues. The need for the Directory is demonstrated by the large number of requests seeking details of experts. The success of the Directory will depend upon how many experts can be reached. A Word version of the form for experts to complete and a self-explanatory open

<sup>4</sup> Kurs, S., 'Closed Shop', in *The Guardian* (Society section), 9 June 2004 at <http://society.guardian.co.uk/societyguardian/story/0,7843,1233931,00.html>.



letter to experts from Academic Consultant, Professor Good, encouraging experts to seek inclusion in the Directory can be downloaded by following the link from the EIN's home page ([www.ein.org.uk](http://www.ein.org.uk)). The completed form should then be sent to [ilpaexperts@ein.org.uk](mailto:ilpaexperts@ein.org.uk). Alternatively, you can provide ILPA/EIN with the experts' details and they will send them the material.

While the immediate priority is experts on countries of origin and transit, ILPA/EIN ultimately aim to expand the directory to cover medical and related experts, so please feel free to send their details as well. Any queries about the directory can also be sent to [ilpaexperts@ein.org.uk](mailto:ilpaexperts@ein.org.uk).<sup>5</sup>

### Refugee Project meeting

The Refugee Project is a coalition of groups documenting the links between global economics and enforced migration. If you would like to get involved you can attend the project's next meeting on Thursday 22 July 2004 at 6.30 at Friends of the Earth. For more details contact [info@refugeeproject.org](mailto:info@refugeeproject.org) or telephone Rachel or Estella on 020 7250 1315. See also [www.therefugeeproject.org](http://www.therefugeeproject.org).

### Accommodate, the Refugee Housing Partnership Project

Hact (The Housing Associations' Charitable Trust) has launched a new

partnership project that will offer seed funding and technical assistance to support the development of multi-agency partnerships involving Refugee Community Organisations (RCOs), Local Authorities, Housing Associations and other housing providers. The partnerships will focus on improving the housing circumstances of refugees mainly in dispersal areas.

Hact has also recently opened its **Refugee Housing Development Fund for 2004**. Grants are available to develop housing and related services for refugees especially in dispersal areas, to encourage joint working between refugee groups and housing providers or to strengthen the capacity of refugee groups enabling them to respond more effectively to relevant needs. The deadline for applications is the 30th July 2004. For further information, please call 020 7247 7800 or visit [www.hact.org.uk](http://www.hact.org.uk).

## International news

### Threats to women and girls continue in Afghanistan

Conservative Islamic groups have issued death threats to women working with the United Nations and unspecified threats to those supporting the election process. Presidential and parliamentary elections are due to be held in late September and a voter registration programme is currently taking place. Posters have appeared in some districts, particularly in former Taliban strongholds where sympathisers still operate, claiming that women's centres set up under UNAMA

<sup>5</sup> This information was circulated by Mark Henderson (ILPA co-ordinator) Contact email: [m.henderson@doughtystreet.co.uk](mailto:m.henderson@doughtystreet.co.uk).

(United Nations Assistance Mission in Afghanistan) are providing sexual services and that those involved in any UNAMA activities should leave their jobs.

A grenade has also been thrown at the house of the female co-ordinator of the women's section of the voter registration programme in Sayed Abad. Three people working for an NGO on voter registration security have recently been killed and four other election workers escaped unhurt after their jeep exploded. However, women and local activists say they refuse to be intimidated by the attacks and that their work will continue, and the government echoes their position, saying that Afghanistan *'will never go back to the way it was'*.

Islamic groups opposed to female education have also regularly targeted girls' schools. On 31 May a bomb was discovered at a 1000-pupil school in Kabul, timed to go off at 9 a.m. Girls attend the school in the morning and boys in the afternoon. The discovery of the bomb foiled what would have been the most devastating in a series of attacks. Between 30 and 40 schools in Tabul province alone – a Taliban stronghold – have been closed down, 20 completely burnt down and the others badly damaged. Girls' sections of many schools have been specifically destroyed. The attacks have deterred many girls from attending school. Conservatives question the need for female education, with a mullah from one district quoted as saying that girls' education should stop with the alphabet, and otherwise they should learn to pray at the mosque. However, some liberal Islamic teachers have criticised the attacks, saying that

attacking innocent people is against Islamic law.<sup>6</sup>

### Iraqi women detainees sexually abused by US forces

Evidence is emerging of the rape and sexual and physical abuse of women detained by US forces in Iraq. A Pentagon spokesman has admitted that 1,200 unreleased images of abuse at Abu Ghraib prison included *'inappropriate behaviour of a sexual nature'*. Women make up a small percentage of the 40,000 detainees held by the US authorities. They are often wives or relatives of senior officials in the Ba'ath party who have been interrogated in order to obtain information about their male relatives.

**Female detainees have informed their lawyers of many violations by soldiers which would cause great shame if their families became aware. In Iraq, as in many Muslim and indeed other countries, disclosure of rape brings shame upon a woman and her community, and women can be at risk of being killed by relatives in order to 'restore' the 'honour' of the family.<sup>7</sup>**

<sup>6</sup> Source: Institute for War and Peace Reporting, *'Voter intimidation effort uncovered'*, Afghan Recovery Report No. 120, May 27 2004, and *'Girls' schools become targets'*, Afghan Recovery Report No. 123, June 24 2004, at <http://www.iwpr.net>

<sup>7</sup> Source: LA Times, *'Iraq: A Double Ordeal for Female Prisoners'*, reported by Women Living Under Muslim Laws, at [www.wluml.org/english/newsfulltxt.shtml?cmd\[157\]=x-157-48924%20&cmd\[189\]=x-189-48924](http://www.wluml.org/english/newsfulltxt.shtml?cmd[157]=x-157-48924%20&cmd[189]=x-189-48924). See also Chris Shumway, *'Systematic Pattern of Rape by US forces'* in *The New Standard*, 6 June 2004 reported by Znet at [www.zmag.org/content/showarticle.cfm?SectionID=12&ItemID=5653](http://www.zmag.org/content/showarticle.cfm?SectionID=12&ItemID=5653).

### Jordan: three Honour killing victims in a week

At the beginning of June, a 25-year-old woman who had just delivered a baby was murdered in a hospital by his cousin who acted to 'cleanse his family's honour'.<sup>8</sup> The unmarried woman had been seeing a married man for over a year. The cousin and his two brothers surrendered themselves to the police. According to the *Jordan Times*, the main suspect is to be charged with premeditated murder and his brothers with being accessories to premeditated murder.

The paper also reports that it is the third case of so-called 'honour' killing in the country occurring in the same week and – based on official figures – that nine women have died in such killings in 2004. Jordanian courts often hand down very lenient sentences for male relatives who commit honour crimes (in 2003 a man received a four-month prison sentence for murdering his younger pregnant sister). Proposals to change the law to impose harsher punishments have been rejected twice by Parliament.

Nations humanitarian office has deplored 'the continuing and systematic abduction of girls and women' throughout the whole country.<sup>10</sup>

According to the World Food Programme (WFP) the armed groups involved in this continuing conflict have been 'implicated in human rights abuses ranging from attacks on villages to pillaging, intimidation and harassment, while the systematic abduction and rape of women and girls continued, mostly with impunity, throughout the country.'

UN Emergency Relief Coordinator Jan Egeland said: 'I am deeply disturbed by continuing reports of continuing human rights abuses, including sexual violence, perpetrated by various armed groups, (...) if this conflict continues we could see massive population movements'.

**related information** An article in *the Observer* reports that there are now daily reports of rape and killings in Guatemala but rarely news of any arrests there. The country's human rights ombudsman, Sergio Morales, has found that 424 women were murdered last year, but only 22 of these cases were being seriously investigated. See full article by Jo Tuckman, 'Guatemala: Land where women are killers' prey', Guatemala City, 6 June 2004, at <http://observer.guardian.co.uk/international/story/0,6903,1232412,00.html>.

### DR Congo: Gross rights abuses including systematic rape continue

Weeks after the BBC reported on young refugees selling their bodies to UN peacekeeping forces in the largest Internally Displaced People camp in Bunia, Eastern Congo,<sup>9</sup> the United

<sup>8</sup> Source: BBC News, 'Honour killing in Jordan hospital', 3 June 2004 at [http://news.bbc.co.uk/1/hi/world/middle\\_east/3773449.stm](http://news.bbc.co.uk/1/hi/world/middle_east/3773449.stm).

<sup>9</sup> Kate Hold, 'DR Congo's shameful sex secret', *BBC News*, 3 June 2004, at <http://news.bbc.co.uk/1/hi/world/africa/3769469.stm>.

<sup>10</sup> Source: *UN News Centre*, 'UN reports gross rights abuses in DR Congo, including systematic rape', 28 June 2004, at [www.un.org/apps/news/story.asp?NewsID=11176&Cr=democratic&Cr1=congo](http://www.un.org/apps/news/story.asp?NewsID=11176&Cr=democratic&Cr1=congo).

### Trafficked Victim granted visa to stay in US<sup>11</sup>

A Mexican woman, who was sold into sex slavery to a 68-year-old man in the United States when she was 16 in 1976 and subsequently served 22 years in prison for his murder, was granted a 'T-visa' that was created in 2000 for victims of severe forms of human trafficking.

After years of being beaten and raped, one day in 1981 Suarez found her neighbour bludgeoning her abuser to death. She helped her neighbour hide the weapon and was subsequently sentenced to 25 years to life in prison for first degree murder. She was granted parole in 2003 with the law stating that she would have to be deported back to Mexico after her release. But she was allowed to remain in the United States after her representative mobilised various human rights group and members of Congress so that she could be granted a visa, the *Feminist Daily News Wire* reports.

### Fewer women in Iranian Parliament

Only nine women have been elected to Iran's new parliament, down from 13 in the previous body, out of a total of 270 representatives. Of these nine, eight are conservative and one is independent, with no reformists. In Iran all candidates are subject to veto before the elections by the Council of Guardians, the body of clerics who also have to approve all bills voted in by parliament before they are

<sup>11</sup> Source: *Feminist Daily News Wire*, Trafficked Victim Allowed to Remain in US', May 27, 2004, at: [www.feminist.org/news/newsbyte/uswirestory.asp?id=8471](http://www.feminist.org/news/newsbyte/uswirestory.asp?id=8471).

enacted. The Council can disallow candidates for non-belief in Islam, non-belief in the constitution or immorality, but do not have to explain which grounds they have used. As a consequence of having no female reformist candidates to vote for, many women apparently abstained from voting.

The female MPs elected in the previous term submitted a bill which improved widows' property rights. This was passed by the parliament but has yet to be approved by the Council of Guardians, who, it is feared, may find the provisions counter to Sharia (Islamic law).

Women activists expect the newly-elected conservative women MPs to emphasise the traditional role of women as housewives and mothers. The new MPs have chosen to wear the black chador (full-length robe) unlike the trousers, tunic and headdress worn by three of the reformist women in the previous parliament. Although the chador is not compulsory, it is an unwritten requirement for women in senior government positions, and some women believe that the Guardians were only prepared to approve candidates who would be willing to wear it.<sup>12</sup>

### Turkish parliamentarian Leyla Zana freed

In an update to our previous reports, Turkish parliamentarian Leyla Zana and her colleagues have been freed conditionally, pending a retrial. Amnesty

<sup>12</sup> Source: Womens e-news, 'Women's Gains at Risk in Iran's New Parliament', 8 June 2004, at [www.womensenews.org/article.cfm?aid=1863](http://www.womensenews.org/article.cfm?aid=1863).



International had mounted a campaign for their release and opposes any further legal action against them by the government. Kurdish activist Leyla Zana was sentenced to 15 years imprisonment in 1994 for membership of the illegal Kurdistan Workers' Party, in a trial later declared unfair by the European Court of Human Rights.<sup>13</sup>

## International events & projects

### Reminder re: International Conference on Women and Immigration Law in Europe

#### **GENDERED BORDERS**

The conference, co-sponsored by the Dutch Ministry of Social Affairs (Ministerie van SoZaWe/DCE) will take place on Thursday 30 September – Saturday 2<sup>nd</sup> October 2004 in Amsterdam Netherlands. Its purpose is to analyse and evaluate immigration law in Europe from a gender perspective. For more information on the programme and speakers, visit the conference's website: [www.rechten.vu.nl/genderedborders](http://www.rechten.vu.nl/genderedborders).

You can register online or download the attached registration form. Conference fee is €175.

### Conference hears how FGM is becoming '*medicalised*' in some African countries

A conference of anti-FGM campaigners held in Nairobi at the beginning of June has heard how the practice continues to occur despite legal bans, and that wealthier families have started employing medical practitioners to carry out the procedures on their daughters. Activists from 10 African countries attended the conference organised by Equality Now, including former circumcisers from Kenya, Djibouti, Gambia, Guinea-Conakry, Mali and Tanzania, who had given up the practice after being convinced of its harmful effects.

FGM has been illegal in Kenya since 2002 under the Children's Act but there have been reports that among the Kisii in the south of the country there has been a move from traditional to 'sanitised' methods – which is jeopardising efforts to phase it out. Efuia Dorkenoo, Ghanaian author of 'Cutting the Rose', a study of the prevalence of FGM in Africa compiled 10 years ago, has been gathering information to update the book and found evidence of medical officers carrying out FGM in Egypt and Sudan as well as Kenya. Kenya's Ministry of Health questions her findings, saying that they have not found any cases and anyone carrying out the practice would be punished. However as sentencing under the Children's Act is left to the discretion of magistrates, activists say that only light sentences have so far tended to be given.

According to Equality Now, FGM is carried out in at least 28 African

<sup>13</sup> Source: Amnesty USA, 'Leyla Zana – Special Focus Case Prisoner Freed!' at [http://amnestyusa.org/action/special/zana\\_released.html](http://amnestyusa.org/action/special/zana_released.html)

countries, of which 14 have passed laws banning the practice. Prevalence rates in some countries are more than 90 per cent.<sup>14</sup>

### Centre for victims of trafficking opens in Ethiopia<sup>15</sup>

A centre to help victims of trafficking in Addis Ababa, Ethiopia, opened at the end of June. According to the International Organisation for Migration (IOM), Ethiopia is a source country for women and children trafficked for the purposes of sexual exploitation and forced and domestic labour.

The first of its kind in the country, the Meraf (Amharic for New Chapter) centre aims to offer support in the form of rehabilitation and reintegration to the estimated 40,000 women and girls believed by the IOM to be victims of trafficking. IRIN reports that *'thousands of teenaged girls are shipped out of the country each year to the Middle East, especially to Lebanon, where it is estimated that 1,000 Ethiopian girls are recruited monthly in the capital, Beirut.'*

The IOM says girls aged between 18 and 25 are mainly targeted by traffickers at colleges and working in poor districts in towns and cities. Rakeb Messele, the Maref centre's programme coordinator said that many girls were lured from

<sup>14</sup> Sources: IRIN, 'Africa: Anti-FGM strategies discussed at Nairobi conference', 11 June 2004, at [www.irinnews.org/print.asp?ReportID=41616](http://www.irinnews.org/print.asp?ReportID=41616) and IPS News, 'Rights-Kenya: A Disturbing Trend in Female Genital Mutilation', 9 June 2004, at <http://ipsnews.net>.

<sup>15</sup> Article edited from Integrated Regional Information Network (IRIN), 'ETHIOPIA: Centre for helping victims of trafficking opens', Addis Ababa, 29 June 2004 at [www.irinnews.org/report.asp?ReportID=41909&SelectRegion=Horn\\_of\\_Africa&SelectCountry=ETHIOPIA](http://www.irinnews.org/report.asp?ReportID=41909&SelectRegion=Horn_of_Africa&SelectCountry=ETHIOPIA).

rural areas into the capital, and often ended up on the streets or were forced into prostitution.

Services provided in the centre which will be run by the Good Samaritan, a local organisation, will include shelter (accommodating 12 women at a time), medical assistance and psychosocial support. Rakeb Messele pointed out that the centre will help to prevent re-trafficking of the women themselves, as without support many would otherwise try to go abroad again.

### new publications

international

### Gender-sensitive asylum procedures limited in Europe says new UNHCR research

This publication by the UNHCR, entitled '*Comparative analysis of gender-related persecution in national asylum legislation and practice in Europe*' (May 2004) researched and written by Dr Heaven Crawley and Trine Lester, aimed to review *inter alia* whether, and if so how, UNHCR's Gender Guidelines had been incorporated into national legislation and practice; and review any guidelines produced by governments in 42 European countries on assessing asylum claims based on gender-related persecution. In addition, in-depth research into policy and practice was carried out in four case study countries: United Kingdom, Sweden, Germany and Lithuania.

Based on the evidence collected (mainly through a questionnaire survey, desk-

based research, as well as telephone interviews and on-line correspondence with key stakeholders), the research concludes that *'there has been limited progress in Europe towards ensuring gender-sensitive interpretation of the 1951 Convention and gender-sensitive asylum procedures.'* An example presented is the fact that less than half the countries surveyed had explicitly recognized sexual violence as a form of persecution. A summary of findings is given as well as a number of recommendations are given in Section 9.

The study can be downloaded at [www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RESEARCH&id=40c071354&page=research](http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RESEARCH&id=40c071354&page=research). Hard copies can be obtained from the Evaluation and Policy Analysis Unit at UNHCR.

### Sexual torture of men in wartime Croatia common says new research

According to the British Medical Journal, a new research funded by Médecins Sans Frontières reveals that sexual torture of men in wartime Croatia was *'regular and substantial'*, including rape and other forced sexual acts, castration, genital beatings, and electric shock.<sup>16</sup> The research presents data on male sexual torture victims in Croatia, based on the medical records of three organizations

<sup>16</sup> This is an edited version of the article that appeared in the BMJ, *'Sexual torture of men in wartime Croatia was common'*, 2004; 328:1280 (29 May) at <http://bmj.bmjournals.com/cgi/content/full/328/7451/1280-b?eaf&eaf> and circulated by Davis Rhys-Jones from the Medical Foundation for the Care of Victims of Torture. The study was published in *Reproductive Health Matters* (2004;12:68-77).

providing medical and psychosocial care to victims of torture, and on in-depth interviews with doctors and therapists working with victims.

According to the authors, from the Netherlands School of Public and Occupational Health and the Royal Tropical Institute, Amsterdam, and the Medical Committee Netherlands Vietnam, *'One of the striking points (...) is how silent male survivors of sexual torture have remained about their experiences. Th[is] silence (...) in the aftermath of the war in Croatia stands in strange contrast to the public nature of the crimes themselves.'*

The authors contend that sexual torture of men in wars happens regularly (they say it is an *'open secret'*) and often takes place in public but data are almost non-existent. One reason is that many victims fail to report it as they are ashamed. Another reason is that gender biased health professionals may fail to recognise cases and/or find it difficult to discuss sexual torture (the report mentions one therapist who said she had *'previously not believed that men could be raped.'*). This gender-bias is also found amongst legal and human rights advocate but *'men should not have to face the additional problem of disbelief that it could even happen to them at all.'*

### AI on Turkish Women confronting family violence

In its latest report on violence against women, Amnesty International documents women who are beaten, raped, and in some cases even killed or forced to commit suicide in Turkey. Tradition is sometimes used as an

explanation for acts of brutality against women for exercising choice in their lives, whilst obscuring the underlying cause of the problem - discrimination in every area of life.

The report, '*Turkey: Women confronting family violence*'<sup>17</sup>, which is part of AI's global campaign Stop Violence Against Women, features cases of individual women who have suffered violence at the hands of their family.<sup>18</sup> Abuse and discrimination can start from birth when families barter their newborn daughters and force young girls into early marriage. Women however are denied effective access to justice. Recommendations to the Turkish government are focused on the reforms needed to protect all women from violence and their implementation.

### **Sudan 'worst in the world' for women and children' says new report**

A new report looking at key social indicators in southern Sudan has revealed the gravity of women's and children's situation. Children from the area have the least access to primary education in the world, with girls faring worse than boys. One in nine women die in pregnancy or childbirth, according to the report conducted by the New Sudan

Centre for Statistics and Evaluation in conjunction with UNICEF.<sup>19</sup>

Amnesty International Book *Sex, Love and Homophobia: Lesbian, Gay, Bisexual and Transgender Lives* (July 2004) is now available from bookshops or alternatively order available from all good bookshops (£9.99 - ISBN 1 873328 57 5). Or alternatively quote product code PB273 and order direct from Amnesty International UK, PO Box 4, Rugby, Warwickshire CV21 1RH. Telephone 01788 545553. [www.amnesty.org.uk/lgbt/books/](http://www.amnesty.org.uk/lgbt/books/).

### **Summary conference report re: '*Sexual and Bodily Rights as Human Rights in the Middle East and North Africa*'**

The summary of the conference which was co-organized by Women for Women's Human Rights - New Ways and the Mediterranean Academy of Diplomatic Studies in Malta in June 2003, is now available on the website [www.wwhr.org](http://www.wwhr.org) (Turkish version at [www.kadinininsanhaklari.org](http://www.kadinininsanhaklari.org)). If you would also like to obtain hard copies, contact Liz Ercevik Amado, Women for Women's Human Rights (WWHR) - New Ways, Inonu Cad. Saadet Apt. 37/6 Gumussuyu 34439 Istanbul - TURKEY. Tel: +90 212 251 00 29, Fax: +90 212 251 00 65.

### ***The Migration-Trafficking Nexus***

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<sup>17</sup> AI Index: EUR 44/013/2004 at

<http://web.amnesty.org/library/index/engneur440132004>.

<sup>18</sup> See Turkey: Victims of family violence: AI Index EUR 44/022/2004 at

<http://web.amnesty.org/library/index/engneur440222004>.

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<sup>19</sup> Source: IRIN, 17 June 2004, at <http://irinnews.org/print.asp?ReportID=41724>. The report will be posted at [www.unsudanig.org](http://www.unsudanig.org).



'*The Migration-Trafficking Nexus: Combating trafficking through the protection of migrants' human rights*' by Anti-Slavery International seeks to look at the issue of trafficking within a broader migration framework and to propose policies, which would be effective in reducing trafficking and in preventing the human and labour rights violations to which migrant workers are so often subjected today. To order a copy of the report (price £3.50 plus 2.00 p&p) e-mail at: [b.smaga@antislavery.org](mailto:b.smaga@antislavery.org) or telephone +44 (0) 20 7501 8922. Alternatively, to order or download it, go to the organisation's website at [www.antislavery.org](http://www.antislavery.org) (go to 'resources' and 'publication' sections).

### related new publications

2004 Trafficking in Persons Report, at: [www.state.gov/secretary/rm/33525.htm](http://www.state.gov/secretary/rm/33525.htm).

Nigeria: 8 million Nigerian children subjected to human trafficking, see: [www.dailytimesofnigeria.com/DailyTimes/2004/June/7/8.asp](http://www.dailytimesofnigeria.com/DailyTimes/2004/June/7/8.asp).

### *Fleeing the Fighting: How conflict drives the search for asylum*

is a report released by Amnesty International on 14 June 2004 and reveals how conflict causes people to flee their homes, friends and family to seek sanctuary in other countries, including the UK. [www.amnesty.org.uk/deliver/document/15425.html](http://www.amnesty.org.uk/deliver/document/15425.html).

Also three new publications, all downloadable via the web-links below:

- Association for the Prevention of Torture (APT) Annual Report 2003 at:

- [www.apr.ch/pub/library/APT\\_annualRep03\\_Angl.pdf](http://www.apr.ch/pub/library/APT_annualRep03_Angl.pdf).
- Freedom House 2003 Annual Report
  - [www.freedomhouse.org/research/pecreports/ar2003.pdf](http://www.freedomhouse.org/research/pecreports/ar2003.pdf).
  - Reports on racism, xenophobia, anti-Semitism in EU member states (June 2004) at: [www.coe.int/T/E/human\\_rights/Ecri/](http://www.coe.int/T/E/human_rights/Ecri/).
    - The World Refugee Survey 2004 (Powerpoint presentation) at: [www.refugees.org/wrs04/presentation/mpi.htm](http://www.refugees.org/wrs04/presentation/mpi.htm)

### new publications

UK

### *For Cause for concern? London social services and child trafficking*

Is a new report by the End Child Prostitution, Pornography and Trafficking UK (ECPAT UK). It shows that child trafficking is a growing problem in London and that, despite this, the capital's social services are not clear on how to tackle the problem. See: [www.ecpat.org.uk/Cause%20for%20Concern%2005%2004.pdf](http://www.ecpat.org.uk/Cause%20for%20Concern%2005%2004.pdf).

### *Improving the Speed and Quality of Asylum Decisions*

by the National Audit Office is now available (828 KB) in PDF online at: [www.nao.org.uk/publications/nao\\_reports/03-04/0304535.pdf](http://www.nao.org.uk/publications/nao_reports/03-04/0304535.pdf).<sup>20</sup> The report include recommendations such as more training for all caseworkers at the induction state, but also on-going

<sup>20</sup> See also Press Notice at: [www.nao.org.uk/pn/03-04/0304535.htm](http://www.nao.org.uk/pn/03-04/0304535.htm).

specialist training (on human rights issues, the handling of certain cases, e.g. minors and rape cases, etc.). The recommendations are however disappointingly weak on the quality of the Home Office Country Information reports (known as CIPU), only suggesting updates to be produced more frequently.

### online resources

UK

#### **New website for the Children's Legal Centre**

The Children's legal Centre has recently launched a new website containing legal advice on a range of issues concerning families and children. A section on the web site is devoted to refugee and asylum seeking children. This area is designed for non-immigration specialist professionals in both statutory and voluntary organisations and is primarily concerned with entitlements and rights to services by refugee and asylum seeking children - including access to education, health, social services, benefits, legal advice and so on. The format is of the 'frequently asked question/answer' type.

Access to the website is free though you have to register prior to accessing the advice. The website can be found at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).

#### **Doing case studies for the refugee sector: a DIY handbook for agencies and practitioners**

is a new online and print publication which aims to offer practical knowledge to agencies working with refugees and asylum seekers on the use of case studies. To view the handbook online and for order information visit: [www.icar.org.uk/content/proj/mbu/cshd bk.html](http://www.icar.org.uk/content/proj/mbu/cshd bk.html).

**related resource** ICAR has launched REFDATA, a searchable catalogue of datasets collected by refugee and other agencies working with refugees and asylum seekers. For more visit: [www.icar.org.uk/pdf/sign006.pdf](http://www.icar.org.uk/pdf/sign006.pdf). Also ICAR free rapid response enquiry line re: asylum and refugees in the UK can be reached at [icar@kcl.ac.uk](mailto:icar@kcl.ac.uk) or 020 7848 2103.

#### **Representing yourself in Bail Application**

is an updated Notebook on Bail (Part 2) produced by Bail for Immigration Detainees (BID) available online at: [www.biduk.org/pdf/bail\\_notebook/notebook\\_part\\_2\\_june\\_2004.pdf](http://www.biduk.org/pdf/bail_notebook/notebook_part_2_june_2004.pdf). A one-page Bail Information Sheet, on one's right to a bail application can be found at: [www.biduk.org/pdf/bail\\_notebook/bail\\_information\\_sheet\\_june\\_2004.pdf](http://www.biduk.org/pdf/bail_notebook/bail_information_sheet_june_2004.pdf).

#### **[www.asylumsupport.org.uk](http://www.asylumsupport.org.uk)**

is an asylum support crisis response website helping to secure housing and support for EU accession nationals. Launched on 25 April 2004 this website came about after a conversation on the Refugee Education (refed) discussion list, as concerns were expressed that people seeking asylum could lose asylum support and housing, unlawfully. It contains an 'advisers section', a

'documents, links and resources' section as well as a section on 'media reports'.

### related information

Other new resources include:

- **NASS guidance on EU accession nationals and NASS support on interview/assessment process and follow-up action, 24 June 2004** at: <http://194.203.40.90/filestore/04-06-24%20EU%20accession%20guidance.doc>

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- **Leaflet for asylum seekers who have had a positive decision** now available on the Refugee Council's website in eleven languages. See:

[www.refugeecouncil.org.uk/publications/client%20info/%2Bve%20decision.htm](http://www.refugeecouncil.org.uk/publications/client%20info/%2Bve%20decision.htm).

- **HO: The facts about asylum support, Dispelling the myths, telling the facts** (10 May 2004, in PDF) at:

[www.ind.homeoffice.gov.uk/filestore/Myth%20Busting%20Leaflet V1.1. 10%20M ayfinal.pdf](http://www.ind.homeoffice.gov.uk/filestore/Myth%20Busting%20Leaflet%20V1.1.10%20Mayfinal.pdf).

### notice board

#### Deported Asylum Seeker looking for wife and children: can you help?

A Sudanese asylum seeker, 39-year-old Tariq Abdulrahman Mohammed, currently detained in Bijlmerbajes deportation prison in Amsterdam, is desperate to find his wife and children, whom he last saw when he was in the UK - before he was deported back to the Netherlands where he is being detained pending removal from the Netherlands. He is desperate to find his family with whom he has lost touch.

If anyone has any information or knowledge of his 29-year-old wife Asama Suleman and his daughters, Map Mustafa, 7-years-old and 3-year-old May Mustafa, please contact the Institute of Race Relations News at this email address: [info@irr.org.uk](mailto:info@irr.org.uk). Tariq last saw them in Bristol in October 2003. He thinks they are homeless and possibly living in a church somewhere in the UK.<sup>21</sup>

#### ERRC seeks Women's Rights Officer

The person in post will be responsible *inter alia* for developing European Roma Rights Centre's policies related to women's rights, rights of the child and other human rights/Roma rights issues as they pertain to gender; researching international and domestic advocacy opportunities; and seeking input from members of Romani communities and other relevant as to ERRC women's rights and related strategies.

For full details and information on qualifications and skills required, contact ERRC re: Women's Rights Officer Position PO Box 906/93, H-1386 Budapest 62, Hungary, Fax: (36 1) 41 32 201, or email [dora.eke@errc.org](mailto:dora.eke@errc.org). The deadline for applications is 30 July 2004.

<sup>21</sup> Source: Harmit Athwal, 'Where is my family', in *IRR News*, 25 June 2004, at: [www.irr.org.uk/2004/june/ak000013.html](http://www.irr.org.uk/2004/june/ak000013.html).

# women's asylum news

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- Free subscription to our quarterly newsletter
- Invitations to Asylum Aid events, eg. open evenings

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