

women's asylum news

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Gender recommended as basis for asylum in USA¹

On 20 February 2004, the Department of Homeland Security (DHS), USA, issued a statement in a brief to Attorney General John Ashcroft recommending that a Guatemalan woman who experienced ten years of domestic violence be granted asylum. Whilst the DHS indicated that Rodi Alvarado might be eligible for asylum, it wants to issue clear policy guidelines and regulations to support its position rather than make Alvarado's case a test or precedent case.

Rodi Alvarado had fled her country in 1995 after having been repeatedly beaten and raped by her husband. Neither the Guatemalan police nor the courts were able or willing to provide her with protection. Whilst initially granted asylum in the USA, the immigration agency appealed and the decision was reversed three years later by the Board of Immigration Appeals. The then Attorney General Janet Reno annulled the appellate ruling but the decision on the case was postponed pending new proposed regulations by the Justice Department according to which domestic abuse could be recognised as grounds for asylum. However such proposals never came to force with the change of the US administration and following new Attorney General John Ashcroft's statement that he wanted to review the policy (see [WAN No. 29 February 2003](#) and [WAN No. 30 March 2003](#)).

¹ Information for this article kindly provided by Deborah Anker, Director and Clinical Instructor, Harvard Immigration and Refugee Clinic: 'Gender Asylum Wins Policy; DHS Takes Policy rather than Test Case Approach', 20 February 2004; and *National Public Radio*, 'Analysis: Immigration officials recommending that the federal government consider domestic abuse to be grounds for granting asylum in the US', 20 February 2004 (transcripts).

The DHS' position is crucial for women asylum seekers because it recognizes that women who are discriminated against because they are women could receive asylum in the USA. These include women who have experienced domestic abuse.

Immigration officials have also indicated that they will clarify the definitions of 'social group' in the category 'membership of a particular social group' under which one can claim asylum and under which many gender claims fall.

According to the Harvard Immigration and Refugee Clinic, the DHS is *'following the path begun by its predecessor agency, the Immigration and Naturalization Service (INS), in issuing historic gender asylum guidelines in 1995.'*²

Deborah Anker, Director of the Clinic, stated: *'the clear policy in favour of gender asylum is a step forward. [The DHS'] statement today, and subsequent regulations will clarify many issues that have been confused by the Board of Immigration Appeals in a series of individual decisions.'* Interviewed on a radio programme, she made it clear that this watershed decision was *'part of a huge international consensus and has deep roots in US law. It's not a radical position.'*

Alvarado's case rests with the Attorney General who is not bound by the DHS' position and has no deadlines to reach its decision.

Related story

Woman who suffered 'rape-like gynaecological exam' eligible for asylum, says US court of appeals

The US Court of Appeals for the 9th Circuit said that the case of a Chinese woman who had

been resisting Chinese birth-control policy met the US Congress' definition of persecution and was eligible for asylum (Li v. Ashcroft, 00-70157).

The Court recalled that in 1996 the Congress had *'amended the definition of "refugee" to include "a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program.'*³

Subsequently Congress had decided to grant asylum annually to as many as 1,000 victims of forced abortion or sterilization, as well as anyone persecuted for *'other resistance to a coercive population control program.'* In the case of Li v. Ashcroft, the 9th circuit had to address for the first time the meaning of *'other resistance to a coercive population control program.'* Until then, immigration judges *'routinely denied asylum to anyone who hadn't actually undergone a forced abortion or sterilization.'*⁴

According to their account, Li and her boyfriend Yu fled China in 1998 after false rumours spread in their village that she was pregnant, only a few weeks after their first meeting. A local population control officer visited them and told them to end the relationship. Li refused and told him: *'I am going to have many babies... you have nothing to do with this'.*

The official told her that she *'will pay for this'* and two days later she was forcibly taken to a local birth control department and pinned down by two men for a 30-minute gynaecological examination by a doctor. When found not pregnant she was warned that any

³ See www.ca9.uscourts.gov/, case Li v. Ashcroft, 00-70157, p.1233

⁴ Tamin Min, *'Chinese threatened with abortion merit asylum'*, Associated Press, 30 January 2004. www.jobelaw.com/articles/LIVSASHCROFT.pdf. www.contracostatimes.com/mld/cctimes/

² The guidelines had been drafted by the Harvard Clinic.

pregnancy would result in an immediate abortion and that her boyfriend would be sterilised. The couple fled after their request for marriage was turned down (they were both under the minimum age required) and warrant of arrests had been issued against them when they decided to defy Chinese regulations and go ahead with it.

The immigration judge in charge of the case found their account credible but said that they had failed to demonstrate persecution. The couple first appealed to the Board of Immigration Appeals but it dismissed the appeal. They filed an appeal for review to the court of appeals, 9th circuit.

The court of appeals disagreed with the BIA by stating that *'the record (...) compels a contrary conclusion. Our caselaw characterizes persecution as "an extreme concept", marked by "the infliction of suffering or harm... in a way regarded as offensive.'*⁵

It found that *'Li's forced pregnancy examination and the events that followed clearly constitute persecution. (...) Even by rudimentary medical standards, the examination (...) was crude and aggressive: Li's uterus, vagina, and cervix were probed while she resisted by kicking and screaming in fear. This examination went on for half an hour over Li's vehement protests. (...) The timing and physical force associated with this examination compel the conclusion that its purpose was intimidation and not legitimate medical practice.'*

The appellate panel concluded that they were both at risk of further persecution (Li had been told she would face abortion if she was found to be pregnant and her boyfriend would face sterilisation).

One circuit judge dissented on the case on the basis *inter alia* that the couple had failed to

⁵ For caselaw references, see complete text of opinion, op. cit.

establish past persecution: *'the statute does not provide for asylum on account of crude medical practices. I cannot share the majority's certainty that the examination and statements made during it amount to persecution. (...) Though the medical technique was offensive and likely ineffectual for determining whether she was pregnant, there is nothing in the record to show that it was any different from standard Chinese village obstetric procedures.'*⁶

He also dissented on the basis that *'Li did not testify that she feared sterilization if she returned. Her boyfriend was threatened with sterilization, not her. She also did not testify that she feared forced abortion, with which she was threatened, if she returned.'*

However the majority of the appellate panel determined that Li, and by extension her boyfriend Yu, were eligible for asylum, and sent their cases back for reconsideration by the Bureau of Immigration Appeals, and ultimately U.S. Attorney General John Ashcroft. The U.S. Department of Justice has yet to decide whether to appeal to the Supreme Court.

Robert B. Jobe who represented the couple said: *'To me this was an obvious case'*; he qualified earlier rulings denying asylum to the couple as *'downright offensive.'*⁷

UK news

2004 Asylum & Immigration (Treatment of Claimants etc.) Bill update

The third reading of the Bill will be heard in the House of Commons on 1st March. If approved it will then pass to the House of

⁶ Kleinfeld, Circuit judge, op. cit., pp. 1240-1256.

⁷ Tamin Min, op. cit.

Lords for consideration before returning to the Commons in the spring.

Several government amendments raised in Standing Committee have been incorporated into the Bill since we reported on it in our last issue.⁸ Although some of these amendments attempt to address discrete concerns relating to individual clauses, they still fail to address the main objections to what would be the most draconian and insidious immigration legislation to be introduced in recent UK history.

It is not too late to campaign against it! Please write to or visit your own MP making clear your opposition, and ask him or her to support MP Neil Gerrard's amendments to omit Clause 11 (restriction of rights of appeal) and to repeal section 55. You can also join the call for a mass lobby of Parliament on Monday 1st March: see details below.

Related information Mass Lobby of Parliament - Monday 1 March 2004 re: Third reading of the Asylum and Immigration (Treatment of Claimants, etc) Bill: The Joint Council for the Welfare of Immigrants (JCWI) is supporting this call for a mass lobby of Parliament – please do support in numbers and spread to your networks. We need names of organisations first to add to the list calling for the lobby – please supply to John O at NCADC ncadc@ncadc.org.uk or Richard Solly at CCRJ - richard.solly@ctbi.org.uk. For more info go to: www.jcwi.org.uk/ and www.ncadc.org.uk/

Extension of Asylum Support (Interim Provisions) regulations to 4 April 2005

⁸ See the amended version of the Bill (published 27th January) at: http://www.publications.parliament.uk/pa/cm200304/cm_bills/042/2004042.htm. An update on government amendments and other recent developments will be posted on our website from beginning of March: www.asylumaid.org.uk.

Until now local authorities were required to support asylum seekers to whom the Asylum Support (Interim Provisions) Regulations 1999 apply until 5 April 2004. Home Office Minister, Beverley Hughes, has however written to the concerned agencies to indicate that *'it would be appropriate for the interim period to be extended for a further year until 4 April 2005. The necessary regulations for extending the interim period will be laid before Parliament in March.'*

The Home Office letter dated 10th February 2004⁹ also refers to the *'Local Authority Audit, the aim of which is to verify the numbers of asylum seekers being supported by local authorities and to confirm whether they are still eligible to receive support under the Interim Provisions.'*

Related news

Survey reveals 61% of asylum seekers refused support are sleeping rough Six refugee organisations, Refugee Council, Refugee Action, Scottish Refugee Council, Welsh Refugee Council, Refugee Arrivals Project and Migrant Helpline, interviewed 101 clients who had been refused welfare support under 'Section 55' (in the last quarter of 2003, the organisations saw nearly 3,000 clients affected by Section 55). 61% were sleeping rough whilst 70% did not have regular meals or food. Over half said their health had deteriorated. The report reveals that for over two thirds of cases welfare support was successfully reinstated after the agencies made requests to the Home Office.¹⁰

⁹ Source: www.asylumpolicy.info/. The full text of the letter is available online via Asylum Support Info, in PDF file at: www.asylumsupport.info/interim.pdf.

¹⁰ Refugee Council Press Release, *'Refugee agencies demand Government puts an end to the destitution of asylum seekers'*, 19 February 2004, and full report at www.refugeecouncil.org.uk/news/feb2004/relea150.htm. Also BBC News, *'Asylum Seekers sleeping Rough'*, 19 February 2004, at http://news.bbc.co.uk/1/hi/uk_politics/3501779.stm.

They say it indicates '*serious flaws in the system*' and are calling for the Home Secretary, David Blunkett, to scrap the rule. The Home Office denies the fact that it penalises genuine applicants.¹¹

UK events & projects

International Women's Day 'Refugee Women's Right to Dignity, Integrity and Liberty'

ACTION
FOR
REFUGEE
WOMEN



Together in action for a stronger voice

Action for Refugee Women is organising this one day event on 5th March 2004 including the following activities:

- A panel discussion on the new legislation and impact on women: Section 55, legislation on FGM, Legislation on HIV; access and welfare issues including opportunities for education and employment and NASS provision for women seeking asylum;
- Workshops on parenting, communication and cultural issues with children; elderly refugee women; women's role in refugee communities & RCOs; health and well-being including mental health, immigration laws as barriers to assisting women experiencing domestic violence, etc.
- Celebration and entertainment including music/movement, head massage as well as dance...

¹¹ BBC News, '*Asylum Seekers sleeping Rough*', op. cit.

The event is free and travel expenses will be reimbursed. Venue: Conway Hall, Red Lion Square, London WC1. For bookings, please contact Asther Hagos on 0207 840 6513 or email her on: astherh@refugee-action.org.uk.

Celebrate International Women's Day with Glasgow YWCA

On Monday 8th March 2004, from 10am- 3pm, YWCA invites you to the following: Computing Classes, Internet and E-mail Sessions, Beauty Sessions, Yoga, Glass Painting, Henna Hand Painting, Salsa Dancing; along with a display of Art Work and Art Demonstration By Mary Tynan and One-Woman Play "Jackie's Story" By Naomi Breeze. The events will take place at Glasgow YWCA, 3 Newton Terrace, Charing Cross, G3 7PJ. Tel: 0141 248 5338

*Human Rights for Women: liberation or mere rhetoric?*¹²

The London School of Economics (LSE) is organising this talk on IWD (Monday 8 March, at 6pm) with guest speaker Helena Kennedy QC; Chair: Lady Hale. Venue: Hong Kong Theatre, Clement House, LSE.

Has human rights law protected women or has it reinforced male power? Are what seem to be human rights to one culture in fact important indicators of identity to another? On international women's day, the well-known barrister, writer and member of the House of Lords Baroness Helena Kennedy looks at the state of the human rights of women, both in Britain and across the world.

This event is free and open to all and no ticket is required. Entry is on a first-come, first-served basis.

¹² Information edited from LSE's website at www.lse.ac.uk/Depts/human-rights/forthcoming_events.htm.

Forgotten Violence: Young Women and Abuse

is a conference organised by the Lilith Project on 15 March 2004, 09.30 – 16.00 at LVSC Resource Centre, 356 Holloway Road, London, N7. This event is an exciting opportunity to learn more about the different forms of violence facing young women including rape and sexual assault, forced marriage, domestic violence, FGM and trafficking. It will also explore the lack of services tailored to meet young women's specific needs.

The aims of the event are:

- To increase safe choices for young women experiencing violence by raising awareness within existing services and looking to develop specialised services capable of supporting young women survivors.
- To hold both young abusers, and older abusers of young women accountable for their behaviour by raising awareness among existing service providers.

Please contact Rachel Carter, on 020 7983 5772 or email her at rachel.carter@london.gov.uk for further information or to submit your booking forms & cheques.

Images of asylum seekers and refugees

This one-day conference will focus on images and representations of asylum seekers and refugees in the United Kingdom. It will address a range of representational forms, from the media to literature, film, photography, theatre and NGO work; it will critically explore issues such as ethical dilemmas, political challenges, creative opportunities etc.

Date Friday 12 March, 2004 from 09:30 - 18:00 (plus an evening reception), Venue Menzies Room, the Institute of Commonwealth Studies' 28 Russell Square, London, WC1B 5DS. To attend, please contact: ICS reception 020 7862 8844 or email: ics@sas.ac.uk. Attendance is free but places are limited. When booking please indicate which afternoon workshop you wish to attend. Details on the event to be updated on the ICS website:

www.sas.ac.uk/commonwealthstudies/

The refugee problem and the problems of refugees

is a conference jointly organised by the British Academy and the Centre for Research in the Arts, Social Sciences and the Humanities (CRASSH), University of Cambridge, and supported by Birkbeck College, London, and the Wiener Library, London.¹³

This conference will generate exchange between historical and contemporary perspectives on refugee movements and the institutions which responded to them. Speakers will include Aristide Zolberg, B. S. Chimni, Tony Kushner, Joya Chatterji, Liza Schuster, and Gil Loescher. Date: 22 to 23 Mar 2004. Venue: The British Academy, 10 Carlton House Terrace, London SW1. See more details at:

www.britac.ac.uk/events/programmes/2004/040322refugee.html.

2nd Annual Student Conference on Forced Migration Student

All post-graduates studying forced migration as well as academics and practitioners are invited to attend this collaborative, participatory, research-exchange conference. This year the conference will include four parallel workshops that will offer more focused discussions on

¹³ Source: Information collected by www.asyluminfo.net. Original source: <http://www.sosig.ac.uk/grapevine/Query?view=confBySubjectIndex>.

various practical, methodological, and career related issues led by experts in the field. Date: Monday 15 March. For more details email fmsc04@hotmail.com or visit the following weblink:

<http://www2.warwick.ac.uk/fac/soc/crer/fmsc04/>

Tell your story...

is a research project for the Theatre for Development department of King's Alfred College Winchester. The researchers are interested in working with women seeking asylum or refuge in the UK, exploring issues such as gender, discrimination, past journeys, stories and future aspirations. The project would take place between the end of February and beginning of June 2004. The day to day running of the programme would be structured according to the needs of those participating. For more information or to participate, please contact Jennifer at J.O'Connor1@wkac.ac.uk or Nancy at nancyshakerley@hotmail.com.

Free courses for refugees

City and Islington College offers free courses for refugees in catering, complementary therapy, and food hygiene. All candidates who complete the course will receive a City and Islington College certificate. Each candidate will be eligible for childcare support. For information on this course, please contact Jack Smith on 020 7614 0387, or email jasmith@candi.ac.uk. Address: City and Islington College, Willen House, 8 - 26 Bath Street, London, EC1V 9PL. Places will be allocated on a first come served basis.

Research on refugees, asylum seekers and sexual health

Ruth Wilson is currently working with the Family Planning Association and the Centre for HIV and Sexual Health to develop a practical handbook on refugees, asylum seekers and sexual health in the UK. They aim to provide

an overview of the issues, examples of interesting projects and good practice, and information on useful organisations, resources etc. The publication is planned for 2005. Full information about the project on the website: www.tandem-uk.com where you can download and fill in directly a questionnaire if you are involved in this area of work. Alternatively contact Ruth Wilson, Tandem, 21 Kingswood Avenue, Leeds, LS8 2DB. Tel: 0113 266 9123 or 07930 580533.

International news

Uganda: advocacy group reports sexual violence increase

According to a recent report by the Women's Commission for Refugee Women and Children, many women and girls fleeing their homes nightly in Northern Uganda, for fear of attacks and abduction by the rebel group the Lord's Resistance Army, are sexually abused whilst fleeing as well as in areas where they sleep, by youth and government military forces.¹⁴

Matthew Emry, project manager, children and adolescents project, who visited the area in December last year said: '*without adequate security, adolescent girls and women are forced to choose between their fear of LRA attack at home and their fear of rape during their flight in town.*

Girls have also reported that some schools in Kitgum were being used as venues for rape in the evenings. The girls rarely come forward for fear of public shame and cases are rarely followed-up. The Northern regional police

¹⁴ WCRWC, 'Thousands of "Night Commuters" flee to town centers as rapes in Northern Uganda; Sexual violence increases', New York, 22 January 2004 at www.womenscommission.org/.

commander, Jerome Baryayanga, said he had received no reports of such abuse.¹⁵

The Women's Commission says that the government is not able to provide protection in Northern Uganda and there are very few services for to support survivors.

Related information

■ ■ Uganda: Sexual and gender based violence awareness raising activities were organised by the various agencies and implementing partners of UNHCR working in Rhino camp, North Uganda in November/December 2003, as part of a campaign to raise awareness of Sexual and Gender based violence (SGBV). Source: JRS Dispatches No 145 – 30 January 2004 at www.jrs.net/dispatch/

■ ■ Luis Moreno, the International Criminal Court (ICC) prosecutor has announced on 29 January 2004 that he would begin an investigation into crimes committed in Uganda. The crimes of the Lord's Resistance Army (LRA) were referred to the court by the government of Uganda, the first to do so since the court started its work.¹⁶

■ ■ The Women's Commission for Refugee Women and Children pays tribute to the advocacy group's executive director, Mary Diaz, who died aged 43 on 12 February 2004: *'Mary was a (...) tireless and effective advocate for the protection and empowerment of women, adolescents and children affected by war and persecution. She touched the lives of tens of thousands of vulnerable refugee women and children, as well as those who*

¹⁵ IRIN-CEA report weekly round up 211 24-30 Jan, 'Uganda: Sexual violence reportedly rising in the North', aty at:

www.irinnews.org/print.asp?ReportID=39143

¹⁶ Human Rights Watch, Press Release, 'ICC: Investigate All sides in Uganda', Press Release: <http://hrw.org/english/docs/2004/02/04/uganda7264.htm>

worked with her... Her death is a loss to the international community.'

For more information, visit the link:

www.womenscommission.org/special/Mary.htm.

Iraqi women's rights under threat

Women Living Under Muslim Laws (WLUML) have launched an urgent action campaign in support of Iraqi women's efforts and take action to oppose the Iraqi Governing Council's (IGC) 'Resolution 137' dated 29 December 2003 that proposes the introduction of Sharia law in personal status matters and to cancel all laws which are incompatible with this decision.¹⁷

WLUML writes: *'The 1959 Iraqi Law of Personal Status, which is considered one of the most progressive family laws in the Middle East and which was achieved through the struggle of the Iraqi people for much of the past century, will be abolished if Resolution 137 is upheld. It is important to act immediately: the 'Resolution' will come into effect if it is validated by Paul Bremer, the Chief US Administrator. WLUML regards 'Resolution 137' as a major retreat from previous rights that were guaranteed to women under Iraqi law.'*

British MP Ann Clwyd raised concerns about these developments during Questions to the Minister for Women and Equality, Ms Patricia Hewitt, on 22nd January 2004. In response the Minister said: *'I agree with [you] about the consternation that the decision has aroused in Iraq and more broadly. We share [your] anxiety and are working to ensure that Sharia law does not become the basis for the new constitution of Iraq.'*

¹⁷ Edited information from WLUML, 'Update: Iraq: Protect Iraqi Women's Rights in Family Laws' www.wluml.org/english/index.shtml.

To support the campaign, visit www.wlumf.org.

Sudan: 32 girls reported abducted by government forces

The UN Integrated Regional Information Network (IRIN) has reported information provided by the Centre for the Prevention of Genocide according to which 81 civilians had been killed in the war-affected Western Darfur region.¹⁸ Sources confirmed to CPG that the massacres were perpetrated by Arab militia groups (in particular the Janjawid militia) aligned with government forces.

The same sources reported that 32 teenage girls have also been abducted by government forces in Mugjar (Wadi Salih area), a town currently hosting thousands of internally displaced people. The government of Sudan denies any involvement. IRIN reports that the violence in Darfur in recent weeks has led to the displacement of up to 800,000 people. Another 130,000 are said to have fled to Chad.

India: 12 arrested on charges of Gujarat murder and gang rape

Federal police in India have arrested 12 people on charges of murder and gang rape during the 2002 Gujarat riots (see [WAN No. 23 July 2002 for a report on the riots](#)). For more see: BBC News, 'India: Arrests over Gujarat riots case', 24 January 2004 at http://news.bbc.co.uk/1/hi/world/south_asia/3419695.stm and the Gujarat Riots Homepage at www.rediff.com/news/godhra.htm.

Woman new head of Supreme Court in Guinea-Bissau

¹⁸ Source: UN Integrated Regional Information Network, 'SUDAN: Pro-government militias massacre 81 in Western Darfur, says rights group', 18 February 2004 at www.irinnews.org/report.asp?ReportID=39544&SelectRegion=East_Africa&SelectCountry=SUDAN

A 38-year old woman judge, Maria do Ceu Silva Monteiro, a 38-year-old woman judge, has been appointed president of the supreme court of Guinea-Bissau, filling a post that had been vacant for more than two years.¹⁹ The Supreme Court will be charged with validating the results of parliamentary elections scheduled for March 28 and presidential elections to be held a year later.

African Court on Human and Peoples' Rights (ACHPR) established

The ACHPR entered into force on 25 January 2004.²⁰ According to its statute, cases can be referred to the Court by the African commission of human and peoples' rights, States parties as well as African inter-governmental bodies. Individuals and non-governmental organisations with observer status before the Commission are also enabled to refer cases before the Court, 'if domestic remedies are exhausted and only if the State at stake gives its authorisation by making a declaration under Article 34(6) of the Protocol.' For more details, visit www.fidh.org/.

UN Secretary-General proposes Genocide Monitor

Secretary-General Kofi Annan proposed that state parties to the 1948 Convention to Prevent Genocide set up a UN Committee to monitor implementation of the convention and help prevent future acts of genocide.²¹ He suggested that the United Nations consider

¹⁹ Source: Information edited from IRIN-WA Weekly 212 covering 24-30 January 2004, Guinea-Bissau: 'Woman chosen as new head of Supreme Court' at www.irinnews.org/

²⁰ Information edited from FIDH, 'establishment of the African court on human and peoples' rights (ACHPR), which marks a historical step in the fight against impunity on the continent' at www.fidh.org

²¹ Source: Human Rights News, 'UN Secretary-General proposes Genocide Monitor', New York, 26 January 2004; and United Nations Radio News online at: www.un.org/av/radio/news/2004/jan/04012600.htm

appointing a Special Rapporteur on the Prevention of Genocide who would report to the Security Council so that it could take action when genocide was impending.

International events & projects

Conference on *Women and Immigration Law in Europe*

GENDERED BORDERS

The purpose of this conference (Amsterdam, the Netherlands, 30 September to 2 October 2004) is to analyse and evaluate immigration law in Europe from a gender perspective. Which aspects of immigration law are currently of importance for women on the national level? What can they expect from the ongoing European harmonisation? What advances have women already made and what strategies can they deploy to ensure their interests will be addressed (more) effectively at both the national and the European levels?

Papers are welcome on the following themes: A Gendered violence and immigration law; B Gender, transnational family bonds and immigration law; C Gender, the transnational labour market and immigration law; D Women, immigration law and public health.

If you would like to present a paper on one of these themes or if you are simply interested in attending the conference, please consult our website at www.rechten.vu.nl/genderedborders. For further information and registration, write to: Gendered Borders, Faculty of Law, Department of Constitutional and Administrative Law, Vrije Universiteit Amsterdam, De Boelelaan 1105, 1081 HV Amsterdam, the Netherlands; or email: genderedborders@rechten.vu.nl.

Conference and call for papers on the situation of Roma women

The Conference '*Promoting Women and Minorities in the Elections Process*' will aim to finding concrete ways to improve the situation of Romani women. In European societies where the Roma communities are alienated from the majority, the situation of Romani women is worse: they are caught between the racism and male dominated political class of the countries they live in and the very patriarchal Roma communities.²²

'Romani Women are facing multiple discrimination and have literally no representation at the political level. The feminist movement and women's participation or empowerment are rejected strongly by both patriarchal communities (Roma and non-Roma).'

The conference will be held in Bucharest from 15 - 18 April 2004. Deadline for registration and payment: end of February 2004. For more on the conference, contact Valeriu Nicolae at conference@erionet.org or see link at:

www.erionet.org/Femei.htm. A call for papers can be found at: www.erionet.org/Abstracts.html. (deadline for submission: is 10th March 2004).

International Women's Day 8 March 2004

International Women's Day (IWD) is a major day of global celebration for the economic, political and social achievements of women. Find out what local IWD events are occurring near you at: www.internationalwomensday.com.

²² See RWRP Publication, '*Romani Women from Central and Eastern Europe; A 'Fourth Word', or experience of multiple discrimination*', March 2002 available from www.asylumaid.org.uk (hard copy: £10).

VIII European Conference on Traumatic Stress

The event is organised in cooperation with the German Speaking Society for Psychotraumatology (DeGPT) and the Catholic University of Applied Sciences Berlin.²³

The scientific program will offer participants the opportunity to enhance their knowledge of new developments and advances in the fields of extreme stress and psychotraumatology. The Conference will interest all scientists and mental health professionals working with trauma, service personnel, NGO officers, voluntary agencies and lawyers.

The event will take place from 22nd to 25th May 2004 in Berlin. Full details at: www.trauma-conference-berlin.de/.

JRS research on detention of asylum seekers in Thailand

Jesuit Refugee Service (JRS) is researching a comprehensive study on the policies, practices, and procedures governing the detention of asylum-seekers and refugees in Thailand.²⁴

The research, based on primary and secondary sources, will result in a paper and will include, among other elements, statistics, information on detention conditions, and a legal analysis of the practice. The Thai government is not a signatory to the 1951 UN Convention relating to refugees, and asylum seekers are often confined to camps of detention centres. JRS has a presence in detention centres, providing legal assistance, material aid and accompaniment to detainees.

New publications

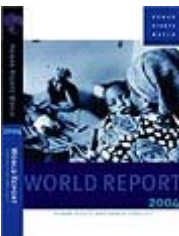
International

²³ Event highlighted by www.asyluminfo.net/. Full details found on website www.trauma-conference-berlin.de/.

²⁴ Source: JRS Dispatches, 145 – 30 January 2004.

Sexual Violence and Women's Status

Human Rights Watch's [annual world report](#) 2004 'Human Rights and Armed Conflict' released on 26 January contains a chapter on sexual violence against women entitled 'In War as in Peace: Sexual Violence and Women's Status'.



It confirms that despite increasing international attention to sexual violence in armed conflict, it remains '*routinely used on a large scale in most wars against women (though much less frequently, men and boys too are sometimes targeted for sexual attack)*' and that '*perpetrators of sexual violence continue to enjoy near complete impunity*'. In times of peace, the author also confirms that '*sexual violence has continued to be systematic and unrelenting in part because of state failure to take seriously, prevent, and prosecute routine and widespread discrimination and violence against women*'. To order a copy or get an online version of the full report, go to <http://hrw.org/wr2k4/>.

Trafficking in Persons; An Analysis of Afghanistan

The International Organisation for Migration (IOM) reports that Afghanistan is confronted with a '*significant trafficking problem, which is deeply intertwined with the country's other problems as it emerges from decades of lawlessness*'.²⁵ IOM has conducted this study to assess the trends and responses to trafficking in Afghanistan based on written survey forms, structured interviews, and a literature review. The information collected ranges from specific and verified cases to credible but unverified cases to information, with examples of many forms of trafficking as

²⁵ Source: www.iom/int/.

well as 'trafficking-related' trends. Cases of cross-border trafficking - Afghanistan as a country of origin, transit, and destination - were also recorded.

The report also explores the legal, social, economic, and security environment to establish how trafficking has taken root and to point to early recommendations for addressing the problem (Date of publication: 1993, 89p., ISBN/ISSN: 92-9068-176-4). It is available online at www.iom.int/.

Post-Communism Women's lives in transition

The authors in this issue of *Feminist Review*, Issue 76, April 2004 (ed. Palgrave macmillan) reflect on current legal reform and violence against women in countries that have undergone transition from communism including Bulgaria, Hungary, Poland and the former Yugoslavia. This issue is edited by Vesna Nikolic-Ristanovic, *Feminist Review's* corresponding editor based in Belgrade. See *Feminist Review's* website for contents of current and past journals:

www.palgrave-journals.com/fr/2004_issues.html.

Report on conditions in Italy's detention centres

The Italian branch of the international organisation Médecins Sans Frontières has published a report on the conditions of detention for foreigners in temporary detention centres. The report reveals inadequate buildings, limited contacts with the national health service, insufficient legal and psychological assistance, abuses in the use of psychiatric drugs and excesses during interventions by law enforcement officers. This report is the result of the first complete independent monitoring of the detention centres (11 temporary centres and five 'hybrid

centres) in Italy. The full-text of the report (in Italian, pdf) is available online at:

www.msf.it/msfinforma/dossier/missione_italia/CPT_FINALE.pdf.

New publications

UK

Report reveals failings of UK asylum decision-making

A new report by Amnesty International UK released on Monday 9 February reveals the 'shockingly' poor quality of initial decision-making by the Home Office on asylum claims.²⁶ An analysis of refusal letters sent to asylum seekers reveals a lack of accurate information on the human rights situation in countries of origin, unreasoned decisions about people's credibility, and a failure to properly consider complex torture cases.

According to the government's own figures, in 2002 the Home Office got the initial decision wrong on around 1 in 5 cases (13,875 in total) which are overturned after costly appeals. New figures released on 24 February 2004 (for year 2003) show that 16,070 initial decisions were overturned on appeal last year, an increase of more than 2,000 from the previous year.²⁷

The report notes that there has been no improvement since Asylum Aid exposed for the second time the shortcomings of the decision-making process in its report '*Still No Reason At All* May 1999, a follow-up to '*No Reason At All* (1995) which scrutinised for the first time the quality of decision-making in the UK.²⁸

²⁶ Source: Amnesty International UK at www.amnesty.org.uk.

²⁷ See Amnesty International, '*UK: Asylum - new figures show dramatic rise in wrong decisions*', 24 February 2004 at www.amnesty.org.uk/deliver?document=15202.

²⁸ Asylum Aid subsequently published two other reports which addressed the issue of the quality of decision-making of women's asylum claims in the UK: '*Only crooked Words: Home Office decisions on Kenyan women's asylum claims*', February 2001 and '*Women asylum seekers in the UK: a gender perspective, facts and figures*', February 2003; both available in hard copy

For a copy of AI's report, visit:
www.amnesty.org.uk/action/camp/refugees/getitright.shtml.

Refugees and Asylum Seekers: Destitution by Design

This report commissioned by the Mayor of London (February 2004) assesses the impact of Section 55 of the Nationality Immigration and Asylum Act 2002 on London outlining its implications for refugee communities, homelessness, social services, health, and community safety. The report includes the first survey of people made destitute by Section 55. It recommends the repeal of Section 55, but also makes proposals for monitoring its effects and easing the worst of them, pending repeal. A copy of the report in pdf or rtf can be found at:

www.london.gov.uk/gla/publications/refugees.jsp.

Home from Home

A guidance and resource pack for the welcome and inclusion of refugee children and families in school edited by Bill Boloten is a resource pack that provides guidance for the successful inclusion of refugee children and families into school. Published by the Salusbury World and Save the Children, the materials are drawn from the experience of staff at Salusbury World, a school-based refugee project in London and will be relevant to primary and secondary teachers and teaching assistants, learning mentors, home-school liaison workers, educational psychologists and others. Each section contains detailed information on related resources, organisations and websites.

For a copy, contact Salusbury WORLD, Salusbury Road, London NW6 6RG. Tel: 020 7372 2244 or Fax: 020 7372 2244. Email:

for a fee or for free on our website at www.asylumaid.org.uk.

mail@salusburyworld.org.uk.
1841870838, £18.95).

(ISBN

New online resources

International

Gender and minority issues in Albania: awareness-raising seminar

Based on an innovative seminar held in Tirana in September 2003, this publication considers the interplay between gender issues and minority rights in Albania. Minority focused and gender focused groups and individuals considered issues including legal instruments for the protection of rights, equal access to education, employment, healthcare and participation, and both problems and possibilities for women and minorities today. See the following link: www.minorityrights.org/ then click on 'MRG publications and resources'.²⁹

Gender issues in the Ukraine 2003 report

This online publication by the United Nations in Ukraine looks at trends in family responsibilities, education, the workplace and the political and civil arena and concludes that women face clear disparities in most spheres.
<http://www.un.kiev.ua/en/docs/?mdg=3>.

Reproductive health for refugees and displaced persons

The latest issue of Forced Migration Review 'Reproductive health for displaced people: investing in the future' is now available online at: www.fmreview.org/mags1.htm.³⁰ The subject of reproductive health for refugees and displaced persons encompasses a wide range

²⁹ Source: MRGI e-bulletin February 2004.

³⁰ Reported by www.asylumpolicy.info.

of issues including: family planning; safe motherhood; sexually transmitted diseases, particularly HIV/AIDS; and gender-based violence. A complement to Forced Migration Review 19, this browse page guides users to background documents, web resources and relevant organizations and other sources of information on reproductive health issues for refugees and IDPs. See www.forcedmigration.org/browse/thematic/reproductivehealth.htm.

Polish Gay Rights, Abortion Reform "Hostage to EU Bid"

by Iga Piotrowska is a new Panos feature from the Reproductive Health and Gender available from the Panos London website at www.panos.org.uk/newsfeatures/

The International Thesaurus of Refugee Terminology

The International Thesaurus of Refugee Terminology (ITRT) is designed to facilitate information retrieval and exchange. In print since 1988, the Thesaurus has proven an essential resource for librarians and information workers. The Thesaurus is now available as an interactive and searchable tool online, in English, French and Spanish: <http://refugeethesaurus.org/hms/home.php?publiclogin=1>.

**See also the following features on
Women's Human Rights net at
www.whrnet.org**

The Optional Protocol to CEDAW & its applicability "on the ground"

Women are all too familiar with the limitations of national courts as a means of securing their rights. Can an international procedure, which is even more removed from local realities, be of practical use to women? (January 2004)

Sexualities and Sexual Rights

This issue features the legal international advancements concerning the sexual rights of

all people, and women's in particular, as well as the threats, challenges and opportunities of these achievements that go hand in hand with cultural progress. It also presents related international mechanisms and instruments and facts and figures that reflect violations to these rights (December 2003).

When the sun sets, we start to worry...

Using personal testimonies and powerful black-and-white photographs, '*When the Sun Sets, We Start to Worry...*' is a new publication which aims to draw attention to the plight of more than a million Ugandan children, women and men whose present existence encompasses a degree of misery and horror seldom seen elsewhere.³¹ The book portrays the extraordinary resilience demonstrated by the people of northern Uganda as they piece together lives disrupted by violence, and cherish hopes and dreams whose fulfilment depends on the return of peace to their region. Go to www.irinnews.org/webspecials/northernuganda/default.asp to download a copy.

ECRI reports on racism and intolerance

Five new country reports on racism and intolerance in Europe have been published by ECRI (January 2004).³² The reports cover the situation in Belgium, Bulgaria, Norway, Slovakia and Switzerland. Switzerland in particular is criticised in terms of asylum procedures, treatment of asylum seekers and

³¹ The publication is the result of a collaboration between the United Nations Office for the Coordination of Humanitarian Affairs, in particular its Regional Support Office for Central and Eastern Africa and its Integrated Regional Information Networks (IRIN). Source: Information edited from: 'IRIN Web Special on Life in Uganda' at www.irinnews.org/webspecials/northernuganda/default.asp.

³² Source: ECRAN WEEKLY UPDATE 4 February 2004.

refugees as well as detention. These new reports form part of a third cycle of monitoring of Council of Europe member States' laws, policies and practices in order to combat racism. ECRI's country-specific reports are available in English and in French on the internet site www.coe.int/ecri and in the national language of the country concerned by contacting ECRI's Secretariat.

Global survey exposes plight of IDP

According to a survey published by the Norwegian Refugee Council's Global IDP project³³ (February 2004), some 25 million internally displaced people (IDP), most of them victims of civil wars, are unable to return to their homes and remain exposed to serious human rights abuses. Raymond Johansen, Secretary General of NRC says: *'This survey shows that the victims of internal displacement often cannot count on their governments for protection. Even more worryingly, in several cases the governments themselves are responsible for the forced displacement of their citizens.'*

The global crisis of internal displacement, affects 52 countries across all continents.

The report says that protection of displaced people has been eroded by the international *'war on terror'* by encouraging governments to seek military solutions to conflicts and undermining respect for international humanitarian and human rights standards. At the same time international assistance to help displaced people has been insufficient. See the full report at:

www.idproject.org/press/2004/Global_overview.pdf.

Related information The Norwegian Refugee Council published another report (30

³³ The Geneva-based Global IDP Project, established by the Norwegian Refugee Council at the request of the United Nations, is the leading international body monitoring internal displacement worldwide.

January 2004) warning that the phasing out of international assistance in Bosnia and Herzegovina threatens the return and reintegration of more than 300,000 internally displaced people. See the full report and a detailed country profile on internal displacement in Bosnia and Herzegovina at the Global IDP Project's online database

www.idproject.org/ or: www.idproject.org/press/2004/Bosnia_Jan_2004.pdf.

New online resources

UK

Women and cultural diversity: a digest of cases

Following the conference on 'Gender and Cultural Diversity', organised by the London School of Economics last October, and as part of the same research project, the following database is now available on the LSE website at <http://webdb.lse.ac.uk/gender/>.

This digest contains summaries of some of the key cases in which gender and culture have coincided in the British courts, mainly since the 1970s, but including some that date back to the nineteenth century. The research project considered to what extent cultural and/or ethnic diversity is recognised in public policy and legal judgements, and whether the kind of recognition currently given to cultural diversity helps or hinders the equal treatment of women.³⁴ The digest was partly inspired by CIMEL's 'honour crimes' bibliography, which can be accessed at:

www.soas.ac.uk/honourcrimes/.

³⁴ The work on the digest was carried out by Moira Dustin, Oonagh Reitman and Anne Phillips. Please contact Moira Dustin, email: moira.dustin@talk21.com, if you would require further information or would like to make a link to it from your organisation's website. (Source: Moira Dustin).

Trafficking of African Children to the UK: Denouncing the Better Life Syndrome

This report of Africans Unite Against Child Abuse (AFRUCA)'s inaugural event in Africa highlights the key outcomes of the seminar on the trafficking of African children to the UK held on 14 October 2003 in Lagos, Nigeria.³⁵ It outlines the parallels between internal, cross border and cross-continental trafficking of African children. It makes strong calls on the Nigerian government, the media and others to act to safeguard vulnerable children and make the fight against the trafficking of Nigerian children a top and immediate priority.

Visit www.afruca.org to download and read a copy of the report. Or contact AFRUCA at Unit 4S Leroy House, 436 Essex Road, London N1 3Q. Tel: +44 (0)207 704 2261 Fax: +44 (0)207 704 2266 Mobile: +44 (0)7958 340715. E-mail: info@AFRUCA.org.

Notice board



▪ Médecins du Monde (Doctors of the World) UK is looking for volunteers for a mobile medical clinic

to operate in Tower Hamlets, East London to provide primary healthcare and improve access to mainstream healthcare for vulnerable groups in Tower Hamlets; and educate vulnerable groups in Tower Hamlets about risk-reduction.³⁶ For more information contact: Claire Loussouarn, Médecins du Monde UK, 29th Floor, One Canada Square, London E14 5AA, Tel: 00 44 (0) 20 7516 9103, Fax: 00 44 (0) 20 7516 9104. Email: claire@medecinsdumonde.co.uk. Website: www.medecinsdumonde.co.uk.

³⁵ Source: Counter-Trafficking Network, UK.

³⁶ Source: refed@yahoo.com.

Research on detention of children asylum seekers in the UK

Save the Children has a vacancy for a six month research post working on the issue of detention of children seeking asylum. For terms of reference, please contact: Chris Macarthur, Information & Communications Officer – Refugees, Save the Children, Cambridge House, Cambridge Grove, London W6 0LE. Tel: 020 8741 4054 x112, Fax: 020 8741 4505 (www.savethechildren.org.uk). The closing date is Friday 5th March 2004.

Communications officer

www.jcwi.org.uk

Joint Council for the Welfare of Immigrants



The Joint Council for the Welfare of Immigrants (JCWI) seeks a Communications Officer to work with human rights campaigners of national repute. The post holder will enhance JCWI's profile and further develop its PR and media strategy (salary £28,092 - £30,267 including London Weighting). For more details on requirements and an application pack please send a SAE to Personnel Dept., JCWI, 115 Old Street, London EC1V 9RT, or download a pack from JCWI's website at www.jcwi.org.uk. Closing Date: 8th March 2004

New addresses

The Medical Foundation for the Care of Victims of Torture is now based at 111, Isledon Road, London N7 7JW. Tel: 020 7697 7777 and Fax: 020 7697 7799.

The British Institute of Human Rights, School of Law, King's College London, 26-29 Drury Lane, London WC2 2LS. Tel: 020 7848 1818 and Fax: 020 7848 1814. Website: www.bih.org or email admin@bih.org.

Please send any information that you would like to see published in our next bulletin by Thursday 11 March 2004 (see email or postal address on back cover).

women's asylum news

Produced by RWRP (for more information on this issue, please contact Sophia Ceneda)
Asylum Aid, 28 Commercial street
London E1 6LS Tel: 020 7377 5123
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Email: sophiac@asylumaid.org.uk
Website: www.asylumaid.org.uk

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Asylum Aid provides free legal advice and representation to asylum-seekers and refugees, and campaigns for their rights. Registered as a charity no. 328729. To support Asylum Aid's work, please complete and return the form below to Asylum Aid, FREEPOST LON18836, London, E1 6BR (however, using a stamp will save us money)

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- Right to vote at the AGM election
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