

# women's ASYLUM NEWS

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Refugee Women's Resource Project - Asylum Aid - Issue 15 October 2001

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## ***Mental Health and Refugees: A Women's Perspective***

**RWRP welcomes WHO's Declaration on Mental Health of Refugees, Displaced and other populations** As World Mental Health Day was celebrated on 10<sup>th</sup> October, the World Health Organization (WHO) disseminated its 'Declaration of Cooperation in Mental Health of Refugees, Displaced and Other Populations Affected by conflict and post –conflict situations' to the wider public. The Declaration, endorsed in October 2000 at the International Consultation on Mental Health of Refugees and Displaced Populations, is the result of a series of consultations that involved international agencies (including the UN and NGOs), academic and research institutes and a number of Ministers and is intended to serve as a working instrument.

Based on the evidence that '*Conflicts subject people to frequent and gross human rights violations [and that] the most vulnerable are under greater physical and psychological pressure*', the Declaration proposes a framework to promote '*holistic and community-based approaches that are effective and which can be implemented rapidly*'. It calls for all public and private stakeholders in conflict situation to adopt a number of steps in order '*to prevent and reduce mental disorders and mental health problems, to restore hope, dignity, mental and social well-being, and normality to the lives of refugees, displaced and other populations affected by conflicts*'.

Crucially the document requires '*priority action from the emergency onwards to address the consequences of trauma, to prevent personal and collective psychosocial disability and dependency*' (Article 1). This would include '*a rapid assessment of initial mental health needs*', including the identification of psychological, social and economic resources done in collaboration between various authorities and professionals (Art.6); the '*creation of mobile mental health teams where appropriate*' (Art.9); and mass media campaigns and related activities to raise awareness on '*the psychosocial consequences of violence*' amongst the populations affected and host communities (Art. 8).

One of the strongest statements of the declaration is Article 11 according to which '*Survivors of torture and sexual violence should be provided with physical protection and legal advice unconditionally*'. In addition there should be '*safe physical and psychological environments that will enable them to talk about their experiences if they choose to do so*'.

The document highlights the particular plight faced by children and women (the great majority of forcibly displaced populations) who, it says, '*are increasingly the targets of harsh persecution*'. It advocates '*community-based psychosocial approaches [that] must be sensitive to gender, to culture, and to the context*'. It also provides for women's special needs to

be given due support without losing sight of the '*significant needs of other groups*', whilst advocating the empowerment of '*all conflict-affected women to play an active role in organising their lives in self-sufficiency*'. Vulnerable groups, along with all categories of children, are '*widows; pregnant women; single mothers; girls (...) heads of families; and survivors of organised violence, torture, sexual, and domestic violence*' (art.12).

RWRP welcomes WHO's comprehensive declaration and its recommendations with a particular focus on women and children's needs. Indeed, for various reasons, women's experiences of conflict may be different to men's as we endeavour to highlight in this article.

**Mental health issues for women facing war and/or displacement** Perhaps one of the most damaging forms of gender specific human rights abuse which is often deliberately perpetrated against women (but not restricted to women alone) during times of conflict is that of mass rape and sexual violence. This was extensively reported during civil wars and conflicts such as in Guatemala, the former Yugoslavia or Rwanda, and even more recently in Kosovo and the Democratic Republic of Congo (DRC). Rape has been adopted as a weapon of war in many other instances throughout the world and throughout history (Desjarlais *et al*, 1995).

In addition, women experience war differently to men, as they have to organise their families to cope with the impact of war including displacement.

When families face displacement and separation, women often take sole responsibility for the safety and healthcare of their children, which places additional stresses on them, with associated implications for their mental health and

well-being. For instance, when opposition soldiers swept the Eastern part of the DRC in 1997, threatening the population of the Kivu refugee camps that was broadly accused of complicity in the 1994 Rwandan genocide, women told how they were left behind with both their children and cooking pots to carry during their flight, whilst their husbands or male relatives had already abandoned them in order to secure their own flight. Many of these women were subsequently raped and killed by soldiers.

Desjarlais has also drawn attention to the mental health problems experienced by those forced to spend time in refugee camps, where support may be minimal, and has noted how women may be particularly vulnerable to human rights abuses. Evidence has shown that women in refugee camps may be susceptible to sexual abuse at the hands of those who are charged with their protection (recent examples include that of UN staff or UN-supported civilian police officers abusing women in Kenya and in Kosovo and Bosnia) and at the hands of traffickers who may coerce women into sexual relations in return for documentation, or in order to 'secure' their journey to a country where they can claim asylum.

Women display a wide range of emotional responses to war trauma (also found amongst children and men) including, amongst others, sleep disorders, depressions, lethargy, nervousness, psychosomatic illnesses, anxiety or Post Traumatic Stress Disorder (PTSD) (Cole, Espin & Rothblum, 1992).

Gender specific rights abuses such as rape not only result in pregnancy and sexually transmitted diseases such as HIV, but also frequently lead to depression, anxiety and PTSD. It is also widely acknowledged that sexual violence in particular results in

feelings of shame, so that those who have been the victims of such abuse may find it extremely difficult to accept that they are not to blame for their experience. This may often be compounded by cultural values which place a high value on a woman's 'chastity' and virginity: a woman (and her family) may be regarded as dishonoured if she admits, even to family, friends, or members of her community, that she has suffered such abuse (Desjarlais, 1995; Hinshelwood, 1999).

### **Issues of access to services in conflict and post-conflict settings**

In order for women to have equal access to mental health services it is not only essential that services recognise both how women's mental health may suffer as a consequence of displacement, family disruption, and seeking refuge, as well as the particular forms of human rights abuses faced by women during times of conflict.

Where women refugees are caring for children, it may be particularly difficult for them to recognise and seek support for their own mental health needs, even if such support is available. Not only may mental health support be lacking in refugee camps, but women may also face discrimination in accessing these services.

As stated by the WHO declaration, services also need to be delivered in a way that is sensitive to the particular difficulties faced by women in recognising and seeking support for their mental health needs, and dealing with the causes of their distress.

It is also important to note that *regardless* of the causes of the traumas that are faced by refugees during conflict and displacement, women and men respond differently in terms of how their distress is

experienced and expressed. Studies across different countries have noted that women are consistently more likely to be diagnosed as suffering from depression and anxiety, whilst men are more likely to be diagnosed with personality disorders or to develop problems with substance abuse (see Desjarlais, 1999; WHO, 2000). These different symptoms and indicators may mean that women's mental health needs are less obvious than that of men.

In this respect, women's participation in decision-making bodies in refugee camps and other displacement settings should also be seen as a crucial step towards their protection and reducing their vulnerability: In such situations, women have proven that not only can they improve protection and equal access to vital resources such as food, but also help develop adequate mental health services as well as other essential provisions such as reproductive health. (*FMR*, Oct 01).

### **Mental health and asylum issues**

Women affected by mental health problems, and who have sought protection by seeking asylum in countries which have developed asylum determination procedures, also face a number of issues in relation to their claims.

For the reasons highlighted above, it is common for women asylum seekers to suffer in silence for years before seeking help for depression and anxiety brought about by their experiences. Gill Hinshelwood, who has worked extensively with victims of torture, has written that "*Of the four crisis emotions of grief, fear, anger and shame/contempt that have been described by clinicians, shame is considered to be the most difficult to express... To feel shame is to withdraw, to have no voice*" (Hinshelwood, 1999, p.9).

This has been observed by caseworkers working with women asylum seekers at Asylum Aid, who have encountered many instances where women who have fled due to their experiences of sexual violence, have nevertheless remained silent throughout interviews with immigration officials. In such cases, the real reasons women need protection remain hidden. The role of legal representatives is therefore crucial in trying to help their clients overcome their feelings of shame and guilt, something which can only be done by using a comprehensive gender-sensitive approach, including the referral to specialist support.

**References:** 1 [www.who.int/eha/disasters](http://www.who.int/eha/disasters); 2 Desjarlais, R. et al (1995) *World Mental Health: Problems and Priorities in Low-Income Countries*, New York, Oxford University Press; 3 Hinshelwood, G. (1999) 'Shame, The Silent Emotion' in *Institute of Psychosexual Medicine Journal*, Volume 22, 9-12; 4 WHO Fact Sheet No.248 (2000) *Women and Mental Health*, at <http://www.who.int/inf-fs/en/fact248.html>; 5 'Return to Peace: post-conflict realities' in *Force Migration Review*, No.11, October 2001; 6 Cole, Espin & Rothblum (1992), 'Refugee Women and Their Mental Health', Harrington Park Press, New York. 7 Turshen M. & Twagiramariya, C. et al (1998) *What women Do in Wartime: Gender and Conflict in Africa*, New York, Zed Books Ltd.

## **Women's Legal Service opens its doors (and crèche) to Women Asylum Seekers**

Noden and Company, a franchised immigration and asylum law firm, has just launched the Women's Legal Service (WLS) a project exclusively tailored to the needs of women asylum seekers and immigration clients. Based on its own experience, the firm realised the crucial

need to provide women clients with a specialist service and the publication of the Gender Guidelines by the IAA, in November 2000, provided the catalyst for the creation of WLS.

WLS' mission statement is to ensure that gender related aspects of women's experiences are taken into account and appropriately reflected in the determination process. WLS hopes to achieve this by providing an environment which is conducive to full disclosure of information relevant to our clients' cases and by presenting their cases from a perspective which takes into account the context of women's experiences. WLS' work will also be informed by continuing to develop relationships with other organizations working with women from different ethnic backgrounds.

The project is staffed by four female front-line caseworkers, supervised by a specialist asylum solicitor. It provides a women-only reception area and crèche facilities available for two hours per day (free of charge whilst clients are seen). Female interpreters and, where appropriate, female experts are used. 📍 Noden & Co is located at 248 Ladbroke Grove, W10, near Ladbroke Grove tube station. WLS is located in the same building but has a separate entrance at 8 Telford Road 📞 For further information please contact WLS on 0208 968 1098.

## **Internet Resources on Women's Rights in China**

Last month RWRP published a report on Domestic Violence in five countries, including China (see September bulletin for details). Following this we decided to use our monthly bulletin to draw attention to

sources of information that we found particularly valuable when researching the report. Here we have listed some useful references on women's rights in China:

Two recent articles, 'Issues in Focus for New Marriage Law' and 'Ban on Family Violence Urged in China' (2001), can be found on the **China Internet Information Centre** which also provides official on-line news and information ([www.china.org.cn](http://www.china.org.cn)).

Another article relevant to married women, 'Marriage Law to better protect women, children' (2001) can be found on [www.china.com](http://www.china.com) whilst **Human Rights Watch** ([www.hrw.org](http://www.hrw.org)) 'World Report 2000' also includes information on violence against women in China.

For factual information on structure of local and national government; relevant to existence of local legislation on domestic violence, see the **CIA World Factbook** [www.odci.gov/cia/publications/factbook/geos/ch.html#Govt](http://www.odci.gov/cia/publications/factbook/geos/ch.html#Govt)

'The Property of Men: The Trafficking and Domestic Abuse of Women' (1995) and the 'Report on Implementation of CEDAW (Committee on the Elimination of All Forms of Discrimination Against Women) in the People's Republic of China: A Report with Recommendations and Questions for the Chinese Government Representatives' (1998) are available from **Human Rights in China** at [www.hrichina.org](http://www.hrichina.org).

Besides, **China Law** (University of Maryland School of Law) at [www.qis.net/chinalaw](http://www.qis.net/chinalaw) is a comprehensive law site which includes: The Constitution of the People's Republic of China (1993), Law Safeguarding Women's Rights and Interests of the People's Republic of China (1992) and the Criminal Law of the People's Republic of China (1997)

The **People's Daily** is an on-line newspaper covering changes in the law, Government White Papers and current affairs <http://english.peopledaily.com/cn>.

(Source: RWRP, 'Refugee women and Domestic Violence: Country Reports, September 2001)

## ***Other UK Projects, Events, News***

### **AntiSlavery International launches its campaign on Trafficking with award**

Anti-Slavery International is awarding Association for Community Development (ACD) for its outstanding work against human trafficking in Bangladesh. Between 700,000 to two million women and children are reported to be trafficked across borders each year, effectively spreading slavery to every continent and most countries (see also WAN, August 2001). Journalist Saira Shah will present the Award to ACD's founder and director, Salima Sarwar. Two trafficked children who live in ACD's shelter home will also attend the ceremony.

📅 The event takes place on Tuesday 13 November starting at 7:15pm at Waterstones Bookshop, The Simpson Room (top floor), 203-206 Piccadilly, London, W1V 9LE. All are welcome. 📞📧 If you would like to attend, please contact Sonya Maldar, Anti-Slavery Campaigns Officer on 020 7501 8933 or email: [s.maldar@antislavery.org](mailto:s.maldar@antislavery.org)

### **Asylum News: Update on Oakington Case**

On 19 October, the government won its appeal against the High Court ruling that the detention of 4 Kurdish asylum seekers was in breach of their human rights under the 1998 Human

Rights Act, as reported in last month's bulletin. The Appeal Court ruled that the number of asylum applications justified detention for a short period of time as '*[it] is not an unreasonable price to pay in order to ensure the speedy resolution of the claims of a substantial proportion [of asylum seekers]*'.

This latest ruling is a disappointment for the lawyers representing the Kurdish asylum seekers since, if the decision remains unchallenged, it will '*leave asylum seekers without any significant protection to the right to liberty*'. Leave has been granted for the lawyers who represented the case to appeal to the House of Lords. Source *The Guardian*, 20 October 2001 ([www.guardian.co.uk/refugees](http://www.guardian.co.uk/refugees))

**Related News:** The Home Secretary has announced its intention to implement revisions to both Asylum and Human Rights Law - see Parliament website for the forthcoming publication of the Bills. (Source: [www.ein.org](http://www.ein.org))

**New Internet sources on asylum in the UK** Recently developed sites include: [www.asylumsupport.info](http://www.asylumsupport.info) (with links to related resources, copies of all UK National Asylum Support Service Policy Bulletins); [www.immigrationnews.org](http://www.immigrationnews.org) which covers immigration and refugee news in the UK; [www.bailii.org](http://www.bailii.org), a broad database of legal materials (not just asylum) including Higher court cases pre 1990.

A new CD ROM, the Immigration Consortium Country Information Database (or ICCID) is now available from the Electronic Immigration Network and has been specially created for representation in immigration cases. This searchable database contains 3,500 individual reports on 46 main refugee producing countries

which can be searched, extracted and compiled using a customised 'tool bar'. For more information, contact EIN (website as before).

## **International News**

### **Reproductive Health for Refugees Consortium on Internet**

Its new website, [www.rhrc.org](http://www.rhrc.org), provides accessible resources on gender-based violence in refugee and Internally Displaced People settings. Its first publication, a consultancy report on 'The role of International Law in the struggle against sex-based and gender-based violence against Refugee women' is available at <http://www.rhrc.org/tech/sgbv/steinitz.pdf>.

### **Women's Rights in the Middle East on the Web**

The Committee to Defend Women's Rights in the Middle East, created in July 2001, has just opened its new website accessible at [www.geocities.com/middleeastwomen](http://www.geocities.com/middleeastwomen). The website include a number of articles (in English) and references (in Arabic) relating to women's issues in the Middle East.

The Committee, which gathers women's rights activists from Iran, Jordan and Lebanon, believes in the universality of women's rights and rejects the concept of cultural relativism. It condemns attacks on women's basic rights and freedom by Islamic movements and Islamic governments in the region, such as honor killing and forced marriages; the imposition of Islamic dress code; restrictions on women's rights to work and other civil and political rights and segregation of women and men in public places. The Committee

;calls for a number of legal measures that would abolish such restrictions on women's rights.

### **Djibouti women's committee against Rape and Impunity appeals for an international inquiry on abuses against women**

According to the Committee, hundreds of Afar women have been raped by the government's Army in Djibouti since the beginning of the civil war in 1991. The Committee condemns the Republic of Djibouti, which has become the main French military base in Africa, for continuously violating human rights in total impunity, and specifically for failing to provide Djibouti women with protection from abuses by government forces.

As a result, women and young girls who have been raped by government soldiers are only left with both long-term physical and mental health consequences. Cases of women who had the courage to go to court failed to secure the condemnation of the perpetrators. The organisation is calling on the international community to condemn human and women's rights abuses in the country. 📠📞 Contact in Djibouti: tel + 253 352 593 (Address: Boite Postale 1757, Djibouti); in France: Aicha Dabale, 3 passage des Italiens, 93170 Bagnolet; tel: 0033 1 43 609601, fax: 00 33 1 43 620394.

### **Ethiopian Women Lawyers Association (EWLA) 'too political' according to government**

EWLA, an organisation dedicated to the defence of women's rights and the provision of their legal representation in case of abuses and violence, was forced to stop its activities by the Ethiopian government at the beginning of September 2001. The government claims that the association was involved in

political activities that were beyond its remit as a non-governmental organisation (NGO).

The conflict was sparked by the case of a young woman who suffered six years of harassment by a man who claimed to be in love with her but turned violent when she rejected his advances. After a short period of imprisonment (one month), he shot dead the woman as she was leaving her office. EWLA subsequently accused the Minister of Justice of ignoring warnings it had issued on the case, a statement that infuriated the Minister. When EWLA refused to publicly retract its statement, the government forcibly stopped its activities.

Besides its legal work, the organisation has been a prominent advocate of women's rights and has contributed to the revision of civil laws and the adoption by the Parliament of a new family law based on gender equality. This move is therefore a major setback for women's rights in Ethiopia and a civil society already undermined by a government who has systematically refused the creation of independent human rights commission in the country and the presence international human rights organisations. (📄 Source: [IPS@ips.ngonet.be](mailto:IPS@ips.ngonet.be) via Femmes Afrique news network)

### **Publications**

The **Conference Proceedings of the International Conference on Refugee Women Fleeing Gender-based Persecution**, held in May 2001, are now available from the Canadian Council for Refugees. 📞📄 For details, please contact Guadalupe Macias, CCR, on 00 1 514 277 7223 or email [ccr3@web.ca](mailto:ccr3@web.ca).

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