

Women's ASYLUM NEWS

Refugee Women's Resource Project - Asylum Aid - Issue 31 April 2003

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Home Office help for victims of trafficking comes with a price tag: Join our campaign now!

The Home Office pilot scheme to assist victims of trafficking launched on March 10 2003 has been widely criticised by NGO's for roundly failing the identified needs of exploited women.

The project is being piloted by Eaves Housing to provide 25 places of sanctuary for victims of trafficking. Some two emergency beds are to be kept empty at all times. But the constraints placed on the project by the Home Office guidelines mean many victims of exploitation will be excluded from such assistance.

The pilot scheme is only available to adult women and then, only women who are "working in prostitution". This excludes the victims of labour exploitation such as migrant workers coerced into working conditions they did not agree to and which coincidentally reflects a significant client group at Asylum Aid i.e. young women trafficked from West Africa to be exploited as domestic slaves.

Home Office News: Exceptional Leave to Remain replaced with Humanitarian Protection or Discretionary Leave (See page 11 for full details)

Trafficked Women must be working as prostitutes in the UK to get protection The criteria set out by the Home Office to qualify for the scheme are as follows:-

- The victim must have been brought to the UK
- She must be forcibly exploited to provide labour or services
- She is working as a prostitute
- She must come forward to the authorities
- She must be willing to cooperate with the authorities

However, scrutiny of the qualification criteria illustrates that even the women in the target group identified by the Home Office who have been trafficked into this country to work in prostitution will not necessarily qualify for assistance.

One of the most restrictive qualifications is that women have to be working as prostitutes in the UK. Translated into reality this means a women must have been exploited in the UK in order to access assistance. Victims of traffickers identified at port, in transit to another country, or in detention, often incarcerated with their exploiters, will not qualify for the scheme, irrespective of the abuse carried out in

other countries. They will probably fall victim to a gender-blind immigration process which simply returns victims back into the arms of their exploiters to be re-trafficked to the UK or another destination country.

It is certainly true that many women trafficked to the UK and caught in the immigration net ask to be sent straight home. However, this is often on the instructions of their traffickers who have coerced, deceived, abducted, abused or threatened them or subjected them to a mixture of all or some of these. Fear of the immigration service amongst the foreign nationals working as prostitutes is paramount. They are often so well primed by their traffickers as to the “consequences” of their illegal status in the UK that deportation must seem like a safer option. With the Prime Minister elevating targets for returned asylum seekers to the top of the asylum agenda the immigration services usually oblige.

Thus it appears that the pilot has been set up for police referrals from raids carried out in London. Sources advise RWRP that these raids are becoming more regular and that the police are more and more often accompanied by the immigration service.

A mockery of the European sponsored Stop Trafficking Programme

This policy of requiring a woman to be exploited on UK soil before she qualifies for sanctuary also makes a mockery of the European-sponsored Stop Trafficking Programme designed to train trainers on a multi-agency basis aimed at frontline workers in the immigration service, the police service, local authorities, social services, NGOs', etc., to help them to identify victims of trafficking at ports, police

stations, HPUs' etc.

We contend that any effort to prise a victim from the clutches of her abusers must include an offer of unconditional sanctuary and financial support, even just for a short period of time, in order to present as a realistic alternative

Co-operation with police requested

It is then in this climate of exploitation and fear that victims of trafficking are required to fulfil the second qualification: they must co-operate with the police with a view to prosecuting their traffickers. Further, the quality of that intelligence and its implications in terms of prosecutions will have a direct effect on the victim's right to sanctuary.

Women on the pilot have four weeks to decide whether to cooperate with a possible prosecution – four weeks of sanctuary. If after that four weeks they decide to cooperate with the police they will qualify for a further 6 – 12 weeks of sanctuary and support while their information is “assessed”. During this time the victim will be assessed for return to their country of origin with the Voluntary Assisted Return Programme.

On the face of it, it might seem quite reasonable to demand that the victims of criminals should, in exchange for sanctuary, give evidence which will lead to the prosecution of those criminals. RWRP certainly has no argument with the view that the best way to disrupt trafficking is with effective prosecutions and sentencing in order to deter this despicable trade.

However, there is no mention of “leave” or status” being granted during or beyond this 16 weeks although the Home Office does note the existence of the Victim Protection

Scheme. Unfortunately this is only available to those who are able to give sufficient valuable intelligence to result in a prosecution. In fact, the Home Office makes it clear in its own guidelines on the pilot that the provision of 25 places for between 140 – 1,400 victims trafficked to the UK annually - *“recognises that not every victim will go through the whole process from identification to the achievement of the ultimate objective of delivering evidence that will result in a successful prosecution...”*.

The Home Office and the Minister for the Home Office have steadfastly refused to indicate that victims of trafficking will be granted any form of leave or status in the UK. The Minister, Beverly Hughes, recently suggested any such offer would present a “pull” factor for asylum seekers to the UK. The presumption is that asylum-seeking women would find it an irresistible prospect to pose as trafficked women working as prostitutes in order to obtain status in the UK.

There appears to be no recognition of the ‘hold’ traffickers exercise over their victims with the dire threat of immigration control and how disruptive it would be to the traffickers’ lucrative business if this threat were to disappear.

A lucrative business based on credulity, threats and violence A Guardian article, ‘Slaves in Soho’ (26 March 2003), identifies that foreign gangs have infiltrated the £12m a year sex industry by using impoverished women mainly from Eastern Europe to undercut the going rates.

The article goes on to highlight “Natasha”, aged 15, who gave evidence against her pimp. She had been forced to work for 20 hours a day, earning her “owner” £500 a

day. She had been tempted by offers of a “better life” and had left her impoverished home in Romania. She was trafficked into sexual slavery in London. A similar recent prosecution of two Albanians for trafficking, rape, indecent assault and drug possession reveal another Romanian girl, aged 16, who had been sold at 12 years old and trafficked via Macedonia to London.

A recent report from the US government estimates that at least 700,000 women and children are trafficked worldwide across borders each year. IOM’s estimates put the figure as high as 2 millions in 2001¹. According to Anti-Slavery International people generally put themselves or their children into the hands of traffickers in order to improve their lives, or to escape poverty and discrimination.

Traffickers seek out their victims in many different ways. Some are tricked or deceived with offers of employment, education, marriage or the ability to send money back to their families in the country of origin. In other cases women are “coerced” into prostitution by their “boyfriends”. Children and young women may be abducted or sent with their family’s consent to “better opportunities” abroad.

The cost of travel is initially covered by the trafficker or the money is borrowed from family, friends or loan sharks. Either way the trafficked person enters into a situation of debt, usually between £5,000 and £25,000, which is often then inflated through charges for accommodation, food and interest on the loan borrowed.

¹ See: www.unesco.org/bpi/eng/unescopress/2001/01-91e.shtml and www.unifem.undp.org/newsroom/press/pr_030307_IOM_MOU.html

This debt in an unfamiliar place with no language skills leaves the trafficked person in a vulnerable position which is often exacerbated by traffickers taking away passports and travel documents and threatening to report them to the police/immigration as illegals.

As if this was not sufficient many women are subjected to threats, violence, torture and rape in order to submit them to the trafficker's demands. Traffickers also use threats of violence against their families in their country of origin.

The level of violence employed by some traffickers to "control" their victims has shocked the most hardened frontline vice squad members. Violence against family members in countries of origin is well-documented and equally shocking.

At the same time, many of the women brought into the UK by traffickers are systematically dehumanised until they are unable to make a choice. Their "work"; how they "work"; how many clients they service a day; what precautions they are allowed to take if any; even down to when they eat and what they wear, are controlled by their exploiters. More often than not they are imprisoned in a flat with a maid who "arranges" appointments for their "customers".

Many of these women have been trafficked and re-trafficked, sold and re-sold. Often even those who knew they were entering the UK to work as a prostitute find they are coerced into trading in dangerous sexual practices and are unable even to control the number of customers they service in a day.

The problems for women wanting to escape the clutches of the traffickers range from fears about their immigration status

and the consequences; threats to themselves and/or their families; the shame of returning to their country of origin as an "ex-prostitute"; the fear of debt and violence or both;² the lack of protection and sanctuary provided by the UK authorities and/or by the authorities in their country of origin; and the lack of intelligence that will lead to a prosecution.

Existing UN Protocol ignored by UK authorities The UN Protocol in trafficking and the EU Framework Decision on Trafficking (known as the '*Brussels Declaration*') outline measures which should be made available to protect and support victims of trafficking. They include a period of reflection in a place of sanctuary to empower those who are exploited and disempowered to make an informed decision about returning to their country of origin or seeking surrogate protection in the UK under the Geneva Convention or under the Human Rights Act.

This is the absolute minimum all victims of trafficking deserve. However, in the UK, the decision to co-operate with a prosecution with all its inherent dangers to themselves and their families does not automatically exclude their deportation – "willing or unwilling". The "quality of the intelligence" victims will provide is paramount.

If many women are trafficked and re-trafficked; sold and re-sold; imprisoned in houses with maids with little contact with their traffickers; or sold onto vice rings or the hands of exploiters already operating in

² According to the Guardian ('Slaves in Soho', 26 March 2003), police estimate that 150 criminal cases were connected with trafficking in the last two years. But most of the girls come from cultures that shun the police. Pimps, with threats of prison and systematic rape and violence easily intimidate them.

the UK, they are unlikely to have sufficient knowledge of their traffickers to assist in a prosecution.

If women are forcibly brought to the UK by illegal routes in closed vans or lorries; or drugged and placed in the boot of a car; or forced to travel miles, often country to country, being passed from one group of men to another group; imprisoned in flats and houses on route, they will have little or no information about the trafficking routes and the people who trafficked them.

Under the current guidelines for the pilot the vulnerability of a victim is not a factor, the main assessment being how useful they will prove in securing a prosecution.

However, the Guardian highlights the difficulties with prosecuting a trade based on transnational networks: *'The London police force is hardly suited to conduct complex international investigations necessary to track the networks of London pimps. Nor can they tackle remote causes like disparities of poverty and wealth between western European countries and those of the east such as Moldova, Romania and Ukraine'*.

Prosecuting Traffickers Not a Government Target

In the new Nationality, Immigration and Asylum Act 2002 there is a provision to prosecute traffickers. It has been declared a "temporary measure" awaiting comprehensive legislation in the Sexual Offences Act which is currently at Committee stage. However, prosecuting traffickers is not a government target for police and as such will not be a priority for any police force, including in the Met in London, and will remain under resourced.

Further, the definition of trafficking in the UN Protocol and supported by NGOs' such

as Anti Slavery International seems unlikely to become part of the new Act. It states:

'The recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments and benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery or servitude or the removal of organs'.

This definition makes it clear trafficking is not limited to sexual exploitation and covers all activities connected with trafficking. There would be no such recognition in the UK.

Political Indifference in the UK

Ultimately, the lack of adequate protection for all victims of trafficking in this country reflects the scandalous indifference of politicians to the plight of trafficking victims.

In its article on sex slaves from the Balkans, the Guardian highlights the reasons for this 'political indifference' and pinpoints 1999 when NATO troops arrived in Macedonia as the time and place when the trade "took off" in the region; the sex industry "significantly increased after the Kosovo war [with] the long-term presence of large numbers of soldiers and charity workers". The sex industry flourished, it says, because of the *'West's undifferentiated support to all groups*

opposing Milosevic including Albanian criminals'. As the Guardian further writes:

'No wonder politicians aren't queuing up to understand the roots of the UK's sex slavery, especially right now. But their indifference is shocking. What's happening to women right under our noses is just as important as abuses further afield.'

This is why we are calling you to take action.

Join our campaign now:³

RWRP would encourage NGOs', womens' and refugee organisations, MPs, members of the House of Lords, decision makers and policy makers to put the interests of the victims of exploitation first. The prosecutions will logically follow.

If the victims of trafficking feel there is a safe viable option for them they are more likely to feel able to co-operate with the police.

If trafficking is elevated on police targets police forces can "join up" the intelligence from various victims of trafficking to aid prosecutions.

If a reflection period is automatic for trafficking victims, they will not need to use the asylum process with asylum claims merely to stop being deported back into the hands of the traffickers.

An ongoing project to provide sanctuary for the victims could be paid for by seizing the assets of the traffickers- after all it is very lucrative.

If victims of trafficking were able to feel safe presenting to the authorities in the UK this would cause a major disruption of the trafficking trade, which depends on a climate of fear.

Please lobby for:

- **An expansion of the pilot project to accommodate all victims of trafficking**
- **That sanctuary for victims of exploitation should not be dependent on co-operation with the police or 'quality of intelligence'.**
- **That the UN definition of trafficking should be incorporated into the Sexual Offences Act**
- **That redress and compensation for victims should form part of the tariff for committing trafficking offences**
- **That police targets nationally should feature protecting trafficking victims and prosecuting traffickers as a government priority**
- **That resources should be identified to fund an on-going project providing sanctuary and financial support for trafficking victims**
- **That victims of exploitation should be granted an automatic period of reflection with sanctuary to consider their options**
- **That decision makers and policy makers should be informed and trained to understand the consequences of returning victims of trafficking to a country of origin**
- **That status or leave should be granted to victims of exploitation who face re-trafficking or persecution of any form if returned to their country.**

³ This campaign is led by Anti-Slavery International, the Counter-Trafficking Group and RWRP.

▪ **Also lobby to keep safe house for children victims of trafficking (below)**

Editors' Note: NGOs' are encouraged to refer all trafficking victims to the Poppy Project at Eaves Housing even if they don't fit the Home Office criteria as statistics may help to lobby for a continuation of the project and for change to the guidelines.

Even if your client has obtained safe housing the Poppy Project may still be able to help with ongoing support and counselling.

Useful contacts

Anti Slavery International: Tel: +44 (0)20 7501 8920, fax: +44 (0)20 7738 4110 email: info@antislavery.org or Mike Kaye at m.kaye@antislavery.org

Eaves Housing for Women (Opening Hours: 9.30am to 5.30pm - Monday to Friday). Tel: 020-7735 2062, Fax: 020-7820 8907, Email:

Denise.Marshall@eaveshousing.co.uk

Also! Lobby to keep safe house for trafficked children

Plans are afoot to close the only specialist unit which provides sanctuary to children who have been trafficked to the UK.

West Sussex Social Services, was the first to identify that unaccompanied asylum seeking children were being trafficked to the UK. These girls were told to apply for asylum at port and were then referred to Social Services by immigration officers. They subsequently disappeared from social services care when traffickers made contact with them. Most of the children would have been taken to another EU destination where they would be forced into prostitution.

West Sussex is one of the few Social Services which profiles children as being at risk from trafficking; records statistics; has a protocol for cooperation with immigration, the police and non-governmental agencies; and operates a safe house for the protection of trafficked children.

It is because these systems have been in place since 1995 that we know 75 children who were profiled as trafficked have gone missing. It is likely that this situation is replicated country wide.

Instead of using West Sussex Social Services as a centre of excellence and good practice which would safeguard children's' rights across the UK the centre is now under threat of closure.

A recent article in the Irish Examiner noted that "hundreds" of young asylum seekers had disappeared after arriving alone in Ireland.⁴

More than 150 unaccompanied children who came to Ireland did not turn up for their first interview with the Home Office. Figures from the Department of Justice suggest many more may have slipped through the system.

Cabrini Gibbons, legal officer with the Irish Refugee Council, said there was evidence children were being trafficked into Ireland and used as cheap labour and even prostitution.

Please lobby to keep this centre open and for it be used as a blueprint for other Social Services to use in tackling the problem of children being trafficked.

⁴ John Breslin, 'Violetta may have been sold into marriage', in the *Irish Examiner*, 12 April 2003, at www.examiner.ie/

women's **ASYLUM NEWS**

Related information

European Commission sets up expert group on trafficking

On 25 March the European Commission adopted a decision setting up an expert group on trafficking in human beings. The creation of this group has been said to be in furtherance of the implementation of the Brussels Declaration, which represents the final conclusions of the conference on trafficking and comprises a series of recommendations, standards and suggestions for best practice. The Brussels Declaration also calls for the establishment of the Experts group. (Source: ECRAN Weekly Update, 11 April 2003)

The UN Development Fund for Women (UNIFEM) and the International Organization for Migration (IOM) are to strengthen their work against trafficking in Women and Girls.

A Memorandum of Understanding signed yesterday at UNIFEM headquarters in New York outlines the fight against trafficking in human beings, particular in women and girls, the needs of women in post-conflict situations, and the promotion of the rights of female labour migrants as key areas of joint collaboration between both organizations. (Source: Press release, 7 March 2003, at www.unifem.undp.org/newsroom/press/pr_030307_IOM_MOU.html).

New Bill on Human Trafficking in the Works in Russia

On 17 February, the Deputy Chairwoman of the Duma Legislation Committee announced that a bill that defines human trafficking as “a form of organized crime and a source of terrorism” had been introduced. Currently, human trafficking crimes are punishable

only as “forced prostitution” or smuggling in the Russian Federation.

The bill introduces new legal concepts such as “debt slavery” and “human-trafficking victim.” The bill would also introduce seven new articles into the Criminal Code, addressing all aspects of human trafficking and including the creation of a special commission and public centers dealing with the issue. The Deputy Chairwoman underlined the need for raising public awareness as human trafficking thrives on official corruption. Source: Edited from Legislationline, April 2003.

Philippine Senate passes anti-trafficking Bill⁵

In March 2003, the Philippine Senate approved on third reading Senate Bill 2444, otherwise known as the Anti-Trafficking Act of 2002. The legislation criminalises trafficking which it defines as the recruitment, transfer or deployment of a person for the purposes of prostitution, pornography, sex tourism, forced labour, slavery or slavery-like practices, sexual exploitation, involuntary servitude, debt bondage, physical and other forms of abuse, removal or sale of organs or involvement in armed activities or other similar acts.

The Bill also provides for the protection and rehabilitation of victims, including counselling, health care, legal assistance and temporary shelter. It also mandates the Government to establish and implement programmes to prevent, protect and rehabilitate victims of trafficking through the Inter-Agency Council Against Trafficking.

⁵ Source: Extracted from Trafficking Network Update, April 2003.

Related publications ⁶

■ **'Knowledge of Evil: child prostitution and child sexual abuse in twentieth-century England'** by Alyson Brown and David Barret, London, Willan Publishing, January 2002.

■ **'The trafficking of children into, and through, the UK for sexual purposes: What the Professionals Know'**, by Carron Somerset, for ECPAT UK, November 2001. For a free download in PDF format (54 pages), go to: www.ecpat.org.uk/

■ **New Human Rights Watch (HRW) report documents child trafficking in Togo** (see more details p. 16).

■ **US Department of State country reports on human rights practices for 2002 (issued 31 March 2003)** are now available. The last section of each country report comments on the issue of trafficking in persons. The reports can be found at: www.state.gov/g/drl/rls/hrrpt/2002/

■ **The final report of "Provisions for Victims of Trafficking in Bonded Sexual Labour, i.e. Prostitution" 2002**, covering Belgium, Germany, Italy, the Netherlands, Spain and the United Kingdom, by Aika van der Kleij, Bonded Labour in Netherlands, BlinN, Co-project of Novib and Humanitas, can be accessed at: www.humanitas.nl/project/Blinn_Final_Report.pdf

■ **CHANGE now has a number trafficking publications** available on-line

at: www.antitrafficking.org For hard copies, please contact CHANGE at: atp.change@sister.com

To keep updated on information relating to trafficking, you can subscribe to the Trafficking Network Update newsletter by contacting Mike Kaye at Anti-Slavery International. Tel: +44 (0)20 7501 8920 or email: m.kaye@antislavery.org.

Related Event

Lilya4 Ever Women's Library Film and Debate 29 April 2003, at 19:30. Lukas Moodysson's latest film, Lilya 4 Ever, is the relentless and stark story of a Russian girl abandoned by her mother. Lilya's attempts at survival through prostitution (and worse) raise tough questions about the nature of power in contemporary Europe. The film screening will be followed by a discussion on child prostitution and trafficking with Liz Kelly, Director of London Metropolitan University's Child and Woman Abuse Studies Unit, Diana Mills, RWRP Coordinator, and Polly Toynbee, political columnist at The Guardian.

Venue: Barbican Centre, Silk Street, EC2Y 8DS, London. Tickets cost £7 (£5.50 concessions). Contact: The Women's Library & Barbican Centre. Barbican Box Office: 020 7638 8891 or visit: www.barbican.org.uk

RWRP News: Update on our Emergency Appeal

Thank you for standing up for the most vulnerable asylum seekers at this critical time Thank you so much for responding to Asylum Aid's recent

⁶ Sources include: www.asylumsupport.info/, Human Rights Watch and Trafficking Update, April 2003.

emergency appeal (see WAN No. 30 or visit our website at www.asylumaid.org.uk). Your gift is enabling us to continue giving practical support to vulnerable women through the casework undertaken by the Refugee Women's Resource Project.

The response from our supporters has been really heartening and we are now confident of getting through what is still a difficult period for the organisation. There is still much work required to sustain the services we presently provide, whilst seeking stable, long term funding for the RWRP casework team, but recent indications from a number of trusts have been positive. We will keep you updated on the progress of the appeal in our forthcoming newsletters.

We would like also to thank very much Oxfam and Doughty Street Chambers for their generous contributions.

UK News

New Bill to Outlaw Female Genital Mutilation On 21 March, a bill on outlawing female genital mutilation received its second reading in the UK Parliament.⁷ Female genital mutilation is already a criminal offence in the UK under the Prohibition of Female Circumcision Act of 1985. However, the new Female Genital Mutilation Bill repeals and re-enacts the provisions of the 1985 Act and gives them extra-territorial effect as was recommended by an All Party Parliamentary Group on Population, Development and Reproductive Health reporting in 2000.

⁷ (Source: UK Home Office Press Release, via Legislation online UK, March 2003, No. 10)

In practice, this means that the new bill proposes amendments to the current law to make it unlawful to take girls abroad for genital mutilation notwithstanding the fact that this practice is lawful elsewhere. It will also increase the maximum penalty for both performing and procuring female genital mutilation from 5 to 14 years imprisonment.

Chief Inspector of Prisons strongly criticises the treatment of asylum seekers in detention Five detention or 'removal' centres were inspected in 2002 as part of an inquiry into the treatment of failed asylum-seekers and illegal immigrants. The reports released this month by Chief Inspector Anne Owers provide a detailed account of the experience of detainees in three centres run by private contractors and two by the Prison service.

They reveal that asylum seekers are subjected to routine strip searches (in particular in the two centres run by the Prison service), suffer from an overall lack of mental health support and that on average nearly two-thirds of detainees felt unsafe. The Chief Inspector notes that '*at all the establishments except Oakington the proportion reporting feeling safe decreased the longer [the detainees] were held there*'.

The reports say that detainees' insecurity is compounded by the fact that '*they are unable to obtain reliable information from the immigration authorities about the reasons for their detention or the progress of their cases, or to access competent independent legal advice*'. It is revealed that in a number of centres detainees are clearly targeted by unscrupulous legal advisers exploiting their vulnerability.

Apart from a lack of adequate mental health support, another major concern is the lack of any specific provision to respond to the welfare needs of asylum seekers, especially for those who had been detained indefinitely. Healthcare in general is also an issue in most centres.

The reports include 14 strategic recommendations to improve the situation. However, Minister Beverley Hughes somehow dismissed some of the findings of the reports when she said: '*a large proportion of the findings reflect only the comments on the detainees themselves*'. These remarks were strongly rejected by the Chief Inspector.

The reports were published a day after a Home Office internal inquiry into the suicide of a mentally ill asylum seeker facing deportation passed a damning verdict on the care he received whilst detained in Harmondsworth, a removal centre run by security firm Burns International.⁸ The 50 year-old asylum seeker had a history of depressive illness but the inquiry revealed that the company had no formal policy to prevent suicides. The Guardian reports that it has taken two years for the results of the inquiry to be published and only after the human rights group Liberty threatened to take high court legal action on their behalf.

For a copy of the reports findings see: www.ncadc.org.uk/letters/newszine33/Detention%20estate%20report.pdf or go the Home Office website at: www.ind.homeoffice.gov.uk/news.asp?NewSID=263

Related publication A new report by the UK independent charity Bail for Immigration

Detainees (BID) reveals that children in families have been detained in removal centres for more than five months. The report, '*A Few Families too Many: The detention of asylum-seeking families in the UK*' is the result of an independent study based on interviews with nine families about their experiences of detention in the UK. The interviews were conducted between July and September 2002 and revealed that the children have suffered serious '*physical, mental, and social harm*' as a direct result of detention.

For more details, contact Sarah Cutler, Policy and Research Officer on 020 7247 3590 or go to the 'events and new publications' section on BID's website at: www.biduk.org/news.htm or email: bailforimmigrationdetainees@yahoo.co.uk

Related information Human Rights Watch calls on the United States to rescind its new policy of detaining all asylum seekers from 34 countries where terrorist organisations have been active, including Irak. Many of the countries have well documented records of human rights abuse. Under the new policy, asylum seekers could face months if not years in detention. (Source: www.hrw.org/press/2003/03/us032603.htm)

Home Office News: End to exceptional leave to remain Since 1 April 2003, the Home Office has replaced Exceptional Leave to Remain by a two new forms of leave: Humanitarian Protection and Discretionary Leave.

Humanitarian Protection will be granted to anyone who would, if removed, face in the country of return a serious risk to life or person arising from the death penalty; or

⁸ Source: Alan Travis, 'Lack of care cited in asylum suicide report', 7 April 2003 at www.guardian.co.uk.

unlawful killing; or torture, inhuman or degrading treatment or punishment. The provisions exclude serious criminals, including war criminals, as well as people who committed crimes against humanity and terrorists or others who raise a threat to national security. Humanitarian Protection will be granted for a period of three years although there is the possibility of shorter grants of leave. A review will establish if further protection is needed after the end of three years. In that case, the claimant will usually receive ILR.

Discretionary Leave Asylum applicants who are considered not to be in need of international protection or excluded from such protection may be granted Discretionary Leave. This could concern applicants with an Article 8 claim, an Article 3 claim only on medical grounds or severe humanitarian cases, unaccompanied asylum seeking children for whom no adequate reception arrangements are in place; or cases able to demonstrate compelling reasons why removal is not possible. The period of Discretionary Leave will depend on the basis on which it is granted but should not be made for more than 3 years unless specific notices indicate otherwise.

Anyone granted either form of leave will have full access to mainstream benefits and employment. There will be no automatic right to family reunion.

For full details on the new two forms of leave, please go to:
<http://www.ind.homeoffice.gov.uk/default.asp?PageId=3801>

UK Events/Projects

Developing a Strategic Women's Voluntary Sector 27th May, 2-4pm is a meeting jointly organised by the Women's Resource Centre and Rights of Women, (supported by Women's Health, Women's Design Service, Latin American Women's Rights, and Women and Manual Trades) to look at how women's organisations can develop strategic action to increase the sustainability of the Women's Sector.

Venue: Tindlemanor, 54-56 Featherstone Street, London EC1. If you are interested in coming along, please email Beth Follini on beth@wrc.org.uk to confirm your attendance.

A practical course for asylum seekers & refugees working to improve human rights in Africa The Course which starts on the 30 June 2003 includes the following topics: Campaigning strategy, getting your message across, presentation skills, using the media, networking, fundraising, using the UN, African, European and UK institutions. The course is organized by the World University Service (UK), Registered Charity No 1003323, with the support of the Community Fund and the Body Shop Foundation.

Applications from women are particularly welcome. The Deadline for application is 12 Mayu 2003. For further information contact World University Service (UK), Tel. 020 7426 5825, Email: hratp@wusuk.org or visit www.wusuk.org

New advice service in Tower Hamlets⁹ Tower Hamlets Primary Care Trust and Social Services have come

⁹ Source: Information edited from IAP News 30, April 2003.

together with Praxis to operate a scheme based on a successful pilot project. The New Residents Service will employ specialist staff who will they will be trained in housing, welfare, education and employment advice, asylum law and policy, and be able to offer the holistic support that professionals need to complement their work. They will offer a customised training programme to help health and social care professionals and produce a multi-lingual Welcome Pack for new residents. For further details about this new project, please contact Santhi Corcoran, PCT, tel: 020 8709 5019 or email: santhi.corcoran@thpct.nhs.uk. Neil Amas, Praxis, tel: 020 7749 7608 email: neil@praxis.org.uk

International News

Egypt: anti-war demonstrators face arrests, torture and threats of rape According to the World Organisation Against Torture (OMCT, in French), the Egyptian Organisation for Human Rights and other reliable sources have reported a large number of arrests, and the detention and beatings of anti-war demonstrators in March this year. The state repression targeted a number of lawyers who had previously represented anti-war demonstrators and Members of the Parliament in violation of their parliamentary privileges.¹⁰

Three female students were also arrested on their way to the demonstration, one of whom was pregnant at the time of the incident and reportedly '*beaten by the police, blindfolded and bound*'. Her

¹⁰ The detainees have reportedly been charged with '*participating in an illegal assembly of more than five people*' under the Egyptian Illegal Assembly Law.

whereabouts were not known to the human rights organisation at the end of March when OMCT launched an appeal to condemn the repression. According to OMCT, torture within detention included the use of electric shocks, beatings with sticks or clubs, and the threat of rape towards women.

For more details about the OMCT appeal campaign, please check www.omct.org, then click on 'Appeals Programme' under 'Activities'.

Italian humanitarian woman receives 2003 Nansen refugee award

Annalena Tonelli, a 60-year-old Italian lawyer by profession, was given the \$100,000 award – for a refugee project of her choice - for her continuous dedication for more than 30 years to helping Somalis in Kenya and Somalia, the majority of them returned refugees and displaced people

Holding diplomas in tropical medicine, community medicine and control of tuberculosis, her devoted work includes fighting tuberculosis among the nomadic Somali communities, a school for the death in Somaliland; but also raising awareness on HIV/AIDS and the harmful effects of female genital mutilation (FGM) practised by Somali communities. Fundraising for these activities herself, she also liaises with a German charity to organize visits from surgeons helping so far more than 3,700 people to recover their sight.

According to UNHCR, '*Dr. Tonelli says she lives a life of "radical poverty" in order to be accepted and effective among the poor and suffering. She has resisted joining any organization, preferring to work entirely independently, and sees her life as one of "pure joy" rather than sacrifice*'.

The Nansen Refugee Award is given annually to individuals or organisations that

women's **ASYLUM NEWS**

have distinguished themselves in work on behalf of refugees. For more details, visit: www.unhcr.org. (Source: CCRLIST@yorkU.CA)

International Criminal Court prosecutor elected

The election of Louis Moreno Ocampo, of Argentina, was based on an informal consensus reached by the State Parties to the Rome Statute of the ICC.¹¹ The formal process will take place from 21-24 April. 200 complaints have already been lodged with the Court since the Rome Statute came into effect in July 2002.

International Actions

Join Amnesty International's campaign to End Sexual Torture Against Women in Custody in Turkey

According to Amnesty International, 'every day women (...) from all social and cultural backgrounds [across Turkey] have been abused, assaulted, tortured and raped by state security forces, acquaintances, complete strangers, and by family members, including their partners'.

The human rights organisations stresses that there are patterns of discrimination in Turkey that place all women at risk of violence but specifically 'Kurdish women, particularly those living in the south-east, and women who hold political beliefs that are unacceptable to the government or the military, have been at increased risk of violence at the hands of agents of the state'.

Take action by sending letters by post or e-mail to the Prime Minister and the Minister of Justice of Turkey asking them to undertake widespread reforms to end sexual violence against women. For full details, please visit:

<http://web.amnesty.org/pages/tur-140203-action-eng>

Rights and Democracy campaign against gender apartheid imposed by warlords in Afghanistan

The perpetuation of Warlordism in Afghanistan is detrimental to the security for Women, says the Canadian human rights organisation: '*gender apartheid is being instituted in grave violations of the human rights of girls and women in Afghanistan. This time, the attacks are coming from warlords.*'

'Warlordism threatens the security and stability of the entire country, as well as the fundamental human rights of women, who continue to suffer under renewed discriminatory edicts imposed by powerful provincial warlords, echoing the Taliban-era repression of women.'

The organisation provides details of measures taken against women including the banning of co-education for women and girls, the condemning of prominent female figures such as Dr Sima Samar, female head of the Afghan Human Rights Commission (which saw charges brought against her for 'un-Islamic behaviour') and the public call for denying women the right to participate in political processes.

Rights and Democracy also highlights that '*the notorious Department for the Propagation of Virtue and Suppression of Vice of the Taliban regime has been reinstated by the government, under a new name, the Department for Islamic Teaching. Warlords imposing fear vis-à-vis religious rhetoric have even raised questions regarding the upcoming draft of the constitution.*'

¹¹ Source: icc-info@yahoogroups.com.

This action initiative titled '*Perpetuation of Warlordism in Afghanistan Detrimental to Security for Women*', which was launched in March, is asking for action and a halt to financial and political support of warlordism and has prepared 17 recommendations for halting this obstacle to peace in Afghanistan. Rights & Democracy is documenting who the warlords are and lists their supporters: they include the U.S., Pakistan, Uzbekistan and Iran, among others, as well as cabinet members within the Afghanistan Transitional Authority (the ATA) government.

Rights & Democracy calls upon the Afghan government, the American government and regional governments, as well as the donor community, to halt all financial and military support of warlords. Full details of Rights & Democracy's letter-writing campaign can be found at:

www.ichrdd.ca/frame.iphtml?langue=0

Publications

OMCT Reports reveal widespread violence against women in Greece, Sri Lanka, Tunisia, Zambia, and Mali

Despite the fact that these countries are located in vastly different regions of the world, with different cultural attitudes and varying levels of development, these reports published by the World Organisation Against Torture reveal that there are commonalities between Greece, Sri Lanka, Tunisia and Zambia with respect to violence against women.

The reports on these four countries were prepared for submission to the United Nations Committee on the Elimination of All Forms of Discrimination against Women (CEDAW). They constitute a reminder that

'violence against women and girls persists around the world on a daily basis'.

They also record how states rarely fulfil their international obligations in terms of preventing, investigating or punishing all forms of violence against women. None of these countries has enacted specific legislation addressing domestic violence. Existing laws do not recognize the particular difficulties faced by women victims of domestic violence: these include familial and societal pressure not to press charges or the immediate need for protection through restraining orders, shelters, and other such mechanisms.

OMCT also expressed concern at reports of violence against women perpetrated by State agents in all four countries, particularly violence against women in detention or under arrest. State agents use sexual violence, including rape, and sexual harassment to exert power over women. Often, these State agents enjoy impunity while the women suffer in silence, afraid to come forward with a complaint. To help prevent incidents of violence against women in detention, or under arrest, OMCT recommends that women only be searched by female law enforcement officers. Furthermore, all perpetrators of violence against women should be identified, investigated and duly punished.

Each of the reports ends with conclusions and recommendations intended as tools for the treaty bodies, States and anyone concerned by violence against women at all levels. The reports also include the Concluding Observations of CEDAW concerning these States. For further information concerning OMCT's Violence Against Programme please contact the women's desk at: cbb@omct.org or jb@omct.org. Source: OMCT, Press Release, 5 February 2003.

Parallel to these reports to CEDAW, OMCT also presented a report titled '*Violence against Women in Mali*' to the 77th session of the UN Human Rights Committee (which began to examine Mali second periodic report to the committee re: the implementation of the International Convention on Civil and Political Rights in the country). According to OMCT, '*24 per cente of Malian women [are] married before the age of 15 years, 94 percent underwent female genital mutilation (FGM) while many were subjected to forced marriages and polygamy*'.

OMCT urged the government '*not only to repeal all laws justifying such practices, but also to criminalize such practices and raise awareness about the harm that accompanies such practices*'. A copy of the report is available at <http://www.unhchr.ch/hurricane/hurricane.nsf/view01/119936F1CF1D4607C1256CF5002CD096?opendocument>

New Human Rights Watch (HRW) report documents child trafficking in Togo

'Borderline Slavery: Child Trafficking in Togo' is a case study of trafficking in West Africa, where HRW denounces the failure of governments to '*address a rampant traffic in child labor that is growing worse because of the AIDS crisis*'. According to the report, children as young as three are exploited as domestic and agricultural workers in several West African Countries including Cameroun, Gabon and Nigeria.

The report is available online in English at: <http://hrw.org/reports/2003> (also available in French).

'Exile and Asylum: women seeking refuge in "Fortress Europe"', is one of the latest issues published by **Feminist Review (No. 73)** and focuses on the experience of women asylum seekers and refugees seeking, denied entry to, or living in exile in Europe. The issues contains a wide range of contributions from different perspectives including academics from several disciplines, activists and non-governmental service providers in the UK.

The result is a comprehensive picture of issues faced by refugee women and women asylum seekers such as: experiences of political persecution, women victims of war, women and children in detention, maternity care needs, protection for victims of trafficking, etc.

The publication is also enriched by autobiographical accounts from women who have endured years of torture under political repression or experience various levels of isolation and alienation in their host countries.

For more details or to order a copy, please contact Feminist Review at: Feminist Review Subscriptions Department, Houndmills, Basingstoke, Hants RG21 6XS, UK. Tel: +44 (0)1256 357893, Fax: +44 (0)1256 357. You can also email at: subscriptions@palgrave.com or check on the web at: www.feminist-review.com.

'The Use and Abuse of Political Asylum in Britain and Germany' by Liza Schuster, Frank Cass Publisher (March 2003), argues that political asylum in Europe has been used and abused by governments with minimal regard for the

protection of those who seek asylum.¹² This book combines an analysis of asylum from a historical and conceptual perspective with a comparative study of British and German asylum and refugee policies. The different challenges raised by asylum seekers - to the nation state, the welfare state and liberal democracies - are discussed, as are the reasons why states continue to grant asylum.

*'Liza Schuster presents a sophisticated critique of the prevailing ideologies underpinning state practices on asylum, refusing to accept as inevitable or just the existing systems that perpetuate human rights violations. Schuster demonstrates that the growing number of asylum seekers and refugees is an indication of a problem with the system, not simply a problem for the system. (...) Schuster issues a forceful argument calling for a radical rethinking of the politics of asylum and refuge. (...) This book transcends debates in Britain and Germany to other nations grappling with their own policies on asylum.'*¹³

'The idea of Women in Fundamentalist Islam' (University Florida Press, forthcoming in May 2003) In her study, Dr Lamia Shehadeh¹⁴ deconstructs the religio-political writings

¹² Edited information from: www.lse.ac.uk/Press/Forthcoming_books/The_Use&Abuse_ofPolitical_Aylum.htm

¹³ Michael Welch, associate professor, Rutgers University, USA and author of *'Detained: immigration laws and the expanding INS jail complex'*. For further information or a review copy contact Amna Whiston, Frank Cass, on 020 8920 2100, email: awhiston@frankcass.com. You can also contact Dr Liza Schuster, LSE, on 020 7955 7648.

¹⁴ Lamia Rustum Shehadeh is associate professor in the Civilization Sequence Program at the American University of Beirut. Information in this article is edited from: www.upf.com/Spring2003/Shehadeh.htm

and political practices of nine Islamic ideologues of the twentieth century who masterminded the resurgence of Islamic fundamentalism (including Hasan al-Banna, Sayyid Qutb, Ayatollah Ruhollah Khomeini, Ayatollah Mortaza Mutahhari, and Hasan al-Turabi). She demonstrates that although these ideologues have individual peculiarities, their consistent emphasis on the subordinate status of women in society and in their relation to men constitutes a vehicle for attaining political power.

She demonstrates that the importance given to gender issues by fundamentalist ideologues and the constraints imposed on women in society are not so much due to patriarchy as to the manipulation of such issues for purely political purposes--to assure overwhelming male support and to divert attention from the real problems of society. Shehadeh's study is the only work that compiles and critiques the gender theory of the major Islamic fundamentalist ideologues. It offers a unifying theory elucidating their stand on women's role in society and the centrality of women in their politically ideal Muslim society.

Other Resources

Newsletter for refugee and asylum seeker nurses¹⁵ The Royal College of Nursing has just started a newsletter, RESTART, specifically for refugee and asylum seeker nurses. The aim of the newsletter is to provide details on funding, support mechanisms and courses that are available across the UK to refugee nurses. RESTART will be issued every 3 months.

For more information about RESTART, to receive a copy of the newsletter or if you

¹⁵ Source: IAP News No. 30, April 2003.

have any comments or suggestions on what to include please contact: Dennis Hippolyte, RCN Direct, Cardiff Gate Business Park, Pontprennau, Cardiff CF23 8XG. Tel: 0845 772 6200 (Local Rate) Email: dennis.hippolyte@rcn.org.uk

Refworld 2003 is a comprehensive collection of reliable and up-to-date documents from UNHCR specialists and information partners throughout the world. A first set of four CD-Roms is available now, with a second updated set to be published later this year.

Containing over 70,000 in-depth reports and 270 detailed maps, Refworld is a browser-based, easy-to-use and self-contained resource with full searching and printing capabilities. Search tips and custom-designed search forms make it easy to look for relevant documents. Even first-time users can quickly conduct complex searches to find the required information.

For more information, please go to: www.unhcr.ch/cgi-bin/texis/vtx/home (and click on **Refworld 2003 on CD**). You can also proceed to the PDF [subscription form](#) to place your order.

New UN website on the protections of civilians in armed conflict¹⁶ IRIN, the UN Integrated Regional Information Networks, has launched a website dedicated to 'Civilian Protection in Armed Conflict' where it explores the provisions for protection, the main problems encountered in achieving this, and the prospects and concerns for the future. At the heart of this IRIN web special are the problems relating to the changing nature of

conflicts, increasingly involving non-state actors and including the deliberate targeting of civilians, which raises the question of the applicability of International Human Rights Law.

www.irinnews.org/webspecials/civilprotect/default.asp looks at particular problems in the area of protection, both thematically and geographically, bringing together many of the ideas, instruments and resources related to this area, including the principles of International Humanitarian Law. Other resources include a list of key documents and links to relevant organisations.

The launch comes at a time when '*millions of civilians, often specifically targeted by warring parties rather than merely caught up in the fighting, are now the main casualties of war worldwide*'. The number of dead and wounded has reached '*appalling*' levels according to UN Secretary General Kofi Annan.

New database by IOM Vienna on migration legislation at www.iomvienna.at (under the section 'Migration Resources'). The purpose of this initiative is to offer a complete picture of different levels of migration legislative frameworks be it international, regional and national instruments, acts of institutions, case-law and policy documents relevant for migration processes or migration management in Europe. The database, which is accessible without restrictions, specifically features the migration *acquis communautaire* which is of utmost importance for both EU Member States, accession and candidate countries to the EU. For more information please contact directly: Iulian Circo, email: icirco@iom.int or Phone: +43/1/ 585332227 Fax: +43/1/ 585332231. Also visit: www.iom.int or www.iomvienna.at

¹⁶ Source: IRIN@irinnews.org

Notice Board

Flora Light Challenge for Women

2003 Sunday 14th September 2003, Hyde Park, London and City Centre, Birmingham.

Get fit and raise vital funds for asylum seekers and refugees in the UK! Why not join thousands of other women for this 5 km (3 mile) fun run or walk taking place in Hyde Park in London and for the first time, in Birmingham City Centre? Last year over 20,000 women took part and raised thousands of pounds for hundreds of charities. Entry is £12 (£13 if you register online) with £5 going to the charity of your choice; all you need to do is indicate on your entry form that you would like Asylum Aid to benefit from your donation.

You could even encourage your family, friends and employer to support you and raise further donations for Asylum Aid. We are happy to provide sponsorship forms, a free Asylum Aid t-shirt and other publicity materials you might need. To join the Asylum Aid team for 2003 please contact Disha Sughand on 020 7377 5123 or visit: www.asylumaid.org.uk/Fundraising/events.htm You can also now register on-line at www.london-marathon.co.uk.¹⁷

The closing date for entries is Friday 15th August 2003 (last year the entry limit was reached earlier so register early to avoid disappointment).

Free courses for Asylum seekers and refugees The Refugee Council's Training and Employment Section has places available on the following **free** IT

courses delivered at their training centre in Clapham: **European Computer Driving Licence (ECDL) with English** The course covers all Microsoft Office applications, internet and email communication, and leads to the ECDL qualification - includes English language support, job search tuition and a ten week work placement. **Start dates in April and May 2003.**

European Computer Driving Licence (ECDL) for those in paid employment or volunteering: a one day per week course which lasts for up to six months depending on individual progress. **Starts 1 May 2003.** To arrange an assessment appointment, please call **020 7346 6760**, email training@refugeecouncil.org.uk, or visit www.refugeecouncil.org.uk

Call For Nominations: 2003 John Humphrey Freedom Award Rights & Democracy is now accepting nominations for its annual John Humphrey Freedom Award. The deadline for submissions is May 15, 2003. The Award, which includes a \$25,000 grant and a speaking tour of Canada, is presented each year to an outstanding human rights activist or organization from any country around the world, including Canada, who works on the frontline for the benefit of developing countries. The eligibility requirements are available online at www.ichrdd.ca.

Please send us any information that you would like to see published in our next bulletin by Wednesday 14 May 2003 (see address on back cover).

¹⁷ Every finisher will receive a goody-bag including a finisher t-shirt and medal from the organizers.

If you want to subscribe to our free bulletin 'Women's Asylum News' by post or by email, please contact Peggy Saint-Auret on 0207 377 5123 or at peggy@asylumaid.org.uk.

women's ASYLUM NEWS

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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)

Membership Form

Name _____

Address _____

Tel _____

Email _____

I would like to become a **MEMBER** of Asylum Aid

STANDARD

£4 / month = £48 / year

UNWAGED

£20 / year

I would like to become a **FRIEND** of Asylum Aid

STANDARD

£2 / month = £24 / year

UNWAGED

£10 / year

Benefits

- Receive a copy of our annual report free of charge
- An invitation to attend Asylum Aid's AGM
- Opportunity to stand for election to the board of trustees
- Right to vote at the AGM election
- Free subscription to our quarterly newsletter
- Access to member- only section of website
- Up to date campaigning information emailed directly
- Invitations to Asylum Aid events, eg. open evenings
- Buy copies of Asylum Aid's reports at a reduced price

Benefits

- Receive a copy of our annual report free of charge
- Free subscription to our quarterly newsletter
- Invitations to Asylum Aid events, eg. open evenings

I wish to make a gift of £ _____

Asylum Aid - STANDING ORDER FORM

To: The Manager, _____ Bank,
(Address of Bank) _____

Please pay **ASYLUM AID** the sum of £_____ each
month/quarter/year (delete as appropriate) until further notice
and debit my account no. _____

sort code: _____ starting on (date) _____

Name: _____

Address: _____

Postcode: _____

Signature: _____ Date: _____

[FOR OFFICE USE] To: NatWest Bank plc, PO Box 3AW, 104
Tottenham Court Rd, London W1A 3AW. Sort Code: 56-00-31,
account no. 63401711

Gift Aid Declaration

Asylum Aid

Registered Charity no. 328729

If you are a UK taxpayer, Asylum Aid can claim back 28p for every £1 you donate, making your donation worth almost a third more at no extra cost to you. Please complete and return this declaration.

Name _____

Address _____

I would like Asylum Aid to treat my donations as Gift Aid donations (please tick)

Signature _____ Date _____

Your declaration covers all donations you have made to Asylum Aid since April 2000 and any donations you might choose to make hereafter. You must have paid as much tax (or more) in this year as we will reclaim on your donations.