

# Women's ASYLUM NEWS

*Refugee Women's Resource Project - Asylum Aid - Issue 30 Mar 2003*

**In this issue:** • RWRP Emergency Appeal • UK News: New measures for trafficked women; Government loses battle re: Section 55... • UK Events • International news from Liberia, Benin, Russia, Afghanistan, Canada ... • Publications/Resources • Notice Board

## EMERGENCY APPEAL: WOMEN'S CASEWORK UNDER THREAT

Dear Friend,

We hope you'll forgive us for appealing to you so directly today, but circumstances are stark. Asylum Aid has lost a major part of its funding for the Refugee Women's Resource Project, a project for which you have a particular interest. Now without the help of friends like you, we stand to lose our ability to support one of the most vulnerable groups among all the abused and persecuted people we fight for.

The Refugee Women's Resource Project has helped over 200 women fight and win their asylum claims in the last three years, saving them from wrongful removal to countries where they could face torture or death. Its small team of expert advisers has provided one-off advice to hundreds more women and families seeking protection in the UK.

For three years this unique project, praised by independent evaluators, has been supported by a grant from the Community Fund. Rarely can Lottery money have achieved so much good. Yet now that funding has been cut by half.

We couldn't have avoided this crisis. A decision on the next three years of funding was due last November. Instead, they deferred and delayed until just days before the funding expired, and while the outcome was uncertain, no other funder was prepared to step in. All the media attacks on the Community Fund last year about their grants to refugee organisations can hardly have helped.

**Can we ask you to help us continue to give practical support to vulnerable women through the casework undertaken by the Refugee Women's Resource Project?**

Your donation, of as much as you feel able to send, will help us keep on the specialist caseworker whose funding has been refused. You could also help us take on another caseworker, a vital part of our funding proposal to meet women's increasing needs but one which has also been turned down.

Other organisations could juggle some money to keep the project going. Asylum Aid just doesn't have it. We spent every penny that came in last year, defending the fundamental

## women's **ASYLUM NEWS**

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right to a fair hearing on behalf of more asylum seekers than ever before. And defending it well; of the 138 clients we represented last year, 93% were successful.

Farideh is just one who was successfully protected. Asylum Aid's Refugee Women's Resource Project took on her case after her violent husband left her when he was refused asylum. She feared that she and her children would be in danger if sent back to Central Africa with him, not only because of her work with opposition political groups but because her husband's family would try to harm her and take away her children. Thanks to the women's project's intervention, Farideh got the support she needed to fight and win her appeal to stay in the UK.

The Refugee Women's Resource Project's expertise is often the only help a frightened and destitute woman and her family will get. Yet with this dramatic last-minute cut, we cannot maintain vital casework and advice. The new grant covers research within the women's project but not any direct services like advice and representation on claiming asylum or welfare support, or any administration, without which the project simply cannot continue.

Now the future is uncertain for hundreds of women and families who we could help. Sections of the media are more poisonously hostile to refugees than ever before. The legal aid system is already creaking under the strain of complex new asylum laws, and many of the Refugee Women's Resource Project's clients simply won't find help elsewhere. Women like the teenage Vietnamese orphan girl Su, who was brought to London as a slave, locked in the boot of a car, and whose story we are urgently trying to piece together before she is put in front of an intimidating court to appeal for protection.

Asylum Aid has just a few hundred contacts like you who share our concerns, but if enough send a donation today, we'll be able to maintain and extend the women's project's life-saving casework until the summer. That will give me precious time personally to seek new sources of long-term funding (and if you are in a position to recommend us to any sympathetic grant-making organisations, please do let us know).

The form on page 3 is a quick way to make a gift of any amount you can spare. Thank you very much for once again standing up for the most vulnerable asylum seekers.

Yours sincerely



Maurice Wren  
Co-ordinator, Asylum Aid

PS At a time when public attention is focused on the tragedy of war in Iraq, please remember the displaced families closer to home who have also suffered the consequences of tyranny and violence. Thank you for helping our vital women's project meet the challenge of this funding emergency.

**EMERGENCY APPEAL: WOMEN'S CASEWORK UNDER THREAT**

Here is an emergency donation to Asylum Aid to help save the Refugee Women's Resource Project's casework service from funding cuts.

I enclose: £ \_\_\_\_\_

Please make cheques payable to Asylum Aid.

Gift Aid makes your donations worth 28% more to refugees at no extra cost.

(please tick) [ ] I am a UK tax payer and I would like Asylum Aid to reclaim tax on all donations I have made to Asylum Aid since 6 April 2000, and any donations I choose to make in the future.

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Today's date: \_\_/\_\_/\_\_

NB In order for Asylum Aid to claim back the tax on your donations, you must pay an amount of income or capital gains tax at least equal to the tax that Asylum Aid reclaims on your donations in the tax year.

Thank you. Please return urgently to: Asylum Aid, FREEPOST, LON18836, London, E1 6LS

Registered charity number 328729

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

Occasionally, Asylum Aid may let like-minded organisations contact our supporters with information that might be of interest. If you would rather not hear from them, please tick this box.

**UK News**

**New measures to help victims of sex trafficking will not guarantee protection** On 10 March, the Home Office announced new measures to support victims of sex trafficking in the UK. This includes a pilot project which started on the same date with initially 25 places available and offered on a 'rolling basis' to women who will be accommodated in 'safe houses' provided by the women's charity

Eaves Housing'.<sup>1</sup> Women will be given access to counselling and advice as well as immediate access to health assessment and food, in return for co-operating with police officers. The government hopes that the project will provide an opportunity for Immigration Service and Police to gather intelligence on the traffickers who brought the women into the UK.

<sup>1</sup> Source: Immigration and Nationality Directorate, 'More help for victims of sex trafficking', 10 March 2003, at [www.ind.homeoffice.gov.uk/news.asp?NewsID=250](http://www.ind.homeoffice.gov.uk/news.asp?NewsID=250); also BBCi, 'Prostitutes to get safe houses', 10 March 2003.

However critics say that it is crucial to treat women and children trafficked into the UK as victims and not as criminals. Those who testify will not necessarily be granted asylum and, according to the Home Office, may even be *'liable to prosecution concerning any legal acts they have been involved in and will be returned to their countries of origin'*.<sup>2</sup> Furthermore, unlike other countries, there is no guarantee that women who agree to testify will be provided with witness protection and there are fears that they will be deported back to their countries of origin after giving evidence.

The Home Office has also published a *'best practice'* toolkit to help statutory services such as Immigration Service and Police identify trafficking victims and provide them with advice on how to deal with the victims in an appropriate manner.

These new measures follow the introduction of the a new offence of trafficking for prostitution in the Nationality, Immigration and Asylum Act 2002, which came into force on 10 February 2003 and carries a maximum penalty of 14 years. The government has also proposed a new offence of trafficking for sexual exploitation in the Sexual Offences Bill but, according to Antislavery International, *'there are concerns that the offence does not follow the definition outlined by the UN Protocol on trafficking and does not adequately distinguish trafficking from smuggling'*.<sup>3</sup>

For details of the Bill, see [www.publications.parliament.uk/pa/ld200203/ldbills/026/2003026.htm](http://www.publications.parliament.uk/pa/ld200203/ldbills/026/2003026.htm)

<sup>2</sup> Emma Rubach, 'Human Traffic', *The Big Issue*, March 24 -30 2003.

<sup>3</sup> Antislavery International, *Trafficking Network Update*, February 2003.

**Related information** Successful global strategies in preventing and prosecuting trafficking, or protecting victims of trafficking, were discussed last month at an international Conference co-sponsored by the US State Department and the non-governmental organisation, War Against Trafficking Abuse. Some of the Conference's contributions can be found at [www.state.gov/g/tip/c8628.htm](http://www.state.gov/g/tip/c8628.htm).

**Court of Appeal finds in favour of six asylum seekers denied state benefits under Section 55** The Home Office failed in its bid to appeal a decision taken by Justice Collins on 19 February when the High Court quashed the section 55 decision letters in the cases of four asylum seekers and declared that the decisions taken in two others were unlawful and breached the European Convention on Human Rights.<sup>4</sup> The six asylum seekers had been denied state benefits because they had not applied for asylum *'as soon as reasonably practicable'*. The government said Section 55 had been introduced to prevent fraud and abuse of the asylum system (see WAN No. 28).

On 18 March, the Court of Appeal ruled that the government could not refuse to pay benefits to the six asylum seekers who failed to apply for asylum in the UK as soon as they arrived in Britain.

In its ruling, the Court of Appeal concluded:

- Collins J was right to find that what is reasonably practicable depends, in part, upon the subjective mind of the asylum seeker; and, therefore, can depend upon what an agent has advised them.

<sup>4</sup> See WAN No. 29, February 2003 for more details on the High Court decision.

■ Collins J was right that the system operating at the time the six were refused was unfair, because: (1) it failed to properly explain to the asylum seeker the potential consequences of screening process (i.e. refusal of support); (2) it failed to properly enquire into the asylum seeker's reasons for not have claimed earlier; (3) it failed to properly enquire into the consequences for the asylum seeker if support was refused; and (4) there was no opportunity for the asylum seeker to provide explanation in response to any doubts held by the decision maker.

■ Collins J was right that, in these circumstances, judicial review could not provide an adequate protection for asylum seekers.

■ However, Collins J was wrong to apply the 'real risk' test in relation to Article 3: the test of whether a decision to refuse support violated Article 3 was not (as Collins J had held) whether there was a real risk that this would lead to the asylum seeker's condition deteriorating to a degrading or inhuman state - instead the test was whether, at the time support was refused, *'it is clear that charitable support has not been provided and the individual is incapable of fending for himself.'*

The Home Secretary – who had angrily reacted to the High Court judgment - has decided not to appeal and said he would change the asylum procedures according to the new ruling.

The provision penalizing *'in-country'* applicants, introduced on 8 January 2003, had followed a previous decision from the Secretary of State prohibiting asylum seekers from working.

**Government obliged to comply with its international obligations** The High Court judgment marks a victory for human rights campaigners and in particular Liberty and the Joint Council for the Welfare of Immigrants (JCWI) who led the campaign against the new provisions. According to the National Coalition of Anti-Deportation Campaigns, Shami Chakrabarti, lawyer for Liberty said:<sup>5</sup> *'Our victory today marks a critical step in securing decent treatment for all. The court has found that it is degrading to deny people both the right to work and any access to support. (...) It is thanks to the independence of our judiciary and our human rights legislation that thousands of people fleeing for their lives now have a ray of hope'*.

Habib Rahman, chief executive of JCWI, said: *'... The decision vindicates JCWI's assertion that the government's actions are in direct conflict with its human rights obligations (...). The government should now acknowledge that it cannot compromise the basic rights of asylum seekers simply to achieve political targets and to deter them from coming to the UK. Whatever its plans are for future asylum policy, it will be expected to discharge its international duties to asylum seekers and refugees.'*

**Related information** The Department of Health says councils must implement the new Fair Access to Care Services eligibility criteria from 7 April 2003. The guidance emphasises the responsibilities of local authorities for housing adult asylum seekers with care needs following the Law Lords judgement in the case of Westminster City Council v the National

<sup>5</sup> Quotes drawn from 'Section 55: High Court rejects Home Secretary's Appeal', Press Release from Joint Council for the Welfare of Immigrants, 18 March 2003 via [ncadc@ncadc.org.uk](mailto:ncadc@ncadc.org.uk).



Asylum Support Service (NASS) [2002] UKHL 38.<sup>6</sup>

### **Gay Rights Group Outrage! Condemns inclusion of Jamaica on 'White List'**

The Home Office Secretary said that *'it is frankly not credible to suggest [that] people [in Jamaica] routinely fear for their lives'*. Yet, in the last six months alone, Outrage! has highlighted and documented violence against gay, lesbian and transgender Jamaicans in a high profile campaign. Several deaths of gay Jamaicans have been reported. And in October 2002, two Jamaicans whose life was endangered because of *'severe homophobia'* were granted asylum in the UK.

Brett Lock, a spokesperson for the organisation said: *'obviously Mr Blunkett does not consider violence against the gay community a legitimate form of persecution or worthy of international attention or condemnation'*.<sup>7</sup> Pointing to the fact that the *'white list'* policy contradicts a fundamental principle of the 1951 Refugee Convention, Brett Lock added: *'each application ought to be an individual case judged on its own merits, not by excluding whole classes of people and entire countries with broad strokes. Even the United Nations does not accept that any one country can be declared safe'*.

### **Mother and her five children attacked in their home with concrete slabs<sup>8</sup>**

The newspaper *The Sentinel* reported that stones were flung

through the window of the family's house, in Burslem, Stoke-on-Trent, at around 11.00pm at night as they prepared to go to bed. The mother and her five children aged 12 to 16, from Aghanistan, were subjected to a similar attack on their house in September last year as they were watching TV. The father is currently in prison and their asylum application is still pending with the Home Office.

*The Sentinel* reports that *'racially motivated incidents in North Staffordshire reported during 2001 rose by 750 per cent compared to the previous year. Figures published [on 14 March 2003] show a 130 per cent rise in racially motivated crimes prosecuted in court in 2002 compared to 2001'*.

### **UK Events**

#### **SBS Campaign against 'no recourse to public funds'**

**continues** Southall Black Sisters (SBS) are gathering information over the next few weeks from women's organisations, advice workers and solicitors on the issue of no recourse to public funds.<sup>9</sup>

The questionnaire is seeking information on the current situation with regard to cases and issues connected with women subject to the one-year probationary period (one year rule) and their experiences of domestic violence (defined as physical, sexual and mental abuse). The questionnaire focuses on the *'no recourse to public funds'* rule, which denies these women access to social security and Council housing. In particular SBS would like your views on how this rule can be reformed to enable women and children to

<sup>6</sup> Source: Communitycare.co.uk, 'Fair access to care services', 17 March 2003.

<sup>7</sup> Source: [www.asylumsupport.info/](http://www.asylumsupport.info/), 14 March 2003.

<sup>8</sup> Source: *The Sentinel*, 'Missile flung through refugees' widow, 15 March 2003, via [www.asylumrights.net](http://www.asylumrights.net)

<sup>9</sup> All information (edited) from SBS, 18 March 2003.

escape abusive situations at home. SBS are also seeking any information you have on test cases.

In November 2002, the Home Office Minister, Beverley Hughes, announced further reforms to the domestic violence concession introduced in June 1999. The Home Office extended the type of evidence required to prove domestic violence under the concession, which was also incorporated into the Immigration Rules. The Home Office made these reforms (and introduced the concession in the first place) as a result of campaigning and presentation of research findings of national surveys, which highlighted key problems and to which you may have responded.

SBS now want to see reforms to the '*no recourse to public funds*' rule, which for a long time has been resisted by Government. SBS think that with further research and lobbying, SBS may be able to obtain some concessions in this area. SBS urgently need your help to do this. Telephone interviews can also be arranged.

For a copy of the questionnaire please contact ASAP Southall Black Sisters  
52 Norwood Road, Southall, Middlesex  
UB2 4DW. Tel: 020 8571 9595, Fax: 020  
8574 6781, E-mail: [sbs@leonet.co.uk](mailto:sbs@leonet.co.uk).

**The New Global Politics and the Fate of Refugees** is a free seminar organised by the European City of Immigration Group and presented by Prof. Stephen Castles, director of the Refugee Studies Centre, University of Oxford, on Tuesday 8 April 2003 at 18.30pm.

Prof. Castles will address issues around the attempts to revised refugee rights: '*what will be the fate of refugees in a world stripped of the individual right to asylum?*', '*what role can civil society play in determining the outcome of the struggle for the future of global refugee policy?*'. In the European Union the UK government is leading the call for the withdrawal of the right to asylum and its replacement with '*protection areas*' close to refugees' regions of origin (see WAN No. 29 on RWRP's response to such proposals).

The lecture will take place at Henry Thomas Room, London Metropolitan University, Holloway Road, London N7 8DB. Early booking is recommended. For more detailed or to reserve a place, please email [lerc@londonmet.ac.uk](mailto:lerc@londonmet.ac.uk) or tel: Kathryn Johnson on 020 7133 2662.

The **Legalisation of Human Rights Conference**, hosted by the School of Public Policy, will take place on 25-26 April. Conference themes will include '*International law and disempowerment*', '*Legal Models and Human Wrongs*' and '*Legislation and Exclusion*'. For details of speakers and registration, see: [www.ucl.ac.uk/spp/hr](http://www.ucl.ac.uk/spp/hr).

## International News

**Liberian nurses kidnapped by rebels told to join or become 'wives' of rebel soldiers** Human Rights Watch reports that the five nurses that had been abducted by Liberian rebels for five months had suffered physical, sexual and psychological abuse. The human rights organisation also gathered evidence according to which the

rebel forces 'systematically imposed forced labor or threat of wounding or death'.

Other evidence reveals that armed forces loyal to President Charles Taylor are also committing 'mass violations of human rights and humanitarian law, including summary executions; indiscriminate killing of civilians; (...) widespread rape and other kinds of sexual violence including sexual slavery'.

Accounts from the victims and witnesses are available at [www.hrw.org/press/2003/03/liberia-accounts.pdf](http://www.hrw.org/press/2003/03/liberia-accounts.pdf).

### **Benin: New Law Bans Female Genital Mutilation**<sup>10</sup>

The new legislation, passed by parliament in late January prohibits all forms of genital mutilation and means that an offender can face between six months and five years imprisonment and fined the equivalent of up to \$US 5,000 if the victim is under 18. According to [www.afrol.com/](http://www.afrol.com/), rates of FGM in Benin range from 5 to 50%.<sup>11</sup>

### **Amnesty International Campaign Against Violence Against Women in Russia**

According to the human rights organisation, the state in Russia continues to fail to take measures to protect women from sexual abuse and violence in the home and to prosecute the perpetrators, despite recognizing the prevalence of domestic violence: 'in early 2002 they stated that 14,000 women die every year at the hands of their husbands or other relatives'.

<sup>10</sup> Source: International Press Service, Radio Bulletin, 30 January 2003.

<sup>11</sup> Source: [www.afrol.com/Categories/Women/FGM/msindex.htm](http://www.afrol.com/Categories/Women/FGM/msindex.htm).

Amnesty International also reports that 'nearly 50 versions of a national law to address domestic violence have failed to make any progress in Parliament'.

Currently, domestic violence is not a crime in Russia and even if police choose to take action, they have very few legal options. The problem for women experiencing domestic violence is compounded by a lack of affordable housing provision and few economic opportunities.

But women also suffer from violence at the hands of state agents, such as police and prison authorities, or in the form of trafficking: AI says it receives 'regular reports of rape and other sexual abuse of women in Russian police stations and prisons'. Yet, 'in the overwhelming majority of cases, the abusers get away with their crimes'.

For more details and support the campaign, please visit:

[www.amnestyusa.org/countries/russia/campaign/women.html](http://www.amnestyusa.org/countries/russia/campaign/women.html)

### **Canada celebrates 10 years of Gender Guidelines but Minister proposes to dismantle the Immigration and Refugee Board**<sup>12</sup>

Citizenship and Immigration Minister, Denis Coderre proposes to replace a system of board members appointed by cabinet, in charge of dealing with refugee claims in Canada since 1989, with a new process conducted by civil servants in the immigration department. In order to tackle the current backlog,<sup>13</sup> the Minister proposes a system of informal interview between refugee claimants and civil

<sup>12</sup> Sources: Allan Thompson, 'Overhaul in works for refugee system', in *Toronto Star*, 20 March 2003 via [CCRLlist@YorkU.CA](mailto:CCRLlist@YorkU.CA).

<sup>13</sup> 53,000 asylum claims were awaiting a decision at the end of 2002.



servants or 'Refugee protection officer' who will be making a decision on the claim. Refugee claimants who are denied protection at this initial stage would be allowed to appeal the decision in a face-to-face hearing.

In a radical proposal that advocates a system resembling the UK determination system, the Minister also proposes to establish detention centres to hold refugee claimants who cannot be properly identified. The proposal was submitted to fellow ministers on the cabinet's social union committee and will have to go to the full cabinet for approval before being submitted for approval to the House of Commons.

According to the *Toronto Star*, Kemi Jacobs, President of the Canadian Council for Refugees, called the proposal 'backward' and 'alarming.' He added, 'People around the world look up to the Canadian system because it is arm's length from government. We need to keep that.' Other critics question whether the new system would really speed up the determination system.

The new proposal coincides with the Canadian Council for Refugees (CCR) celebrating the tenth anniversary of the Canadian gender guidelines and 'calling on the Immigration and Refugee Board to renew its commitment to gender-sensitive refugee determination'. As Kemi Jacobs recalled, 'before the guidelines, there was a lot of debate about whether women persecuted because of their gender could or should be accepted as refugees. By showing how to take women's realities into account, the guidelines helped to make

sensitivity to gender-based claims a normal part of refugee determination.'<sup>14</sup>

However, the celebration is also taking place amongst fears that neighbouring USA, which recently signed a 'safe third country' agreement with Canada, may take a step back in terms of protection of women asylum seekers.

### **Growing fears that US Attorney General will reverse policy designed to protect women asylum seekers from gender-related persecution**

Atty. Gen. Ashcroft has certified the case of Rodi Alvarado, a Guatemalan woman whose protection status was restored by former Attorney General, Janet Reno, after an appellate tribunal had reversed the initial decision that won her political asylum in 1996 (see WAN No. 29 for more details). Atty. Gen. Ashcroft may reinstate the denial decision in Alvarado's case and is also expected to issue new regulations limiting asylum seekers trying to escape gender-related persecution including domestic violence, dowry deaths, honour killings or sexual slavery.

Former Atty. Gen. Reno had proposed new guidelines to protect women fleeing gender-related persecution but these proposals were never finalised under the Bush administration as President Bush suspended the proposed regulations.

Representatives fear that Ashcroft's latest decisions, which include the decision to move the Immigration and Naturalization Service from the Justice Department to the Department of Homeland Security, will have a 'devastating effect on women

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<sup>14</sup> Some stories of women who were accepted under the IRB Gender Guidelines are available at: [www.web.net/~ccr/gendercases.htm](http://www.web.net/~ccr/gendercases.htm)

asylum seekers'.<sup>15</sup> This might have also repercussions for women wanting to seek asylum in Canada but forced to travel via the USA.

The 'safe third country' agreement between the two countries means that women asylum seekers who have transited via the USA en route to Canada will be returned to the USA, a country already known to be more restrictive in its interpretation and application of the 1951 Refugee Convention. New measures by Atty. Gen. Ashcroft, if indeed they are adopted, may endanger the lives of women who had no intention to seek asylum in the USA in the first place.

As Stephen Knight, Coordinating Attorney at the Center for Gender and Refugee Studies, U.C. Hastings College of Law, puts it: the 'Canadian authorities may have to decide whether the U.S. is a "safe" country for people such as Rodi Alvarado, who faces rejection and deportation into the hands of her persecutor'.<sup>16</sup>

**Related event:** Refugee Policy in Canada and US post 9/11, see p. 12, for full details.

**Seven Women Elected as Judges for the International Criminal Court**<sup>17</sup> The selection, which took place after 33 rounds of elections, resulted in the highest percentage of female judges of any

<sup>15</sup> Source: Patrick J. McDonnell, *Los Angeles Times*, 28 February 2003 via [CCRLIST@YORKU.CA](mailto:CCRLIST@YORKU.CA); see also George Lardner Jr., 'Ashcroft Reconsiders Asylum Granted to Abused Guatemalan', *Washington Post*, 3 March 2003.

<sup>16</sup> Stephen Knight, 'A safe haven for women', *Toronto Star*, 7 March 2003, via [CCRLIST@YORKU.CA](mailto:CCRLIST@YORKU.CA). See also Stephen Knight, 'Asylum for Abused Women', *The New York Times*, 19 March 2003.

<sup>17</sup> Sources: Bangor Daily News (Maine), 12 March 2003; International Enforcement Law Reporter, April 2003, and INTERNATIONAL CRIMINAL COURT; Vol. 19, No. 4; all information received via [cicctech@iccnw.org](mailto:cicctech@iccnw.org).

international court, ever. The ICC bench is composed of 18 highly qualified judges who included the presidents of the current war crimes tribunals for the former Yugoslavia (ICTY) and Rwanda. The two candidates to secure the most votes were temporary trial judges for the ICTY, both women: Maureen Harding Clark of Ireland and Fatoumata Dembele Diarra of Mali.

The ICC will be able to provide justice for victims of human rights crimes, including gender-specific war crimes such as rape, forced pregnancy or sexual enslavement, by prosecuting perpetrators of human rights abuses in case national justice systems fail to do so. 10 of the judges have competence in criminal law and 8 in international law. The election of the prosecutor, who will have a nine-year term, has been postponed to April. So far, 89 countries have ratified the ICC Rome Statute, the latest being Afghanistan on 10 February 2003.

**Related information** The International Bar Association has called on the ICC to prosecute President Mugabe for serious violations of international humanitarian law, including torturing innocent citizens. Also this month the government of Ivory Coast decided to press the Security Council to bring a suit before the ICC re: human rights abuses committed in Ivory Coast since the beginning of a rebel war in September 2002.<sup>18</sup>

**Related events** Two International Conferences on international law: 'Law and Justice in the XXIst Century', and 'The Canadian Highway to the International

<sup>18</sup> For more see *The Daily News*, 'Mugabe must be tried', 11 March 2003 and *Agence France Press*, 'Ivory Coast to take atrocity cases to new world court', 12 March 2003.

*Criminal Court: All Roads Lead to Rome*, see p. 12 for full details.

## International Events/ Projects

### Show Solidarity with Iranian

**Women** The Association of Iranian Women (AIW) calls for the elimination of stoning in Iran and urges the European Parliament to '*end the policy of appeasement towards Tehran*'. AIW condemns '*the barbaric violations of women's rights in Iran in the upcoming session of the United Nations Human Rights Commission*'.

AIW says that the Iranian regime – which continues to refuse signing the Convention on the Elimination of all forms of Discrimination against Women has '*taken advantage of the EU's policy of dialogue*' and that '*the claim of a temporary moratorium on stoning is designed simply to deceive the international community*'. As demonstrated by a statement made on 28 December 2002 by a member of the Council of Guardians: "*Stoning cannot be replaced by any other form of punishment and it is not subject to the time and the place.*"

For full details of the AIW's statement and if you wish to sign a copy, please visit: [www.aiwus.org/](http://www.aiwus.org/) or contact [womenscommittee@iranncr.org](mailto:womenscommittee@iranncr.org).

**Related project Women in the USA launch anti-stoning campaign**<sup>19</sup> The small group of women, based in Phoenix, Arizona, are starting a project against stoning with the aim of raising awareness on stoning and file a complaint with the UN.

<sup>19</sup> Information drawn from '*Women in the Middle East*', No. 11, March 2003.

The group would like to cooperate with any other existing activities against stoning and women living in countries where stoning occurs. For more details or a copy of the letter to sign, please contact: Dianne Post, Phoenix, AZ USA, email: [postDLpost@aol.com](mailto:postDLpost@aol.com) or fax + 602 271 9019.

**Related information** Amina Lawal Kurami, the 31 year-old Nigerian mother sentenced to death by stoning for having a baby outside marriage, will appeal against her conviction on 25 March. The mother was sentenced under Islamic Sharia law (see WAN No. 16, 20 and 24) and told that her punishment would not take place until she had weaned her 8-month old daughter, in 2004.

The Canadian Council for Refugees will be hosting an international workshop, '**International and Refugee Protection: Bridging the Gap**', focusing on interdictions (i.e. the collection of measures taken by governments to prevent arrival of '*improperly documented*' travellers) and the measures needed to ensure the protection of refugees.

The goals of this workshop, which will take place on 29-31 May 2003 at Carleton University, Ottawa, Canada, are to develop safeguards to protect the human rights of refugees who are interdicted and to create transnational links between various actors concerned with the protection of refugees. Participants will include refugees, refugee rights groups, human rights groups, women's rights groups, unions, lawyers, academics, government officials, etc.

For more details and how to register, please consult the meetings page at the CCR website: [www.web.net/~ccr](http://www.web.net/~ccr).

Alternatively, email [ccr@web.ca](mailto:ccr@web.ca) or call (514) 277 7223.

**Refugee Policy in Canada and US post 9/11** is a Conference hosted by Yale University taking place on Monday 7 April 2003 between 12.00 and 14.00pm at Mezzanine Level, Beinecke Rare Book & Manuscript Library, Yale University, 121 Wall Street, New Haven, Connecticut 06511. The Conference will host a number of leading experts in asylum and refugee laws, including, Debbie Anker, Director of the Harvard Immigration and Refugee Clinic and James Hathaway, Professor of law and director of the Program in Refugee and Asylum Law at the University of Michigan Law School. For a full list of speakers and other details, contact: [robert.barsky@yale.edu](mailto:robert.barsky@yale.edu).

**Law and Justice in the XXIst Century** is an international conference taking place in Coimbra, Portugal, from 29<sup>th</sup> to 30<sup>th</sup> May and organised by The *Centro de Estudos Sociais* (Centre for Social Studies) of the University of Coimbra.

The conference is a contribution to the construction of a new concept of justice, one that is more democratic and therefore more independent, more efficient and citizen-oriented, and that goes beyond short-term, corporatist views. The International Conference is intended to be a forum for a wide debate based on the experiences of states and societies from different continents, open both to workers of the judicial system and to researchers in the social and legal sciences.

Topics to be covered in the conference include: Access to Law and Justice, Human Rights and Legal Pluralism, Global Criminality and Local Insecurity, or Judicial

Power, Organization and Modernization of Courts Law and Justice in the XXIst Century.

Full details on the programme and the registration form are available at: [www.ces.fe.uc.pt/direitoXXI](http://www.ces.fe.uc.pt/direitoXXI).

**The Canadian Highway to the International Criminal Court: All Roads Lead to Rome, see p.** is an international conference jointly organised by the Institute for the Administration of Justice (CIAJ) and the Faculty of Law of the University of Montréal. The purpose of the conference is to examine the present state of international criminal law and to identify the main issues that need to be addressed, both in applying this law and in establishing new criminal justice institutions. It will also examine the role of law in the resolution of large-scale conflict, in light of experience gained from international ad hoc tribunals and from observing the impact of international law on domestic law.

International relations specialists, international law practitioners (diplomats and foreign affairs officials), criminal law practitioners, military lawyers, representatives of non-governmental organizations, political scientists, anthropologists, journalists and judges are encouraged to participate. For more details on the programme and the registration to the conference, please visit: [www.ciaj-icaj.ca/english/calendar/iccprogram.pdf](http://www.ciaj-icaj.ca/english/calendar/iccprogram.pdf) or [www.droit.umontreal.ca/419](http://www.droit.umontreal.ca/419).

## Publications/Resources

■ **'Bodies on Trial, Reproductive Rights in Latin American Courts'**, published by



the Centre for Reproductive Rights, March 2003, documents a jurisprudential trend in five Latin American countries in which *'judges interpret the law through moral and religious filters that perpetuate discrimination against women'*. This first comparative study of sexual and reproductive rights jurisprudence in Latin America describes the political, legal and judicial systems in Argentina, Chile, Colombia, Mexico and Peru. Examining the existing laws and high court decisions in these countries, the book's findings point to a *'tremendous gap between national and international human rights standards and their application in Latin American courts'*.

The publication is available online in PDF at [www.crlp.org/pub\\_bo\\_bot.html](http://www.crlp.org/pub_bo_bot.html).

■ The Centre of Reproductive Rights also recently published a publication documenting the forced sterilization of Romani women in Slovakia. **'Body and Soul, Forced Sterilization and Other Assaults on Roma Reproductive Freedom'**, published in January 2003, reveals *'numerous instances of coerced, forced and suspected sterilization of Romani women, along with physical and verbal abuse, racially discriminatory standards of care, misinformation in health matters, and denial of access to medical records'*.

The findings are based on over 230 interviews with women from about 40 Romani settlements throughout eastern Slovakia and jointly conducted by the Centre for Reproductive Rights and the Slovak Centre for Civil and Human Rights.

Women's Enews reports that following the release of the publication, which received extensive media coverage both in Slovakia and Europe, police and government

harassment of Romani women has increased.<sup>20</sup> Barbara Bukovska, co-author of the report, and executive director of the Counselling Centre for Citizenship, Civil and Human Rights, said that *'some of the hospitals where alleged abuses took place, provided police with lists of women who have had sterilizations there'*. Police subsequently arrested Romani women and told them that they could face a three-year prison sentence for filing false reports. At the same time, there are fears that the hospitals may destroy their medical records.

The publication is available online in PDF at [www.crlp.org/pub\\_bo\\_slovakia.html](http://www.crlp.org/pub_bo_slovakia.html).

■ **'Double Standards: Women's Property Rights Violations in Kenya'** (March 2003) is a new report by Human Rights Watch which examines the devastating impact of women's property rights violations in Kenya where the constitution condones discrimination in property matters.

According to the report, *'women are often excluded from inheriting property or evicted from their lands and homes by in-laws'* when their husbands die. Some widows are forced to engage in risky sexual practice or to marry their in-laws to keep their property. *'Divorced or separated women are frequently expelled from their homes'* stripped of their possessions. At the same time *'married women can seldom stop their husbands from selling family property'*. HRW also reports that *'women who fight back are often beaten, raped or ostracised.'*

<sup>20</sup> Source: Asjlyn Loder, 'Forced Sterilization in Slovakia', 4 March 2003, at [www.womensenews.org/article.cfm?aid=1243](http://www.womensenews.org/article.cfm?aid=1243).



The report is available at <http://hrw.org/Reports/2003/kenya0303/>

■ **Afghanistan: Women and Reconstruction** is a new report by the International Crisis Group highlighting the '*lack of a coherent policy on gender issues in Afghanistan means that the result of much of the donor assistance currently being channelled into women's projects is likely to be symbolic*'. According to the authors, two major obstacles to women's participation in the reconstruction of the country are the insufficient attention given to mainstreaming gender issues in the development process and the lack of professional capacity at the Ministry for Women's Affairs. Also hierarchical structures impede collaboration between the Ministry's departments.

The report notes that Afghanistan ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on 5 March 2003 which, it says, represents '*an historic opportunity and obligation to incorporate key international standards into national laws and institutions*'. Recommendations include the establishment of family courts in each provincial centre, and greater security for women activists, especially outside the capital.

The report was released only weeks after the gathering of about 300 women in Kabul in February, for the first conference on women's rights in which Afghan women from all parts of the country had the opportunity to speak freely.<sup>21</sup> In their final declaration, the participants called for an end to '*discrimination and violence against women, and ensure that women's equal rights were included in the country's new constitution*'. In order to guarantee the

protection of women and their rights, the participants also demanded the creation of an organisation to report on violations of women's rights.

In January however, the deputy head of the educational department in the western province of Herat, announced new rules prohibiting men from teaching women or girls in private educational courses.<sup>22</sup> The rules also impose strict gender segregation in schools. As a consequence, it is believed that many women and girls will be denied the opportunity to receive education due to the shortage of female teachers in the region.

For the full ICG report, please see CrisisWeb - <http://www.crisisweb.org>.

■ The **Network for European Women's Rights project (NEWR)** has launched its website in February at [www.globalethics.bham.ac.uk/NEWR](http://www.globalethics.bham.ac.uk/NEWR) in order to disseminate information on the Network's activities.

NEWR is a three-year project funded by the European Commission which was launched in October 2002 and led by the Centre for the Study of Global Ethics, University of Birmingham, along with 9 partners across Europe. Its aim is to set up a thematic network on women's rights as human rights across disciplines and countries in Eastern and Western Europe.

The Network revolves around workshops on four themes: trafficking, reproductive rights, political participation and citizenship and access to social rights in the context of liberalisation and privatisation. In addition, NEWR is currently building up a database organised by countries in alphabetical order and which comprises NGOs,

<sup>21</sup> Source: Reprinted and adapted, '*News Flash*', 25 February 2003, an online newsletter of the Family Violence Prevention Fund, at [www.fvpf.org/newsflash](http://www.fvpf.org/newsflash).

<sup>22</sup> Source: Women in the Middle East, Bulletin Number 11, March 2003. Website at [www.eclipse.co.uk/women](http://www.eclipse.co.uk/women).

governmental bodies, academic institutions and individuals who are involved in Women's rights issues. To join the database, please consult the above web address.

## ■ **New ECRE Good Practice Guides**

ECRE has published several Good Practice Guides developed by ECRE agencies active in the field of reception and integration of refugees. They cover **educational advice to refugees, working with older refugees, and assisting traumatised child-refugees**, and represent the culmination of two years' work of thematic networks in these areas where practitioners have discussed and developed the guiding principles that should underpin work with asylum seekers and refugees.

For further information and links to each Guide (in word/powerpoint or pdf), see: [www.ecre.org/policy/publications.shtml](http://www.ecre.org/policy/publications.shtml).

## Notice Board

### ■ **Women's WORLD Writing Context: 'Women's Voices in War Zones'**

Women's WORLD, a global free speech network of feminist writers, is initiating a writing contest which will be co-sponsored by the Nation Institute, whose mission is to defend freedom of expression and strengthen the independent media. The subject is Women's Voices in War Zones and submissions must address the following questions: *'What does the term "war zone" mean to you? Do you live in a war zone or state of terror? Is it personal or public? Who is or are the aggressors? How do you resist? What keeps you going? Where does your hope or security lie? How do you imagine bringing this terror to an end? Does your government or*

*society or family provide you with security or is it a source of your unease?'*

Women of all age and citizenship are invited to participate but in particular writers, activists, students, and immigrants or refugees. Submissions must be previously unpublished personal essays of 1000 words or less, in English and can be sent by email to the following address: [ratna@wworld.org](mailto:ratna@wworld.org); or by fax or post to Women' WORLD, 208 w. 30th St., #901, New York NY 10001. Fax 212-947-2973. Email submissions are preferred. The deadline is 5 pm (Eastern Standard Time) on May 1, 2003. For more details on rules, prizes and judges, please consult [www.wworld.org](http://www.wworld.org).

### ● **The Refugee Council recruits for a Policy & Development Adviser (Asylum Support)**

The post-holder, based in London SW8 (£26,640 pa), will work closely with central government and other voluntary agencies to develop policy and practice as it relates to asylum seekers and refugees in the UK. S/he will also monitor the impact of the implementation of the support arrangements of the 1999 Immigration and Asylum Act and play a major role in ensuring the effective delivery of existing and future services as part of the asylum support programme.

For an application pack, please quote REF:RC660/G and phone 0207 808 5707 (24 hour answerphone) or 0207 353 2466 from 24 March. Closing date for receipt of completed application forms: 9 April 2003. Downloadable application packs are available from [www.jobsincharities.co.uk](http://www.jobsincharities.co.uk) Charity No. 1014576.

**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 [peggyasa@asylumaid.org.uk](mailto:peggyasa@asylumaid.org.uk).**

# women's ASYLUM NEWS

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We are very grateful for the support of Matrix Chambers who have been funding the publication of Women's Asylum News. Any views expressed in this publication are those of the authors. Any legal information in this bulletin is intended as a general guide only, and should not be used as a substitute for legal advice. Any contributions from, or references to, external sources (including website links), agencies or individuals do not necessarily reflect the views of Asylum Aid nor receive our endorsement.

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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STANDARD

£4 / month = £48 / year

UNWAGED

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

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- Receive a copy of our annual report free of charge
- An invitation to attend Asylum Aid's AGM
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- 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
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