

# women's asylum news

refugee women's resource project @ asylumaid

issue number 62  
july/august 2006

also in this issue

'Sex' and 'family' reaffirmed as PSG characteristics

p. 3

Recent decisions re: FGM in Sierra Leone

p. 4

Other international news from Sweden, Pakistan, Peru, Liberia, etc.

p. 4

International actions & events

p. 9

UK news

p. 10

UK projects & events

p. 11

New publications and resources UK

from p. 13

New publications and resources international

from p. 15

If you want to subscribe to our free bulletin 'women's asylum news' by post or by email, please send your contact details to [wan@asylumaid.org.uk](mailto:wan@asylumaid.org.uk) or Tel: 0207 377 5123. For subscription by post, contact Sophia Ceneda (see back cover). Details of all of our publications (to download or order) please go to: [www.asylumaid.org.uk](http://www.asylumaid.org.uk).

Please send any information that you would like to see published in our next edition by Thursday 31 August 2006 (see email or postal address on back cover).

## ECHR overturns UNHCR decision on gender case from Iran

On 22 June 2006, the European Court of Human Rights (ECHR) rejected a decision by the UNHCR Office Ankara to deport an Iranian couple who sought asylum in Turkey after having been condemned to 100 lashes by a Court in Iran for '*fornication*'.<sup>1</sup>

The ECHR panel of seven judges, including a Turkish judge, unanimously decided that to send the woman back to Iran where she risked receiving the sentence would constitute a violation of Article 3 of the ECHR – the husband had already received his sentence prior to fleeing the country. The panel found that the prospect of someone being subjected to violence in this form, and in a public place, was inhumane and degrading, thus overturning a UNHCR's decision that the couple did not have a well-founded fear of persecution.

The UNHCR had rejected the couple's claim for asylum on the basis that the punishment actually given would have taken into consideration the poor mental and physical health of the female applicant (Article 94 of the Islamic Punishment law of Iran) and would have been purely symbolic. This means that, according to the law, it would have consisted of one lash inflicted with a special whip made of the same number of straps as the number of lashes initially given as a sentence. The ECHR rejected this argument stating that there

<sup>1</sup> Agence France Press (AFP), '*Châtiment corporel: la Cour de Strasbourg contre une expulsion vers l'Iran*', and ECHR, *D. et autres c. Turquie/and Others v. Turkey*, no /no. 24245/03 (Sect. 3) (fr), 22 June 2006, Strasbourg., 22 June 2006, both circulated by TERRA network ([Hterra@cines.fr](mailto:Hterra@cines.fr)), 23 June 2006.

was no guarantee from the Iranian authorities that the sentence will be lightened as described above. There was also no evidence that the health status of the claimant was such that the authorities would decide to alleviate the sentence. Lastly the ECHR stated that to subject the claimant to one lash only would remain *'inhumane'* and would contravene her dignity and physical integrity.

The UNHCR had also said that the couple was able to depart legally from Iran, and the wife had been able to obtain a passport which, it stated, was *'a strong indication that neither husband nor wife [were (...)] in conflict with the Iranian justice system at the time of departure.'* In fact, the husband had indicated that he had entered Turkey illegally without the knowledge of the Iranian authorities. In addition, the Court found that there were no restrictions on Iranians with pending legal charges from leaving the country. And many Iranian asylum seekers are able to obtain valid passports prior to fleeing their countries.

### The facts of the case

The couple was condemned by an Islamic Court for having married under Sunnite law without the consent of the woman's father, in violation of Chiite Shari'a law. The father was opposed to the marriage between his Chiite daughter and a Sunnite. In 1996 a judge declared the marriage void and condemned the couple to pay a fine of 300,000 rials. But the judge also convinced the woman's father to allow the couple to remarry under Chiite law which they did. However, the couple later found that they had also been condemned to 100 lashes (*haad*) according to article 88 of the Iranian penal code for *'fornication'*, i.e. for having sexual intercourse prior to the recognised marriage.

In 1997, the husband was called in by a judge to receive his sentence but the wife's sentencing was delayed due to her late stage of pregnancy. The sentence was due to be

carried out in October 1999. It was then decided that it would be administered on two separate occasions. The wife suffered from serious kidney problems and depression and the couple was advised by physicians that the lashing would be fatal. The family decided to flee the country to avoid the sentence. In addition the husband feared the police would find out about his political activities with a Kurdish party in the North of Iran.

The family had been at risk of deportation since April 2003. However the Turkish authorities had suspended any action until the decision by the ECHR was made.

The ECHR found that the risk faced by the wife was enough to grant the couple protection under Article 3 of the ECHR which would be violated if the couple was deported back to Iran. In light of this, it did not feel necessary to consider the political aspect of the husband's claim for asylum. The full text of the judgment, in French, can be found online at:

<http://cmiskp.echr.coe.int/tkp197/view.asp?item=1&portal=hbkm&action=html&highlight=D.%20%7C%20Turkey%20%7C%2024245/03%20%7C%2024245/03&sessionId=8044631&skin=judoc-en>.

### related news

#### Turkey: torture and ill-treatment prevail, human rights organisation says

According to the Kurdish Human Rights Project (KHRP), the Turkish state continues to fall short of conforming to internationally recognised standards.<sup>2</sup> KHRP published a briefing paper entitled *'Torture in Turkey: The Current Status of Torture and Ill-treatment'* based on research on the status of torture and

<sup>2</sup> KHRP, Press Release, 'Turkey failing to eradicate torture and ill-treatment', 10 August 2006, story circulated by online network by Centre for Refugee Studies, Canada, [HCRSNEWS@YORKU.CA](mailto:HCRSNEWS@YORKU.CA).

ill-treatment to express grave concern that far from abating, instances of torture and ill-treatment in Turkey have worsened. This is due largely to the deteriorating security situation in the Southeast, yet also the political standoff involving the Islamist-leaning AKP government and the secular-oriented military elite. The paper is available to download at <http://www.khrp.org/publish/p2006/TORTURE%20IN%20TURKEY%20The%20Current%20Status.pdf>. KHRP is based at 11 Guilford Street, London, WC1N 1DH. Tel: 020 7405 3835, email: [khrp@khrp.org](mailto:khrp@khrp.org), website: [www.khrp.org](http://www.khrp.org).

### Other international news

#### **USA: Appeal court reaffirms sex and family as PSG characteristics**

In this case the Board of Immigration Appeals was asked by the Eleventh Circuit Court to reconsider whether non-criminal informants constituted a particular social group.<sup>3</sup> The Eleventh Circuit Court found that a man who had fled Colombia with his wife were targeted by the Cali drug Cartel because of their membership of a group composed of non-criminal informants. The man had passed on information he received from a Cartel member onto an official.

In its decision, the BIA reviewed the range of approaches to defining particular social group under various US Circuit Courts, as well as the UNHCR's guidelines which include both the immutable and fundamental characteristics approach used in *Acosta*<sup>4</sup> and the 'social perception' approaches. The BIA affirmed it continued to adhere to the *Acosta* approach according to which: '*persecution on account of membership in a particular social group refers to persecution that is directed toward an*

<sup>3</sup> In re C-A-, Respondent, 23 I&N Dec. 951 (BIA 2006), Interim Decision published 15 June 2006.

<sup>4</sup> *Matter of Acosta*, 19 I&N Dec. 211 (BIA 1985)

*individual who is a member of a group of persons all of whom share a common, immutable characteristic. The shared characteristic might be an innate one such as sex, color, or kinship ties, or in some circumstances it might be a shared past experience such as former military leadership or land ownership. ...[It] remains to be determined on a case-by-case basis [and] it must be one that the members of the group either cannot change, or should not be required to change because it is fundamental to their individual identities or consciences.'*

The BIA also reiterated that: '*Social groups based on innate characteristics such as sex or family relationship are generally easily recognizable and understood by others to constitute social groups.'* The BIA quotes examples of past decisions recognising social groups based on such characteristics including that of *Matter of Kasinga* (young women of a particular tribe who were opposed to female genital mutilation) and *Matter of Toboso-Alfonso* (persons listed by the government as having the status of a homosexual).

#### **Other recent decisions re: FGM in Sierra Leone**

Stephen Knight, Deputy Director, Center for Gender and Refugee Studies, Univ. California,<sup>5</sup> reports on a decision by Judge Posner in Tunis, 447 F.3d 547 (7th Cir. 2006). The case relates to a US resident from Sierra Leone who became deportable following a drug conviction.

The applicant fears that upon returning to Sierra Leone she will be forced to undergo FGM to complete a procedure she underwent when she was 10. She was accused of being 'half-woman' when she had her first intercourse with a man in Sierra Leone.

<sup>5</sup> Hastings College of the Law 200 McAllister Street San Francisco, CA 94102-4978 USA, email: [knights@uchastings.edu](mailto:knights@uchastings.edu), website: <http://cgrs.uchastings.edu/H>.

Stephen Knights summarises the decision below:<sup>6</sup>

*'The court remanded her claim for CAT (Convention Against Torture) relief, (A) noting that FGC amounts to torture, and (B) finding government acquiescence because the practice of FGC was widespread and legal. The Immigration Judge had held against her, because FGC [Female Genital Cutting] was performed by private groups, and "the government is not responsible for individuals whom it is unable to control." The court reversed: "Female circumcision is legal in Sierra Leone, obviously well known to the government, and, considering the strong international condemnation of the practice, condoned and thus acquiesced in by the government, therefore entitling Tunis to the Convention's protection." The case was then remanded on the question of whether the applicant could relocate to another part of the country where she would be safe from FGC.*

In the UK, the House of Lords recently heard the case of Fornah, in which a woman fleeing FGM in Sierra Leone appealed against the Court of Appeal's refusal to grant her refugee status for reason of Membership of a Particular Social Group (*Fornah [2005] EWCA Civ 680*).<sup>7</sup> A judgment is expected from the House of Lords in the autumn.

### related news

#### Sierra Leone: Women failed by the justice system

A new campaign by Amnesty International reveals that women in Sierra Leone face many obstacles when they need to access justice.<sup>8</sup> In rural areas in particular, women reportedly

<sup>6</sup> See [Hwww.bibdaily.com/H](http://www.bibdaily.com/H) for full text.

<sup>7</sup> See WAN issue no. 52, jul/aug 2005, 'UK Court of Appeal deplorable decision on asylum claim re FGM and MPSG'.

<sup>8</sup> Amnesty International, Press Release, 'Sierra Leone: Women need rights and protection', 1 August 2006, available online at: [Hhttp://origin3.amnesty.org/index/ENGAFR510092006/\\$FILE/newsrelease.pdf](http://origin3.amnesty.org/index/ENGAFR510092006/$FILE/newsrelease.pdf)H

face abuse and discrimination by men in their family and community on a daily basis; yet when they seek protection or try to take any legal action, they face further violence. The human rights organisation also pinpoints local chiefs abusing their status by imposing discriminatory fines or punishments against women on the basis of customary laws - including in cases of violence against women - when they have no authority to do so. Amnesty International says the government has done little to stop such rulings.

In addition, Sierra Leonean Common law is composed of largely unwritten customary law which discriminates against women, especially in areas such as marriage, divorce, sexual abuse, inheritance and property rights. Women who experienced sexual and gender based violence often turn to the local chief for support only to be discouraged from making complaints against the perpetrator.

Amnesty International is pressing the government to continue the reform of the law process in this area which started in 2003. Under such law, '*the women's status in the society is equal to that of a minor.*' AI calls for the government to provide paralegal and legal aid support to women living in rural areas.

#### Sweden: Man jailed for circumcising his daughter

Swedish citizen Ali Elmi Hayow, 41, of Somali origin, was charged and jailed for four years by a Swedish Court for forcing his daughter to be circumcised when she was 13.<sup>9</sup> He was also ordered by the court to pay his daughter damages of 346,000 kronor (c. £26,000). Hayow took his daughter to Somalia in 2001 where he forced her to undergo the practice.

<sup>9</sup> Source: BBC News, 'Sweden jails circumcision father', 26 June 2006, available online at: [Hhttp://news.bbc.co.uk/2/hi/europe/5118376.stm](http://news.bbc.co.uk/2/hi/europe/5118376.stm)H.

Carrying out the procedure has been prohibited by Swedish law since 1982. The court decision was based on the Medical Examination Report and the girl's testimony, in which she provided details of the operation.

FGM (Female Genital Mutilation) is a common practice in African countries, which involves the partial or total removal of the external genital organs. It can result in infection and, in some cases, death. A recent report published by the World Health Organisation revealed that women who undergo FGM have 50% more chances of dying when giving birth (See WAN issue number 61, June 2006).

### Iran: woman's execution put on hold but another hanged

Judiciary chief Ayatollah Shahroudi has intervened to stop the execution of Ashraf, a 37 year old mother of four, who was sentenced to stoning for having had extramarital sex. Her lawyer, Shadi Sadr, said he submitted a petition to the Judiciary Chief requesting remittal of her sentence with over four thousand signatures collected online. But Ashraf's fate remains unclear. For more information and action, please go to: [www.wluml.org/english/actionsfulltxt.shtml?cmd\[156\]=i-156-541573](http://www.wluml.org/english/actionsfulltxt.shtml?cmd[156]=i-156-541573).

A few days ago, however, another woman was sentenced to death by stoning for adultery. Malak Ghorbani is currently jailed in Orumieh, Azerbaijan province.<sup>10</sup> Last month, a 16 year-old woman was hanged from a crane for offending public morality. She was found guilty of '*acts incompatible with chastity*' by having sex with an unmarried man. The *Sunday Mirror* reports that '*her friends say Atefeh was in such a fragile mental state that she wasn't in a position to say no.*'<sup>11</sup> According to the National

<sup>10</sup> National Council of Resistance of Iran, 'Iran: Another woman sentenced to death by stoning', 12 August 2006, [Hwww.ncr-iran.org/content/view/2124/0/H](http://www.ncr-iran.org/content/view/2124/0/H). Story circulated by online network [Hfpn\\_atrocities@yahoo.com](mailto:Hfpn_atrocities@yahoo.com).

<sup>11</sup> Susie Boniface, 'Iran: Hanged from a crane aged 16', in *The Sunday Mirror*, 23 July 2006 at

Council of Resistance of Iran, the parliament-in-exile of the Iranian Resistance, four people were hanged in Iran in the last few days.

### related news

### Iran: Internally acclaimed lawyer's rights organisation banned

The Iranian Interior Ministry announced earlier this month that the Defenders of Human Rights Centre (DHRC), co-founded by 2003 Nobel peace laureate and Iran's most prominent human rights lawyer, Shirin Ebadi, is an illegal organisation and banned its activities.<sup>12</sup> The Minister claimed that the DHRC had not obtained a permit to operate despite the fact that under Iranian law, a permit is not required. The requirement was imposed by the Ministry. The DHRC applied for a permit when it was set up in 2002 but never received a reply from the authorities. A few weeks ago, Ebadi's colleague, also a co-founder of the DHRC, was sentenced to five years in prison on charges of disclosing confidential information and opposing the state. He is awaiting a decision on his appeal to the appeals court.

### Pakistan: Controversial Islamic law amended

On 7 July Pakistan's president General Pervez Musharraf brought amendments to the controversial Hudood Ordinance in practice since 1979.<sup>13</sup> Under the Ordinance, women could be sentenced to death if found guilty of having sex outside marriage. Women charged

[Hwww.sundaymirror.co.uk/news/tm\\_objectid=17431866&met\\_hod=full&siteid=62484&headline=hanged-from-a-crane-aged-16--name\\_page.html](http://www.sundaymirror.co.uk/news/tm_objectid=17431866&met_hod=full&siteid=62484&headline=hanged-from-a-crane-aged-16--name_page.html)H.

<sup>12</sup> Sources: Human Rights Watch, '*Iran: Government Outlaws Nobel Laureate's Rights Group*', New York, 8 August 2006 and International Federation for Human Rights, '*The Defenders of Human Rights Centre declared illegal Threats of prosecution against its members*', 8 August 2006, online at: [Hwww.fidh.org/article.php3?id\\_article=3530](http://www.fidh.org/article.php3?id_article=3530)H.

<sup>13</sup> UN IRIN News, '*Pakistan: Over a thousand women freed under change in law*', 10 July 2006, online at: [Hwww.irinnews.org/report.asp?ReportID=54498&SelectRegion=Asia](http://www.irinnews.org/report.asp?ReportID=54498&SelectRegion=Asia)H.

of the offence were not allowed to get bail. This has now changed with the announcement of the amendments to the law and over a thousand of women have been freed. President Musharraf also indicated that he is planning to scrap the Hudood ordinance altogether in the future.

### related news

### Pakistan:

**Trafficking of girls by family rife in Sindh** According to Nafisa Shah, a Pakistani journalist who writes for *The News*, a daily newspaper from Pakistan, trafficking of girls in Upper Sindh, South East Pakistan, is widespread and often occurs with the collusion of family members such as grand-parents, parents or aunts and uncles, sometimes for as trivial reasons as needing money to build a house or repair its rooftop.<sup>14</sup> Shah writes: *'Sidhis exchange women and girls across and through generations, pledging even future girls which will be born.'* Many girls run away but are subjected to further abuse and/or trafficking.

Shah pinpoints to the existence of laws that in theory prohibits the trafficking of girls in Pakistan (The Prevention and Control of Human Trafficking Ordinance, promulgated in October 2002),<sup>15</sup> or marriage without consent and below the age of 16 and 18 for girls and boys effectively (Muslim Family Law Ordinance). Pakistan also ratified the UN Convention on the Rights of Child, which prohibits child marriages. However she contends that these legal provisions are

<sup>14</sup> Nafisa Shah, 'Commercial marriages of girls', in *The News International-Pakistan*, Jamadi-us-sani, 9 July 2006, available on line at: [Hwww.thenews.com.pk/daily\\_detail.asp?id=14802](http://www.thenews.com.pk/daily_detail.asp?id=14802)H Story circulated by online network fpn\_atrocities@yahooogroups.com

<sup>15</sup> The law '*applies to all children aged less than 18 years and defines human trafficking to include recruiting, buying or selling a person, with or without consent, by use of coercion, abduction, or by giving payment or share for such person's transportation, for exploitative entertainment. The ordinance prescribes a punishment of 7-14 years' imprisonment and also includes parents if they are guilty of the crime involving their own children therefore they are liable to the same punishment.*' Source: *ibid.*

ineffective in practice. The law relating to trafficking does not apply to parents or family members who are selling girls in marriage as, she says:

*'Marriage is a sacred formal legal family rite, and therefore masks trafficking, even when it is a commercial transaction. In 2002, the chief justice of Pakistan declared the Pukhtoon custom of swara, giving women in marriage to settle disputes, as un-Islamic and expressed concern over the rising number of these cases. The Chief Justices of the high courts were all given instructions to ensure that trial courts do not allow for a woman to be given as compensation.'*

Existing laws are also ineffective when no dispute is involved, one reasons for which women in Pakistan have been exchanged with legal impunity in the past: *'The recent criminal law amendment 2004 also disallows giving women as compensation for disputes or murders and therefore a complaint can easily be registered under the amended law to punish those who give girls in compensation for settling disputes. However the laws are silent on the specific issue of selling girls in and through marriage when no dispute is involved. ... The Pakistan Penal Code, after incorporating the Qisas and Diyat Ordinance, empowers the legal and biological heir, the wali with powers to compound the offence or killing, with powers of life over his children and minors.'*

Shah concludes: *'The family is entrusted with law and with power to regulate individual rights. The state does not offer any effective institutions to uphold individual rights of men, women or children when these are violated by the proverbial walis.'*

Women Living Under Muslim Laws (WLUML) describes the Sindhi region as 'a state within a state'.<sup>16</sup>

### Also: Pakistani Women and children killed for belonging to the wrong sect

Sectarian violence has claimed the lives of two women and two children near Kohat, North West Frontier Province. The victims were killed allegedly because of being related to the wrong sect and for teaching the local women a handicraft to enhance their income-generating skills. See full story: Rina Saeed Khan, 'The Mazris murder', 27 July 2006 at: [www.dawn.com/weekly/review/review1.htm](http://www.dawn.com/weekly/review/review1.htm).

Story circulated by online network [fjn\\_atrocities@yahoo.com](mailto:fjn_atrocities@yahoo.com) on 28 July 2006.

### Afghanistan: Government plans to reintroduce 'virtue and vice' Ministry

The Afghan government has announced its decision to reintroduce a Department for the Promotion of Virtue and Prevention of Vice.<sup>17</sup> A similar department had been introduced by Taliban during their five-year rule. It forced women to wear the all-covering burqa, banned them from wearing make-up, white shoes or '*heels that clicked*', laughing out loud, or going out unaccompanied by a close male relative; banned them from working or begging; banned schooling for girls as well as television, gambling and kite-flying, a popular activity until then. Men were forced to grow bears the length of a fist. The Afghan

<sup>16</sup> WLUML, 'Pakistan: Tribal clash between Maher and Almani marriages', 1 April 2004, online at: [www.wluml.org/english/newsfulltxt.shtml?cmd%5B157%5D=x-157-52392H](http://www.wluml.org/english/newsfulltxt.shtml?cmd%5B157%5D=x-157-52392H).

<sup>17</sup> IRIN, 'Afghanistan: Religious police raises concern among rights group', Kabul, 8 August 2006, online at: [www.irinnews.org/print.asp?ReportID=54776H](http://www.irinnews.org/print.asp?ReportID=54776H); and Christina Lamb, 'Women Back Under Wraps with Taliban Vice Squad', in *The Australian*, 24 July 2006, at [www.commondreams.org/headlines06/0724-06.htm](http://www.commondreams.org/headlines06/0724-06.htm)H, story circulated by online network [fjn\\_atrocities@yahoo.com](mailto:fjn_atrocities@yahoo.com)H.

Independent Human Rights Commission said it constituted interference to the privacy of individuals and a means to control their rights and freedoms.

The Ministry of Pilmigrage and Religious affairs stated the new department would focus on alcohol, drugs, crime and corruption. However, critics say existing criminal laws deal already with these issues. And amidst concerns that the government took the decision after facing great pressure from the deeply conservative religious scholars and extremist groups with strong positions in government, local human and women's rights groups fear the new department will operate like its predecessor within two years.

MP Malalai Joya says that the situation for women in Afghanistan has not improved since the fall of the Taliban and points to the high suicide rate amongst women: '*Afghan women prefer to die than live*'. Lamb reports also that '*barely a day goes by without a school being burnt or teacher killed*'.

**related information** Human Rights Watch has recently released a report highlighting the lack of access to education for children but in particular girls, due to an increasing insecure environment including attacks on schools, teachers and students, which prevent school attendance. The report entitled '*Lesson in Terror: Attacks on education in Afghanistan*' can be found online at: [www.hrw.org/reports/2006/afghanistan0706/](http://www.hrw.org/reports/2006/afghanistan0706/).

The organisation condemns the re-institution of a department on virtue and vice which it says '*could be used to silence critical voices, and further limit women's and girl's access to work, health care and education*'.<sup>18</sup>

<sup>18</sup> Human Rights Watch, '*Women and Girls Again at Risk*', New York, 18 July 2006, [www.hrw.org/english/docs/2006/07/18/afghan13759.htm](http://www.hrw.org/english/docs/2006/07/18/afghan13759.htm)H.

### **Peru: One of most dangerous countries for women, UN says**

More than 50 percent of women over the age of 15 become victims of sexual or physical violence by men in Peru.<sup>19</sup> The country which saw the highest number of sexual assaults reported in the world last year is 'one of the most dangerous places for women in Latin America,' according to the United Nations.

Doris Blas, a lawyer who works with a women's rights organisation said, '*Violence against women is a part of our culture and the judicial system is no help.*' Rape victims are required to prove their innocence by police and judges before a prosecution is filed against the perpetrators. Also victims are often asked questions such as: 'Were you dressing sexy? Why were you walking alone so late at night?'. Many government doctors refuse to confirm the rape of a woman because they do not want to take part in a long judicial process that can take up to two years. The only few women who try to go forward with their cases end up dropping the charges against the rapists.

### **Liberia: Little bribe buys rapists' liberty**

Alleged child rapists are being released from jail, instead of serving sentences, because of bribery demands from court officials and police officers to the families of child rape victims who want the attackers to face justice and be persecuted, according to a UN report.<sup>20</sup> A bi-monthly report from the UN Mission in Liberia (UNMIL) mentions that these bribes are some time as little as \$6. The accused rapists also use bribes to get out of jail. The report says:

*'Corruption in the judiciary remained a challenge to guaranteeing equal access to justice and equality under the law. Numerous cases were reported in which corrupt practices of judicial officials undermined the rule of law.'*

In December 2005, a law criminalising rape was passed for the first time in Liberia; previously only gang rape was considered a crime. Since then magistrates and other officials have been found to ask money from the parents of the victims to file the rape cases and to detain the suspects. The report mentions cases in which the fathers of nine and eleven year old rape victims were forced to pay \$6 and \$15 respectively to get the rapists arrested.

### **India: New Law to tackle abuse of children announced**

The Indian government has announced its plans to introduce new laws to prohibit the employment of children under the age of 14 as domestic workers.<sup>21</sup> The decision comes after shocking revelations about the scale of abused child workers, many of whom suffer extreme abuse including rape. It is estimated that 12.6 million children are working as labourers in India. The new law is expected to come in practice from October 2006 and will apply to households, restaurants and hotels. Violations of the law can lead to a punishment of up to two years.

Save the Children is in the process of publishing a report on human trafficking in India which focuses on the experiences and difficulties faces by child workers.

<sup>19</sup> Source: Isabel Ordonez, 'Peru confronts escalating violence against women', on Yahoo News, 24 July 2006, online at: [Hhttp://news.yahoo.com/s/nm/20060724/lf\\_nm/peru\\_crime\\_women\\_dcH](http://news.yahoo.com/s/nm/20060724/lf_nm/peru_crime_women_dcH)

<sup>20</sup> Source: UN Information Regional Information Network, 'Liberia : child rapist walk free for a few dollars', 25 July 2006, online at [Hwww.irinnews.org/print.asp?ReportID=54798H](http://www.irinnews.org/print.asp?ReportID=54798H).

<sup>21</sup> Ashling O'Connor, 'Law brings hope for child workers who face rape, violence and abuse', in *Times Online*, 3 August 2006, at [Hwww.timesonline.co.uk/article/0,,3-2296827,00.htmlH](http://www.timesonline.co.uk/article/0,,3-2296827,00.htmlH).



### **Jamaica: Women murdered for being lesbians**

Human Rights Watch is calling on the Jamaican authorities take immediate action to investigate the murder of two lesbian women on 29 June 2006. Police suspect that the relationship between Candice Williams and Phoebe Myrie was the motive behind the murder. The male partner of one of the victims has been named as the main suspect.<sup>22</sup> See also Amnesty International's campaign, Take action against violence against women in Jamaica, online at:

[www.amnesty.org.uk/actions\\_details.asp?ActionID=126](http://www.amnesty.org.uk/actions_details.asp?ActionID=126).

### **Finland: Purchasing of sexual services relating to trafficking criminalised**

On 21 June 2006 Finland's Parliament enacted into law a bill that will make the purchasing of sexual services a crime when involving procuring or trade in human beings. Under the new law, the penalty for first time offenders will be up to six months imprisonment. A proposal to reject the bill was voted down 158-15 with four MPs abstaining. Some opponents to the law preferred a blanket criminalisation of the purchasing of sex and a minority wanted the criminalisation of the sale of sexual services too.

Source: Information circulated by Trafficking from Trafficking Network Update July 2006 and NEWW Polska at [www.neww.org.pl/en.php/news/news/1.html?&nw=2550&re=2](http://www.neww.org.pl/en.php/news/news/1.html?&nw=2550&re=2). Original source: [virtual.finland.fi/stt/](http://virtual.finland.fi/stt/), 23 June 2006.

**related information** **Swedish Ministry of Foreign Affairs appoints a special ambassador to combat trafficking in human beings** The task of the

ambassador will be to strengthen its international cooperation in the fight against trafficking and give this issue a high priority during the Swedish Presidency of the Council of the Baltic Sea States that was taken over in July.

## International actions & events

### **Support International Justice for the Women and Girls in Darfur**

Amnesty International Women Online Action Centre alerts us to the plight of thousands of girls and women who have been raped and subjected to other forms of sexual violence in the Darfur region of Sudan. Amnesty writes: *'Inquiries by the Prosecutor of the International Criminal Court identified "high numbers of...mass rapes and other forms of extremely serious gender violence", and a UN Commission of Inquiry found that these abuses amount to war crimes and crimes against humanity. Since the launch of the ICC the investigation in June 2005, however, authorities in Sudan have publicly refused to comply with ICC requests or otherwise allow the Court to conduct investigations in Darfur.'*

To take action, visit online:

<http://takeaction.amnestyusa.org/siteapps/advocacy/index.aspx?c=goJTIOvEIH&b=953489&template=x.ascx&action=6774&tr=y&uid=1853867>. Source: Women's Human Rights Action Network Update, 7 August 2006.

### **EU's 'Dublin Rules' challenged by European refugee groups**

In a meeting held at the end of June, 73 refugee groups across Europe urged Mr Franco Frattini, European Commissioner for Justice, Freedom and Security, to address the *'Dublin*

<sup>22</sup> See Human Rights Watch, 'Jamaica: Investigate Murder of Alleged Lesbians', New York, July 27, 2006, online at: [http://hrw.org/english/docs/2006/07/27/jamaic13869\\_txt.htm](http://hrw.org/english/docs/2006/07/27/jamaic13869_txt.htm).

*rules* introduced in 2003.<sup>23</sup> The rules require those fleeing persecution to claim asylum in the first European country they reach, regardless of that country's policies. Via a joint statement issued by the European Council on Refugees and Exiles (ECRE), they contended that the rules fail to guarantee a fair hearing to asylum seekers and that *'the current EU asylum system is putting lives at risk and causing unnecessary suffering to traumatised refugee families who have fled persecution in their homelands.'*

According to a report by ECRE on the working of the Dublin system, *'some states are denying access to a full asylum procedure to individuals transferred under the Dublin system, placing them at risk of being returned to their home countries to face persecution.'* In addition, the chance of being recognised as a refugee varies hugely from one EU country to another. The rules are due to be reviewed later this year.

### UK News

#### **New report heavily critical of detention of children**

On 26 July, Chief Inspector of Prisons Anne Owers published a report on Yarl's Wood Immigration Removal Centre, calling for 'a complete overhaul of the detention of children, informed by a proper understanding of the vulnerability of children and the safeguards required in domestic and international law'. The call was supported by the No Place for a Child Coalition in which Refugee Council, Save the Children and Bail for Immigration Detainees are partners to stop all detention of children for immigration purposes. Key concerns highlighted by the report included weak child protection arrangements; no evidence that children's welfare was taken into consideration when making decisions on

detaining children; no mechanisms to ensure that the advice of a social worker appointed to make independent assessments of children's welfare affected decisions (the social worker later resigned).

The HM Chief Inspector's report is online at: [www.inspectorates.homeoffice.gov.uk/hmiprisons](http://www.inspectorates.homeoffice.gov.uk/hmiprisons). The No Place for a Child campaign has attracted over 13,500 signatures for a postcard to the Home Secretary calling for a stop to detention for children. 148 MPs so far have signed an Early Day Motion supporting the aims of the Campaign. See more online: [www.noplaceforachild.org.uk](http://www.noplaceforachild.org.uk).

### related news

The UK refugee women's stakeholder group, including RWRP at Asylum Aid, the Refugee Council, Refugee Action, Refugee Women's Association, Latin American Women's Rights Service and Kurdistan Refugee Women's Organisation, is concerned that women who have experienced gender persecution are being inappropriately put into the detained fast track system. In response to these concerns, the Home Office has been monitoring the extent to which its own Gender guidance is being implemented at Yarl's Wood. A recent research by RWRP revealed that Home Office decision-makers do not follow the guidance (see *Lip Service or Implementation?* available online at [www.asylumaid.org.uk](http://www.asylumaid.org.uk)). For more information on the stakeholder group's work, contact Debora Singer on 0207 377 5123 or [deboras@asylumaid.org.uk](mailto:deboras@asylumaid.org.uk).

#### **Tribunal allows deportations to Zimbabwe to resume**

An Asylum and Immigration Appeals Tribunal has ruled that Zimbabwean asylum seekers can be deported to Zimbabwe as they will not automatically face persecution. Justice Hodge said asylum-seekers linked to Zimbabwean opposition parties were most likely to face ill-treatment. Full story on BBC News at

<sup>23</sup> European Council on Refugees and Exiles, News Release, *'Europe's asylum rules put lives at risk and cause suffering'*, 27 June 2006, online at: [Hwww.ecre.org/news/dubletptr.doc](http://www.ecre.org/news/dubletptr.doc)H

<http://news.bbc.co.uk/1/hi/uk/5234750.stm>.

### **Leeds employer to provide workplace training for Refugee Women**

Leeds City Council is calling on Leeds employers to provide workplace training for refugee women.<sup>24</sup> This request is part of a pilot scheme run by the Yorkshire and Humberside Consortium for Asylum Seekers and Refugees, and funded by the European Refugee Fund to tackle labour shortages in health, social care, education and housing. The scheme is facilitated by the *Refugee Women: Access to Employment Project*, which aims to help up to 160 refugee women from Leeds and elsewhere in Yorkshire and the Humber region over a three year period. All the women in the scheme will be legally allowed to work.

Liz Westmorland, Regional Refugee and Asylum Manager (Yorkshire & Humberside) said: *'Everyone, not just refugee women, should receive support in finding work when they need it, but refugee women face a few more barriers than most people.'* Only a fifth of refugee women employed in their country of origin are employed in the UK. Westmorland identified the main obstacles to be language, childcare access and the need to re-qualify.

Organisations in the areas of health, social care, housing and education, who are interested in further information about the Refugee Women: Access to Employment Project should contact the Yorkshire & Humberside Consortium, 0113 214 3949, or email [hsg.react@leeds.gov.uk](mailto:hsg.react@leeds.gov.uk). More information is available online at: [www.refugeeaccess.info/refugeewomenproject](http://www.refugeeaccess.info/refugeewomenproject)

<sup>24</sup> Leeds City Council, News Release *'Can you provide workplace training for refugee women?'* 29 July 2006, at: [Hwww.refugeeaccess.info/uploads/y&h/NR\\_RWAETraining\\_July\\_2006.doc](http://www.refugeeaccess.info/uploads/y&h/NR_RWAETraining_July_2006.doc)H. Information circulated by online free information service [Hwww.frankslist.info](http://www.frankslist.info)H, 'now-you-see-it, now-you-don't policy moments', 11 August 2006.

### **UK projects & events**

#### **West London Women Refugee Forum (WLWRF)**

WLWRF works with women of all ages, ethnicities and faith backgrounds, living in west London. It provides services and does advocacy on their behalf. Also it gives women a chance to raise awareness of the issues they face. Any woman is welcome to join their activities, women only training sessions and WLWRF mailing list free to receive details about the forum and its activities. For membership details: [www.eaves4women.co.uk](http://www.eaves4women.co.uk)

#### **The Shamwari project, Greater Manchester**

This is a refugee integration project based in Rochdale (Greater Manchester), for people having leave to remain in the U.K and living in the area, helping them in accessing services, social support, local area familiarisation, college & employment access, etc. For more details contact Tel: 01706 653724, mob: 0791 7232725 or email:

[shamwariproject@zen.co.uk](mailto:shamwariproject@zen.co.uk).

#### **Self-help for rape survivors seeking asylum**

Women's Against Rape (WAR) is running this self-help group for women asylum seekers or refugees who have fled rape or other sexual violence:

- Meet other women, give each other support and share information in a lively self-help group;
- Get help and referrals regarding your asylum claim, accommodation, children's needs, health;

- Learn new skills.

Many languages are spoken by women in the group. Volunteers of all backgrounds are welcome. WAR also provides guidance to organisations on how to meet the needs of asylum-seeking rape survivors. Contact Anne or Kristina to find out more. Monday-Friday 1.30pm-4pm at Women Against Rape, Crossroads Women's Centre 230A Kentish Town Rd, London NW5 2AB, Tel: 020 7482 2496 (voice & minicom), Fax: 020 7209 4761, Email: [war@womenagainstrape.net](mailto:war@womenagainstrape.net) or check online: [www.womenagainstrape.net/](http://www.womenagainstrape.net/).

### **Free Preparation for Work Course for Refugee Women**

This course is organised by the Refugee Women's Association for unemployed refugee women looking for work. RWA is running a 12 Week Employment and Communications Skills Course to provide participants with skills and knowledge needed for the UK job market. An information day is organised on 13 September 2006, 10.00am -2.00pm, Leroy House, 436 Essex Road, London N1 3QP. Participants need to have refugee status (ILR/EL/HP), a good level of English (Level 1) and to be resident in London. RWA will reimburse travel expenses and pay a contribution towards childcare for a limited number. To book or for more information, contact Monica on 020 7923 2412 or email [monicatucker@refugeewomen.org.uk](mailto:monicatucker@refugeewomen.org.uk), address: RWA, Print House, 18 Ashwin Street, London E8 3DL

### **Women's Unfinished Agenda**

This event organised by Women's International League for Peace & Freedom will be held on Saturday 9 September 2006 (2-6pm). Workshop topics include: Militarism and patriarchy; Learning from African women; Women's campaigns undermined: removal of funding from women's organisations; and women and peace building. Venue: the University of Greenwich Avery Hill campus.

Cost: Individuals: £10.00 (concessions £5.00). Organisations: £15.00. To participate, write by 31 August to: Rosalie Huzzard 73 Hutcliffe Wood Road Sheffield S8 0EZ. Tel: 0114 235 3127. E-mail: [rosalie.huzzard@btinternet.com](mailto:rosalie.huzzard@btinternet.com).

### **Celebrating the life of Palestinian women**

This is an exhibition by artist Paula Cox which will be shown at Amnesty International's Human Rights Action Centre, 17 - 25 New Inn Yard, London EC2A 3EA. The event is free and open from 11.00am to 3.00pm at weekends from 11 to 20 September. A retrospective of her work is also on display. See:

[www.amnesty.org.uk/events\\_details.asp?ID=142](http://www.amnesty.org.uk/events_details.asp?ID=142)

### **Open Forum Meeting in Hammersmith & Fulham**

Hammersmith and Fulham Refugee Forum is holding an Open Forum Meeting with Cllr Antony Lillis on Monday, 11th September 2006 from 12pm to 3.30pm. (Venue: Pallingswick House, Mandela Room. 241, Kings Street, London. W6 9LP) A chance for you to voice your/your organisations' concerns and current needs to new local authority administration. Book your place NOW! 020-7386 9060 (contact:Abi Ogunsola) or [abi@hfrf.org](mailto:abi@hfrf.org).

### ***In the Name of 'Honour'***

This Conference organised by Policy Spotlight on 21 September is for policy makers and frontline workers and those who work with survivors of honour killings and violence against women. Speakers include Diana Nammi from the Iranian & Kurdish Women's Rights Organisation, Jasvinder Sanghera from Karma Nirvana, and Andy Baker, Deputy Director of the Serious & Organised Crime Agency. Cost for voluntary sector delegates: £170 + VAT. For more information go to [www.policyspotlight.co.uk](http://www.policyspotlight.co.uk) (download a brochure here:

<http://www.policyspotlight.co.uk/conferences/pdf/psl-honourkillings.pdf> )

### Free human rights training course for refugees and asylum seekers

Education Action International will be hosting human rights advocacy courses for refugees and asylum seekers as part of a wider Refugee Advocacy Project . This project's overall aim is to strengthen the role of refugees and asylum seekers in the community as active citizens who can bring about positive change. More details of this project can be found on the web site: [www.education-action.org/refugeeadvocacy](http://www.education-action.org/refugeeadvocacy).

EAI is now recruiting for a human rights training course for refugees and asylum seekers. The next course will run from 18 September to 8 December and provides practical training for refugees and asylum seekers in the UK who are/want to work to advocate for human rights both in the UK and internationally. There is a subsequent course running from 8th November to 25th January.

Please see EAI's website for more information on the courses and a downloadable application pack. All applicants must be asylum seekers or refugees. Deadline for applications for the next course is 18th August and for the subsequent course is 29th September. Education Action International, 14 Dufferin St, London, EC1Y 8PD. Contact Sonia Omar on 0207 426 5814, [enquiries@refugee-advocacy-project.org.uk](mailto:enquiries@refugee-advocacy-project.org.uk).

### new publications

UK

### Report on Self Harm and Suicide among Minority Ethnic Women

The high rate of suicide and self harm among minority ethnic women is highlighted in a recent report by the Glasgow Violence Against

Women Partnership (GVAWP).<sup>25</sup> GVAWP is raising awareness of these issues as part of its work to improve service responses to minority ethnic women from asylum seeking and settled communities who have experienced gender violence. The report allows service providers and policy makers to consider why minority ethnic women in the UK are twice as likely to commit suicide or self harm as the national average. By raising awareness of key issues which impede minority ethnic women from disclosing mental health difficulties, the report aims to improve how services respond to, protect and support minority ethnic women. Councillor Irene Graham, Glasgow City Council's spokesperson on equality issues, said:

*'The report sets the context in which self harm and suicide among minority ethnic women must be viewed and stresses that it cannot be divorced from their experiences of racism, sexism, class inequality, patriarchy, gender violence and immigration issues. The report highlights the complexity of the issues and cautions against seeing generational conflict as the only reason or the main reason for them. Rather it points to a complex set of factors including family honour, language barriers, gender discrimination at home and in wider society, low self esteem and racial discrimination by society.'*

The report is based on a conference which GVAWP organised in September 2005 with support from the Glasgow Healthy Cities Partnership. Download the report from: [www.gvawp.org.uk/Resources/index.htm](http://www.gvawp.org.uk/Resources/index.htm). For a hard copy, contact Amy Watts, Minority Ethnic Communities Development Worker, email: [amy.watts@drs.glasgow.gov.uk](mailto:amy.watts@drs.glasgow.gov.uk) or Tel: 0141 287 6889.

<sup>25</sup> Source: Watts, A., Minority Ethnic Communities Development Worker, Glasgow Violence Against Women Partnership.

### **New research on Fast-Track**

This detailed report from Bail for Immigration Detainees (BID) is based on an in-depth research done in Harmondsworth Detention Centre and data obtained by BID under the Freedom of Information Act. It discloses fresh evidence about the scale of injustice in the fast-track system. The main factors leading to inadequacy and injustice are lack of time to gather evidence, restricted communication between lawyer and client, lack of knowledge about the system and its entitlements by detainees, as well as the merit tests and crisis in the funding regime. A serious concern highlighted by the report is that of asylum seekers who have independent evidence of torture who are being detained. Whilst the detention policy stipulates that they cannot be detained, it is often breached because these claims are not investigated adequately due to time constraints.

BID calls for the establishment of a maximum period of detention and for the provision of an independent review of detention of Fast-Track system clients. The detailed report is available on

[www.biduk.org/pdf/Fast%20track/BIDFasttrackReportFINAL.pdf](http://www.biduk.org/pdf/Fast%20track/BIDFasttrackReportFINAL.pdf).

### **Article on discrepancy in asylum seekers account**

This article entitled 'Should discrepant accounts given by asylum seekers be taken as proof of deceit?'<sup>26</sup> describes some serious problems with the assumption that inconsistent information in an asylum claim means that the applicant is being untruthful. The authors, Jane Herlihy, Clinical and Research Psychologist, and Stuart Turner, Consultant Psychiatrist, both at the Trauma Clinic, expand upon their earlier study of discrepancies in asylum claims (Herlihy, Scragg & Turner, 2002), adding recent research

<sup>26</sup> The full reference is Herlihy, J. & Turner, S. (2006), Torture, 16(2), 81-92. See also the Medical Foundation for the Care of Victims of Torture for papers on the same topic, at: [www.torturecare.org.uk/publications/reports/276H](http://www.torturecare.org.uk/publications/reports/276H).

findings, and drawing attention to some of the barriers to disclosure of traumatic events, as well as factors involved in the remembering of traumatic events.

### **Asylum From Rape**

This is a new online newsletter produced by Women Against Rape (WAR). It includes information on new publications by the organisation as well as updates on self-help sessions and asylum cases that WAR has supported. See [www.womenagainstrape.net/](http://www.womenagainstrape.net/).

### **related information**

Women Against Rape has produced a sheet on asylum rights and is circulating an '*Asylum from Rape Petition*', which can be found at: [www.womenagainstrape.net/PDFfiles/AsylumRightsSheetWomenAgainstRape.pdf](http://www.womenagainstrape.net/PDFfiles/AsylumRightsSheetWomenAgainstRape.pdf) and [www.womenagainstrape.net/PDFfiles/AsylumfromRapePetitionBWRAP22June06.pdf](http://www.womenagainstrape.net/PDFfiles/AsylumfromRapePetitionBWRAP22June06.pdf) respectively.

### **Shaming Destitution**

Richard Dunstan, Citizens Advice Social Policy Department, has written a report about how failed asylum seekers have been sentenced to destitution by the Home Office's National Asylum Support Service (NASS). Citizens Advice gathered information from its offices around the UK that shows delays in support by NASS have forced seriously ill, pregnant women, elderly refugees and other vulnerable individuals to live on handouts from local faith-community groups and from friends who had already received Section 4 Support. Citizens Advice calls for an immediate modification of '*policy & practice*' of Section 4 Support to the asylum seekers. It recommends that persons with failed asylum claims should not be indefinitely dependent on NASS support and where it has become clear that it would be impossible for them to leave the UK - for a specific period of time (in excess of 6 months) - they should be granted some type of leave to remain status.

A full version of the report published in June can be accessed by following this link: [www.citizensadvice.org.uk/shaming\\_destitution.pdf](http://www.citizensadvice.org.uk/shaming_destitution.pdf).

### ***Older Refugees in the UK: A literature review***

This literature review published in July 2006 examines what is known about older refugees' views, experiences and needs, what gaps exist in the knowledge and evidence base, and how these gaps are relevant to policy and practice. This is a Refugee Council Working Paper for the Older Refugees Programme, a partnership project between Age Concern England, the Refugee Council, Age Concern London and the Association of Greater London Women (AGLOW). See link to the paper at: [www.refugeecouncil.org.uk/publications/pub004.htm#older](http://www.refugeecouncil.org.uk/publications/pub004.htm#older).

#### new resources

UK

### **Guides on 'Your Human Rights'**

'Your Human Rights' is a series of four plain English, non-technical guides focusing on the practical relevance of human rights in the UK. They are written directly for people living with mental health problems, disabled people, older people and refugees and asylum seekers who are in situations where they may need information on their human rights. They will also be useful for people working with these groups, or people who would like to know more about the impact of human rights on these groups. More information online at: [www.bih.org/publications5.html](http://www.bih.org/publications5.html).

### **Report on a FGM meeting online**

The meeting of the Forum on Maternity and the Newborn of the Royal Society of Medicine entitled 'Female genital mutilation – an outmoded practice?' was held in June at the Royal Society of Medicine. The speakers were Adwoa Kwateng-kluitse of FORWARD,

Comfort Momoh of the African Well Woman's Clinic, St. Thomas's Hospital, and Mr. Harry Gordon, consultant obstetrician, of Central Middlesex Hospital and Northwick Park Hospitals. Harry Gordon talked about the clinical experience and the care provided by his unit to pregnant women with FGM. A full report of the meeting with the following extensive discussion is at

<http://uk.geocities.com/basiledlee@btinternet.com/FGMreport.html>.

### **Flyer on Voluntary Return**

Refugee Action Choices team offers impartial advice & information for refugees and asylum seekers considering return to their country of origin. A new flyer and translated material are available on Refugee Action's website at [www.refugee-action.org/ourwork/choices/downloads.aspx](http://www.refugee-action.org/ourwork/choices/downloads.aspx).

For more information contact Refugee Action, Head Office, The Old Fire Station, 150 Waterloo Road, London SE1 8SB, tel: 020 7654 7700, fax: 020 7654 7700 or email: [choices@refugee-action.org.uk](mailto:choices@refugee-action.org.uk).

#### new publications

international

### ***Guatemala: No protection, no justice -- killings of women***

This report is an update by Amnesty International released a year after first reporting on femicides in Guatemala.<sup>27</sup> It shows that the killings of women in this country has continued to rise since 2001 whilst no effective action has been taken by the authorities to punish the perpetrators. The report outlines 14 recommendations to Guatemalan President Oscar Berger and state institutions. For more details, see Amnesty International online at:

<sup>27</sup> Source: Amnesty International USA, *Women's Human Rights Action Network Update*, 7 August 2007.

[www.amnestyusa.org/women/document.do?id=ENGUSA20060718001&tr=y&auid=1853884](http://www.amnestyusa.org/women/document.do?id=ENGUSA20060718001&tr=y&auid=1853884).

A copy of the report can be found in PDF at: [www.amnestyusa.org/news/document.do?id=ENGAMR340192006](http://www.amnestyusa.org/news/document.do?id=ENGAMR340192006).

### **Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection in the US**

This new report by Jacqueline Bhabha and Susan Schmidt (June 2006) raises awareness about the presence of numerous unaccompanied and separated children in a country where a balance between suitable immigration enforcement priorities and national child protection ethics and family reunions has been debated. The authors describe the extent to which the court system is confusing these children, because it follows the same procedure for adult asylum claimants. It also talks about how they were subjected to traumatic and unjust procedures. When refused asylum, they face deportation to their home countries where they are at risk of persecution or may be killed. It calls for alterations to the current immigration system to consider unaccompanied and lone children's best welfare as required in both the international law and the U.S. criminal law.

The report can be downloaded from the following link:

[www.humanrights.harvard.edu/conference/Seeing\\_Asylum\\_Alone\\_US\\_Report.pdf](http://www.humanrights.harvard.edu/conference/Seeing_Asylum_Alone_US_Report.pdf).

#### **related publication**

The Women's Commission for Refugee Women and Children has produced a new educational video *'What Happens When I Go to Immigration Court?'* to orient children who are placed in immigration proceedings and must appear in immigration court before the Executive Office for Immigration Review (EOIR) in the USA. The video, produced *pro bono*, uses child-centered techniques to familiarise the child with these administrative

legal proceedings. It also aims to help put children at ease and begins to foster the trust and openness needed for representing the child during the immigration court proceeding. It is available in five languages, including English, French and Spanish. For more see:

[www.hklaw.com/cst/womenscommission.asp](http://www.hklaw.com/cst/womenscommission.asp).

The video User's guide can be found at:

[www.womenscommission.org/pdf/kidsvideo\\_guide.pdf](http://www.womenscommission.org/pdf/kidsvideo_guide.pdf).

### ***Beyond Victimhood: Women's Peacemaking in Sudan, Congo and Uganda***

This International Crisis Group's 'Africa Report No. 112' (28 June 06) talks about the importance of the women's involvement in peace-building in these three countries. It refers to women's organisations and their work under complex conditions in community organisations and informal conflict resolution procedure. Even though the label of *'women as only victims'* should not be reinforced, the scope of violence and discrimination against women prevents them from resuming their successful peace building work. The report also highlights the fact that women are still marginalised and excluded from participating in the formal peace negotiations and policy making.

The report states that peace-building could fail if women are expelled from the process. It stresses that peace agreements, post-conflict reconstruction, and governance flourish when women peace activists are drawn in. That is because women tend to adopt a holistic approach toward security and essential social and economic issues. Don Steinberg, Crisis Group's Vice-President for Multicultural Affairs also notes that adequately assisted women and women's organisations can play an important role in reducing violence and reconstructing democratically visible public institutions. Although the UN's Resolution 1325 concerning *'Women, Peace and Security'*, reaffirms the role of women in preventing and



resolving conflicts, and calls for raising their participation in decision making, the report also suggests that governments and the international community should do much more to support women peace activists in their own countries.

The report can be found at:  
[www.crisisgroup.org/home/index.cfm?l=1&id=4185](http://www.crisisgroup.org/home/index.cfm?l=1&id=4185).

### **New Reports on Slavery in Latin America**

Anti-Slavery International releases six different reports (by Mike Kaye and Bhava Sharma) about contemporary forms of slavery and trafficking in people for labour and sexual exploitation in Argentina, Bolivia, Brazil, Paraguay, Peru and Uruguay. Each country report can be downloaded free or purchased for £3.50. from the following link:  
[www.antislavery.org/homepage/resources/publication.htm](http://www.antislavery.org/homepage/resources/publication.htm).

#### **related publications**

Human Rights Watch report on abuses of domestic workers worldwide **'Swept Under the Rug: Abuses Against Domestic Workers Around the World'** is a synthesis of research conducted since 2001 on abuses of women and child domestic workers from or working in El Salvador, Guatemala, Indonesia, Malaysia, Morocco, the Philippines, Saudi Arabia, Singapore, Sri Lanka, Togo, the United Arab Emirates and the United States. The report is available at:  
<http://hrw.org/reports/2006/wrd0706/>

### **Manual for peer education on human trafficking**

This manual produced by ASTRA in cooperation with Red Cross of Serbia is now available at:  
[www.astra.org.yu/en/pdf/istrazivanje6.pdf](http://www.astra.org.yu/en/pdf/istrazivanje6.pdf).

### **Trafficking in Persons 2006 report released by US State department**

Any country that does not succeed in making considerable efforts to comply with the minimum requirements for the elimination of trafficking in persons receives a 'Tier 3' evaluation in this Report. Such an evaluation to a country could result in the withholding of non-humanitarian, non-trade-related support from the United States. Full text is available at  
[www.state.gov/g/tip/rls/tiprpt/2006/index.htm](http://www.state.gov/g/tip/rls/tiprpt/2006/index.htm)

#### **new resources**

#### **international**

### ***International Standards and Policy on Gender Violence and Refugees***

This paper was presented by Alice Edwards, Refugee and Migrants Officer, International Secretariat, Amnesty International<sup>28</sup> to the International Refugee Rights Conference organised by the Canadian Council for Refugees on 17-19 June 2006 in Toronto. The paper focuses on gendered violence against refugee women and girls only and aims to highlight some of the progress made at the advocacy and/or international level over the last ten years. It also aims to identify gaps in the protection regime and the role local and international NGOs can play to help fill these gaps. The author argues that the United Nations efforts to encourage states to develop their own guidelines on gender-related persecution and on recognising gender as a ground for asylum were marginally successful. Very few states amended their asylum legislation to that effect.

The paper is also critical of the action of the UNHCR itself: It draws on the assessment conducted by the women's Commission on Refugee Women and Children of UNHCR

<sup>28</sup> Alice Edwards, *Overview of International Standards and Policy on Gender Violence and Refugees: Progress, Gaps and Continuing Challenges for NGO Advocacy and Campaigning*, paper presented to the Panel on Gender Violence and Refugees.

implementation of its policy on refugee women in 2002. That implementation was found to have been '*uneven and incomplete, occurring on an ad hoc basis in certain sites rather than in a globally consistent and systematic way*. Both expertise and commitment levels to '*gender sensitive programming*' were found to vary widely within UNHCR and with its operational international and local partners. And the principles promoted by UNHCR in its own guidelines on gender have been seriously compromised by the experience in the field as scandals of sexual exploitation of children by UN or NGO staff have emerged; or undermined by UNHCR's own strategies in refugee settings such as arrangements for the provision of firewood.

Thus whilst much progress has been made in the international discourse on refugee issues to include the experiences of women asylum seekers and refugees, little has been achieved in terms of action in relation to gender-related persecution at local levels. An example is the work done on trafficking. Trafficking in persons was mentioned for the first time only in 2001 in the context of refugee law, following the Global Consultations Conference Room paper on Refugee Women. It was argued that trafficking in women flourishes in conflict situations and that some trafficked women may qualify for international protection under the UN 1951 Refugee Convention. In 2006, the UNHCR issued its guidelines on trafficking. But the author contends that little has been done in terms of providing refugee protection as a preventative action to trafficking.

Edwards also points to a lack of research and information in terms of state policies relating to reception, integration, and standards of treatment for women asylum seekers and refugees. She concludes that most policies focus on refugee camps situations and limited attention has been given to urban refugee settings, internally displaced persons (IDPs),

security issues during return and repatriation programmes, the role of NGOs in providing assistance and protection. Importantly she highlights the lack of mention of the experiences of refugee men and boys in the discourse on gender violence: '*... [T]here has been almost no recognition of men as victims or targets of gender violence, especially boys and young men, who are at risk of forced recruitment, trafficking for forced labour, prostitution or organ sales, or sexual exploitation*'.

The challenge ahead, Edwards contends, is the implementation of actual and long-term social and cultural changes that will help eradicate violence against women generally, whether asylum seekers or refugees, IDPs or simply women living in their community. A copy of the 11 page paper (including bibliography, mostly referring to UNHCR documents) can be found online at:

<http://web.amnesty.org/library/Index/ENGPOL330042006?open&of=ENG-369>.<sup>29</sup>

### ***Sexual Violence Against Women and Girls in War and its Aftermath***

This briefing paper by Jeanne Ward and Mendy Marsh was presented at the *Symposium on Sexual Violence in Conflict and Beyond*, Brussels (June 2006).<sup>30</sup> It lists the forms of sexual violence that women and girls are at risk of facing today either in the community or when fleeing conflicts, illustrated by testimonies from victims collected in the last decade alone.

<sup>29</sup> Note from the Editor: this information was found online on a site called '*Forced Migration Current Awareness Blog*, a current awareness service highlighting web research and information relating to refugees, IDPs and forced migration; provided by Elisa Mason.

<sup>30</sup> Full title: '*Sexual Violence Against Women and Girls in War and Its Aftermath: Realities, Responses, and Required Resources*', *Symposium on Sexual Violence in Conflict and Beyond*, 21-23 June 2006, Brussels, Belgium.

It also provides figures to illustrate the extent of sexual violence. The authors argue that whilst sexual violence against women dates back centuries, the scale of the violence is disturbing and cannot be explained solely by an increased international awareness: they contend that *'the nature of warfare is changing in ways that increasingly endanger women and girls.'* It goes on to describe the motivations behind rape and sexual violence against women worldwide, from Bosnia, Sierra Leone and DRC to Burma, Afghanistan and Indonesia, amongst other places. The report outlines that such violence does not cease with the end of armed conflict and in some cases, trafficking has flourished in post-conflict areas. In other cases, women are humiliated and mocked for having been abused and rejected by their immediate family or community. They become vulnerable to further abuse.

Although widespread in recent modern time conflicts, war-related gender-based violence has only been recognised in the last fifteen years or so when the UNHCR issued its *Guidelines on the Protection of Refugee Women* in 1991. The elimination of gender-based violence requires a multi-sectoral intervention based on a multi-components model (described in the paper) along with key tools and guidelines developed recently by various international actors. A handful of examples of interventions in the field are given, from Liberia, Angola to Bosnia-Herzegovina and the Palestinian Territories.

Despite these international efforts, the paper concludes that many gaps remain in the fight against violence against women, mainly due to a failure to prioritise such violence as *'a major health and human rights concern.'* From 2000 to 2006, less than 8% of all funds allocated to UN institutions and NGOs of increased protection of vulnerable populations was dedicated to programmes relating to gender-based violence. Moreover, a major obstacle to

its elimination is the persisting impunity prevailing in almost every conflict area around the world. In these areas, there are just *'no systems to ensure basic protection to survivors, let alone access to justice.'*

The full text of the paper can be found at: [www.reliefweb.int/rw/lib.nsf/db900SID/LTIO-6RPSC2?OpenDocument](http://www.reliefweb.int/rw/lib.nsf/db900SID/LTIO-6RPSC2?OpenDocument).

**related information** At the above-mentioned Symposium, more than 30 countries in the UN supported endorsement of a programme for action on sexual violence in today's conflicts. Delegates heard harrowing stories by a doctor from the DRC about the rape of girls as young as one year old - with foreign objects like metal bars, nails and sticks - resulting in devastating health consequences such as traumatic fistulas.<sup>31</sup> 90 percent of raped girls and women get sexually transmitted infection and nearly 10 percent became HIV positive, Dr. Jean Pascal Manga added. Delegates agreed that *'there must be ... zero tolerance for complacency by governments and other institutions responsible for the safety and well-being of women, men and children affected by conflict.'*

**related publications** International Committee of the Red Cross Conference Report, *'Violence against women in Africa during armed conflicts and crises'*, Addis Ababa, 11-12 May 2006, online at: [www.icrc.org/web/eng/siteeng0.nsf/htmlall/violence-girls-conference-110506](http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/violence-girls-conference-110506).

Also: Women's Commission for Refugee Women and Children, *'Gender and Child Protection Policies: Where do UNHCR's partners stand?'*, July 2006, online at: [www.womenscommission.org/pdf/AGDMfinal.pdf](http://www.womenscommission.org/pdf/AGDMfinal.pdf).

<sup>31</sup> Source: UN News Centre, 'UN-backed conference calls for zero tolerance for sexual violence in conflict', 23-June-2006, online at: [www.un.org/apps/news/printnewsAr.asp?nid=18977H](http://www.un.org/apps/news/printnewsAr.asp?nid=18977H).

# women's asylum news

Produced by RWRP (for more information on this issue, please contact Sophia Ceneda)  
Asylum Aid, 28 Commercial street  
London E1 6LS Tel: 020 7377 5123  
Fax: 020 7247 7789  
Email: [sophiac@asylumaid.org.uk](mailto:sophiac@asylumaid.org.uk)  
Website: [www.asylumaid.org.uk](http://www.asylumaid.org.uk)

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. All web links correct at time of publication.



Asylum Aid provides free legal advice and representation to asylum-seekers and refugees, and campaigns for their rights. We rely on the generosity of individuals to help us continue our work. Your support would be greatly appreciated.

A gift of just £5 each month could support our free legal advice line.

Name \_\_\_\_\_

Address \_\_\_\_\_

Tel \_\_\_\_\_

Email \_\_\_\_\_

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

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 donation

## 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 donation

To support Asylum Aid's work, please complete and return this form to:  
Asylum Aid, FREEPOST LON18836, London, E1 6BR (using a stamp will save us money)