

women's asylum news

refugee women's resource project @ asylumaid

issue number 41

march 2004

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Refugee Women's Legal Group gives Home Office guidance on women's asylum claims a cautious welcome

A Home Office press release¹ on new laws to end Female Genital Mutilation (see page 3 below) includes reference to the fact that from 3rd March, caseworkers have been provided with new guidance to ensure that gender issues are taken into account when looking at the persecution experienced by women asylum seekers (see page 3 for weblinks to the guidance). The Refugee Women's Legal Group (RWLG) welcomes this guidance.²

However the group warns that the current political climate in which asylum applications are assessed means that the guidance will not automatically lead to better decision-making. The guidance will need to be accompanied by training for caseworkers to ensure that women's experiences of violence and human rights abuse are properly understood.

¹ Reference to the new guidance is included in point 14 of the notes to editors in the Home Office press release (3rd March 2004) on the Female Genital Mutilation Act. It states that: 'the revised Asylum Policy Instruction issued to caseworkers gives guidance on the additional considerations caseworkers should have in mind when assessing claims for asylum that could include gender related issues such as among others marriage related harm, violence within the family or community, domestic slavery and female genital mutilation.'

² The Refugee Women's Legal Group (RWLG) was established at the beginning of 1996 by individuals and organisations concerned about the impact of changes in immigration law on women seeking asylum in the UK. Central among its aims is the development of a gendered perspective on refugee law and policy.

The impact of the guidance on individual cases will need to be monitored.

The Home Office guidance comes after nearly six years of campaigning and lobbying by the Refugee Women's Legal Group following the publication of their Gender Guidelines for the Determination of Asylum Claims in the UK in July 1998.³ Despite the on-going work of the RWLG and increased awareness of women's experiences as asylum seekers and refugees,⁴ there is continuing evidence of:

- Inadequate recognition that women's political activities may take a different form to those of men;
- Inconsistent decisions in relation to sexual violence, including cases where rape has been dismissed as not constituting persecution;
- Inconsistent decisions about whether violence at the hands of non-state agents (including spouses, community and family members) constitutes persecution;

³ Available on-line in PDF and WORD format at www.rwlg.org. These guidelines provided the basis for the guidelines to adjudicators subsequently produced by the Immigration Appellate Authority (IAA) and are partly reflected in the Home Office guidance.

⁴ In 1991, the United Nations High Commissioner for Refugees (UNHCR) published its *Guidelines on the Protection of Refugee Women: Legal Procedures and Criteria for the Determination of Refugee Status* to address the specific issues faced by asylum-seeking women. These guidelines proposed various procedural practices to help states consider asylum applications from women in a gender-specific context. In 1993, Canada was the first country to implement gender guidelines in initial asylum decision-making. The US followed in 1995 (although policy guidelines and regulations are currently under review, see WAN No. 40, February 2004), and Australia, Norway and Sweden did so in 1996, 1998 and 2001, respectively.

- Recent cases of Female Genital Mutilation (FGM) being refused as a basis for asylum;
- A failure to appreciate that women may have an asylum claim in their own right and should be asked about their experiences;
- Insufficient appreciation of women's needs to be interviewed without children present and by female interviewers.

There is also growing evidence that the increasingly hostile political environment in which asylum decisions are made has impacted negatively on women asylum seekers and their families. Many cases are refused initially by the Home Office but go on to be successful at appeal.

Responding to the decision to issue guidance on gender issues to caseworkers, Alison Stanley, solicitor and founder member of RWLG said:

'The new Home Office instructions on gender are to be welcomed. We hope that this means that the difficulties facing women fleeing persecution will be recognised by the Home Office, and will mean that more women are properly provided with the protection they deserve under the Refugee Convention. The instructions will be particularly important if the changes heralded in the current bill going through parliament are implemented.'

Richard Lumley, Protection Policy Adviser at the Refugee Council, also a member of RWLG, pointed to the need to reinforce the instructions on gender issues with '*adequate training and monitoring*' and expressed concerns that '*in an*

increasingly hostile decision making climate, which will be compounded if the current asylum bill is passed, women's asylum applications will continue to be disproportionately disadvantaged.'

According to Simin Azimi, Director of the Refugee Women's Association,

'Home Office asylum decisions are too often based on inaccurate and out-of-date country information. For women, this is compounded by a lack of gender-sensitive procedures which would enable them to describe their experiences to decision-makers. The Home Office guidance is a welcome step in the right direction, but we need ongoing consultation between the Home Office and refugee women's groups to ensure equal and adequate access to protection for women seeking asylum'.

The Refugee Women's Resource Project has also welcome the adoption of specific guidance on gender issues when dealing with asylum claims as the project deals routinely with women whose asylum claims have been severely prejudiced by the gender-blind approach of the Home Office to their cases. Such shortcomings have been continuously reported in our research, the latest of which, *'Women asylum seekers in the UK: a gender perspective, some facts and figures'*, was published in February last year.

RWRP hopes that this guidance will go some way to addressing the procedural and evidential barriers women continue to face when trying to present their claims.

Find the new guidance Gender Issues in the asylum claim at the following weblink:

www.ind.homeoffice.gov.uk/default.asp?PageId=4790. Additional guidance re: gender is also provided in the guidance on Membership of a particular social group www.ind.homeoffice.gov.uk/default.asp?PageId=4757 as well as in the guidance on Deciding claims Assessing the asylum claims www.ind.homeoffice.gov.uk/default.asp?PageId=2663.

other UK news

Female Genital Mutilation Act breaches loophole⁵

The Female Genital Mutilation Act, which came into force on 3rd March 2004, reinforces existing legislation (Female Circumcision Prohibition Act 1985) and closes a loophole by **making it unlawful to take girls abroad for genital mutilation** whether or not it is legal elsewhere. The maximum sentence has been increased from 5 to 14 years in jail. The changes were made after Ann Clywd MP introduced a private member's bill.

It is estimated that 7,000 girls under 16 are at risk and 74,000 women in the UK have undergone the procedure.⁶ Two millions girls – or about 6,000 a day – are at risk worldwide. 135 millions are said to have been mutilated. The practice is reported in 28 African

⁵ Unless otherwise stated, information drawn from: www.pm.gov.uk/output/page5460.asp and www.homeoffice.gov.uk/n_story.asp?item_id=841.

⁶ For more details see WAN no. 35, August 2003. Also see FORWARD, at www.forward.dircon.co.uk.

countries and other sub-regional areas such as the Arabian peninsula and South-West Asia but is also found amongst immigrant communities across Europe, Australia, New Zealand and North America. Currently a father of 3 girls, aged between 10 and 18, is facing charges in France after the girls were sent back to their countries to undergo female genital mutilation.⁷

In the UK the new legislation comes into force on the day new gender guidance was issued to asylum caseworkers (see above). In addition the government is also providing funding of £30,000 to support an information campaign amongst the practising communities in the form of seminars, workshops and leaflets.

Adwoa Kwateng-kluitse, Director of FORWARD (Foundation for Women's Health, Research and Development), said:

'This new law indicates the Government's and activists' commitment to protect girls [living in the UK] at risk of female genital mutilation. It is our fervent hope that this Bill will not be a symbolic gesture, but will serve as a tool for child protection, community education and empowerment.'

⁷ Source: Sexism and women's rights, 2004, No. 3. In some countries however, there has also been a number of anti-FGM initiatives. Recent news report such initiatives in Kenya, Ghana, Senegal and Somalia. See: www.irinnews.org/report.asp?ReportID=39965&SelectRegion=East_Africa&SelectCountry=KENYA; [www.wlumf.org/english/newsfulltxt.shtml?cmd\[157\]=x-157-35602%20&cmd\[189\]=x-189-35602](http://www.wlumf.org/english/newsfulltxt.shtml?cmd[157]=x-157-35602%20&cmd[189]=x-189-35602).

Women's Aid expands 'Last Resort Fund' for domestic violence victims with no recourse to public funds⁸

On 4th March, Women's Aid, the national domestic violence charity, announced an increase in funding to provide temporary financial help to women experiencing domestic violence who have no recourse to public funds, due to their insecure immigration status. This increased financial commitment was made possible thanks to a grant from the Sigrid Rausing Trust further boosted by a matching £40,000 one-off grant.

According to Women's Aid, the expanded Last Resort Fund will:

- provide two months financial support to abused women with no resource to public funds.
- extend the financial support to cover rent costs as well as emergency living expenses.
- be available to abused women with insecure immigration status who are staying at a refuge or other accommodation run by a domestic violence service provider.
- help monitor the demand for support in the longer term.

Although welcoming the additional funding, Women's Aid warned that the funds available were '*financially and time-limited and could only provide temporary respite to women with insecure immigration status*'.

⁸ Source: Women's Aid Press Release, '*Women's Aid expands "Last Resort Fund" to help women with insecure immigration status experiencing domestic violence who have no recourse to financial help under present law*', 4th March 2004 at www.womensaid.org.uk/press_releases/index.htm#Lastresortfund. Also see: HO Press Release, '*More support for victims of domestic violence*', 4th March 2004 at www.homeoffice.gov.uk/n_story.asp?item_id=847.

The Home Office funding comes after months of campaigning by women's organisations, in particular Southall Black Sisters (supported by RWRP (See WAN issue No. 27, Nov/Dec 2002), who have highlighted the vulnerability of migrant and women asylum seekers with no recourse to public funds in the UK.

Home Office Minister Baroness Scotland said: *'This funding boost continues significant Government action to tackle domestic violence and help protect victims. This includes new clear powers for the police in the Domestic Violence Crime and Victims Bill – the biggest reform of law in this area for 30 years and the launch of a new freephone 24 hour helpline - 0808 2000 24 7 - run by Refuge and Women's Aid and supported by Government and Comic Relief.'*

POPPY Project launches campaign against trafficking into sexual exploitation

The campaign message launched in the streets of London on the 8th March, along with the poster below, reads: *'Some people are offended by this image. We're not. What offends us is the way hundreds of women are trafficked into the UK every year and forced into prostitution'.*



The campaign was initially launched in a limited number of sites in London but the POPPY project is determined to widen its

coverage in the near future, according to its resources.

Please visit www.poppoproject.org/ for more information on this campaign and how you can help trafficked women.

Information and access to help

For information on the campaign and on the POPPY project services, legislation, and other resources on trafficking and prostitution please visit its website at www.poppo.uk.com/.

Eaves Reception 9.30am - 5.30pm
0207 735 2062

24 Hour HOTLINE for victims of trafficking

Concerns raised about separation of women asylum seekers and their babies in detention

The Breastfeeding Network (B^{FN}) has issued a policy statement (November 2003) in response to its concern about the separation of asylum seeking mothers from their children while they are breastfeeding, and inadequate access to facilities to prepare breastmilk substitutes for those who are formula feeding. B^{FN}, a voluntary organisation member of the Maternity Alliance, writes:

'We believe that the key principle which should underpin the policy on the care of asylum seekers and their babies (young children) is that mothers should be able to choose to have their baby (young child) with them at all times, unless there is danger to the baby's (young child's) physical or mental health. This policy should apply both during

detention and deportation. We believe that the relationship between mother and baby is fundamental to the well-being of both, and that the disruption of this relationship may do irreparable damage to both.'

'(...) it is wrong to deny babies of women in detention centres this best start in life, which will protect their health both in the long and short term'.

In addition, BfN stresses that even a temporary separation between a breastfeeding child and her/his mother could have *'long-term psychological impact as well as leading to a rapid decline in the mother's milk supply'*. Also children of asylum seeking families are particularly vulnerable due to language and cultural barriers. BfN calls for a respect of cultural practices and points out the fact that breastfeeding of toddlers and older children is the norm in some cultures (whilst uncommon in the UK). It further writes:

'Women who are not breastfeeding may be at risk of stigma in their own communities. Privacy for breastfeeding, if required, should be available in detention centres and in any hostel accommodation'.

BfN's policy statement, which refers to the UN Convention on the Rights of the Child 1989, Article 24, UK law and WHO/UNICEF documents on related issues, also covers issues relating to the provision of breast milk substitutes and complementary food, as well as the situation of HIV positive mothers. For more information on BfN, breastfeeding and a full copy of the policy statement, visit www.breastfeedingnetwork.org.uk

(go to 'Information' and then 'Newsletter Articles' for the statement). Alternatively, contact: BfN@btinternet.com or telephone/fax at 0141 884 2472.

NASS director speaks at AFRW International Women's Day event

NASS director, Freda Chaloner, spoke at the event on Friday 5th March. The panel of speakers also included refugee women who made powerful comments about their experiences of life in the UK. There were equally illuminating contributions from the floor from women who had very negative experiences of living under the NASS system of support. Hopefully, their stories will have given Freda Chaloner a clearer picture of the pressures of life under NASS.

Freda Chaloner highlighted the recent publication of a **new NASS policy bulletin on domestic violence**. Policy Bulletin 70 covers the procedure that NASS will follow when responding to allegations of domestic violence. It replaces the references to domestic violence previously found in NASS policy bulletin 18.

Crucially, the new policy bulletin clearly states that a woman should be transferred immediately to alternative safe accommodation if she is suffering from abuse. There is a commitment that NASS will pay *'the reasonable costs'* of alternative accommodation and an acknowledgement that this may include the cost of a refuge place.

NASS accommodation providers are required by the policy bulletin to have a

statement on their domestic violence policy and to hold and display information about options for women escaping domestic violence.

Freda Chaloner said that NASS would welcome feedback about how this new policy is working (NASS policy bulletins are available at www.ind.homeoffice.gov.uk).

She also gave a commitment that single sex NASS accommodation will be provided to women if they request it. Shockingly, this does not always appear to have been the case in the past.

- She announced an independent review of the way that NASS handles medical evidence regarding the needs of NASS applicants. This review will be carried out by the Department of Health. RWRP believes that there are serious problems with the way that NASS evaluates medical evidence. Many NASS applicants have been dispersed despite medical evidence that shows an overwhelming need to remain in a particular area.
- Freda Chaloner also drew attention to NASS' intention to improve its relationship with the voluntary sector. To this end, they have appointed a new member of staff who will be contacting groups involved in supporting asylum seekers and asylum seekers themselves to seek feedback on NASS services.
- NASS is continuing its operation to give the organisation a regional presence and are to begin the

process of transferring some casework functions to areas outside of London. A pilot project is about to be set-up in Leeds in the next few months. NASS state that it hopes this will bring the service '*closer to its customers*'.


In summary, there were some positive announcements from the Director about new NASS initiatives but it remains to be seen how they will be implemented in practice and what concrete difference they will make to the lives of NASS applicants.

related news

Review of NASS finally published!

The Home Office published the report of the ministerial review of the National Asylum Support Service (NASS) on 25 March. The review was carried out a year ago but the Government had until now refused to release the report saying it was confidential advice for ministers...

Full report available in PDF online at: www.ind.homeoffice.gov.uk/filestore/NA%20SS%20report%20Final%20-%20Version%2011b%2015.03.pdf.

 Also Response to Home Affairs Select Committee and NASS Review online at

www.ind.homeoffice.gov.uk/news.asp?NewsID=379.

 New Regulations providing Child Benefit backdated for those granted

Refugee Status⁹ The Child Benefit and Guardian's Allowance (Miscellaneous Amendments) Regulations 2004 issued on the 18th March (SI.No.761/2004) provide that a claim for Child Benefit or Guardian's Allowance shall be treated as having been made on the date on which the claimant first claimed asylum providing the claim for benefit is made:

- on or after 6 April 2004; and
- within 3 months of receiving the notification that s/he has been recorded as a refugee by the Secretary of State.

Full text available at the following weblink:

www.inlandrevenue.gov.uk/si/2004-0761.pdf.

New Regulations have also been issued re: **asylum support payments**. See details at:

www.hmsso.gov.uk/si/si2004/20040763.htm.

Law Society says cuts to Asylum Legal Aid will increase numbers of appeals

The Law Society, the professional body for solicitors in England and Wales, has warned that denying asylum seekers legal aid – and therefore legal representation – at interviews with the Home Office, will *'make it less likely that their case will be effectively presented, increasing the likelihood of expensive appeals later.'* For full text 'Cuts to Asylum Seekers Will Ultimately Increase Number of Appeals, Warns the Law Society' (31 March 2004), see www.lawsociety.org.uk in section 'What's New'.

⁹ Source: www.rightsnet.org.uk

UK events & projects

Asylum Seekers and Refugees: Needy or Greedy?¹⁰

is a free half-day conference focussing on the mental health needs of refugees and asylum seekers. Speakers include Dr Stuart Turner, Professor Ian Robbins, Andrew O'Keefe and Dr Piyal Sen.

The conference will take place on Friday 23 April 2004, 10.00am - 1.00pm at the Holiday Inn, 500 Saxon Gate West, Central Milton Keynes. Places are limited. To reserve a place, please phone Carol Graves-Morris on 01908 593013.

Free courses for refugees¹¹

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

'Being persecuted' within the meaning of art. 1A" of the 1951 Refugee Convention

The Law Society's Immigration Law Committee, in association with Catriona Jarvis, Immigration Adjudicator, invites

¹⁰ Information circulated by www.asylumpolicy.info.

¹¹ Information circulated by refed@yahoo.com.

you to this workshop conducted by Pr. James Hathaway, Univ. of Michigan, which will take place on Friday 21 May 2004 (9.00am to 5.00pm). The fee is £100 plus VAT. Deadline for registration: 30th April 2004 (places are limited and allocated on a 'first come first served' basis). Contact 01920 487672 or email London@profbriefings.co.uk for a booking form. Location: 113 Chancery Lane, London WC2.

Roma nation day rally

Starts 12 noon at south end of Lambeth Bridge, Thursday 8 April with a procession to Parliament led by a samba band, and flowers to be cast into Thames in memory of victims of fascism. For more details contact Grattan Puxon 01206 523 528 Trans-European Roma Federation.

International news

Sudan: Mass rape and abduction of women and children¹²

The situation in Darfur, western Sudan, has been described as '*comparable in character, if not scale, to the 1994 Rwandan genocide*' by United Nations co-ordinator for the country, Mukesh Kapila. His statement follows an attack at the beginning of March on the village of Tawila by Arab militias said to be backed by the government. 75 people

were killed in the raid, over 100 women were raped – some in front of their fathers – and a further 150 women and 200 children abducted. Only a few days before, 41 schoolgirls and teachers were raped or gang-raped in some cases in front of their families, 16 girls were abducted and 67 people killed.

Such attacks occur daily in the region and 100,000 people who have fled across the border to seek safety are still facing cross-border raids. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reports '*indiscriminate killings of civilians, gang rapes, looting of private property and humanitarian aid, burning of villages, abductions, forced migration and general intimidation*'. An estimated 750,000 people have become internally displaced since fighting started last year between the Sudanese government allied to militias known as '*Janjawid*' and rebel groups. As in many conflicts, and as highlighted by the latest MSF report on '*sexual violence as a weapon of war*' (see below section on 'online resources international'), the rape of women and girls is being used as a weapon of war.

In a call for more aid and international intervention, Mukesh Kapila commented: '*This is ethnic cleansing, this is the world's greatest humanitarian crisis, and I don't know why the world isn't doing more about it*'.

Nepalese NGOs highlight violence faced by Dalit women¹³

¹² BBC News, '*Mass rape atrocity in west Sudan*', 19 March 2004 at <http://news.bbc.co.uk/2/hi/africa/3549325.stm>; IRIN news, '*SUDAN-CHAD: Cross-border conflict escalates*', Nairobi, 16 March 2004 at http://www.irinnews.org/report.asp?ReportID=40074&SelectRegion=East_Africa&SelectCountry=SUDAN-CHAD and UN News Centre, '*Sudan: humanitarian crisis in Darfur deteriorating, UN agencies say*', at <http://www.un.org/apps/news/story.asp?NewsID=10257&Cr=sudan&Cr1=>.

¹³ Information edited from: Minority Rights Group International – e-bulletin – March 2004, '*Nepal's Dalit women face discrimination, violence and exclusion*', 15 March 2004.

In an intervention to the United Nations Working Group on Minorities, the Forum for Women, Law and Development (FWLD) in Nepal raised their concerns about the situation of Dalit women in a country where 'untouchability' is still practiced despite constitutional provisions against discrimination on the basis of race, religion or sex. They briefed UN Committee members about the fact that Dalit women are still subjected to discrimination, violence and social and economic exclusion and that much more needs to be done to enforce anti-discrimination policy and legislation.

Some women are still killed after they have been accused of witchcraft whilst others continue to be sexually exploited by higher caste men. There is also a trade in the trafficking of women and children. FWDL reported that 16 percent of the Nepalese female population, their life expectancy is only 42 years compared with a national average of nearly 60. Their average literacy level at 9 percent also compares very poorly with the national average of 42 percent.

For a copy of the full intervention delivered to the UN Working Group on Minorities, visit: www.minorityrights.org/news_detail.asp?ID=220.

Forced marriages deprive Afghan women of a future¹⁴

¹⁴ Sources: Integration Regional Information Network (IRIN), 'Afghanistan: Women said still oppressed in Heart', 11 March 2004, at www.irinnews.org/; also *The New York Time*, 'For more Afghan wome, immolation is escape', 8 March 2004.

The Revolutionary Association of the Women of Afghanistan (RAWA) has reported on the increasing rates of suicide amongst women and young girls in the region of Herat, western Afghanistan, due to 'oppressive social conditions that hark back to the time of the fundamentalist Taliban regime'. The region is currently ruled by a local strongman name Ismail Khan who, according to RAWA, has placed restrictions on women and girls, forcing them into marriages and depriving them of educational opportunities. As a result, many of them commit suicide, a trend that is also found in other rural areas.

Tribal areas are populated by Pashtuns who, according to an officer from the human rights commission in Jalalabad, are 'particularly harsh in their treatment of women'.

Malalai Usmany, head of the Union for the Defence of Women's Rights, a private advocacy group in the province of Balkh, estimates that '80 percent of girls are victims of forced marriages'. Women can face pressure from their own family but sometimes women are also victims of tribal conflicts – tribal elders may order the killer of a man to give a woman from his own family to be married to a member of the victims' family as a form of compensation. In other cases, marriage is used as a way to bring two families closer or tribal rules may force women to marry the relative of a deceased husband.

Sultana Bibi, an ethnic Pashtun, was forced to marry her fiancé's brother after he died of cancer shortly before their wedding. Although her family objected on the basis that the man's existing wife

had threatened the young woman with violence if she joined the household, she was kidnapped and married by force to her brother-in-law who confessed to her murder four months later.¹⁵

In the past six months, Afghan Independent Human Rights Commission recorded 40 cases of women who have set themselves on fires, cut their wrists, taken tablets or hang themselves to escape forced marriages and other harsh tribal traditions. It is estimated that the real figure is closer to hundreds per year and President Hamid Karzai has launched an investigation.

Parwin Jabarkhail, a doctor working in southeastern Paktika province, also reported in a separate interview with the Integrated Regional Information Network, that in that area rural men *'will let [rural women] die rather than take them to a male doctor'*. Many have to travel long journeys before they can be seen by a female doctors but as a result the region experience a high levels of maternal mortality of 50 percent amongst pregnant women.¹⁶

Canadian study underlines vulnerability of minority women victims of domestic violence¹⁷

'Nowhere to Turn? Responding to Partner Violence Against Immigrant and Visible Minority Women' is a major new study by the Canadian Council on Social Development (CCSD) which highlights

¹⁵ Institute of War and Peace Reporting, Afghan Recovery Report No. 13, *'Forced marriage leads to tragedy'*, 1st April 2004 at http://www.iwpr.net/afghan_index1.html.

¹⁶ IRIN News, *'AFGHANISTAN: plight of "forgotten women" needing health care in rural areas'*, 2 March 2004, at www.irinnews.org/.

¹⁷ Source: CCRLIST@YORKU.CA.

the need for comprehensive, co-ordinated and culturally appropriate strategies to reach immigrant and visible minority women who are victims of partner violence.

The study by Dr. Ekuwa Smith, a senior research associate at the CCSD included focus groups with frontline workers in seven cities across the country as well as a two-day National Forum, key informant interviews, and a review of relevant literature and available data. The author said: *'frontline workers repeatedly identified the same issues like the shortage of interpretation services and language training for new immigrants. (...) They also emphasized the need to provide these women with information they can understand about their rights, and put community support workers in place to help them navigate the Canadian justice and human services systems.'*

Building on the links created through this study, the CCSD is moving forward to create a national network that will bring together community workers, law enforcement personnel, victims advocates, researchers, funders and policy-makers. See more at: www.ccsd.ca/pubs/2004/nowhere/.

Louise Arbour appointed as new UN High Commissioner for Human Rights

Louise Arbour, 57, a Canadian Supreme Court justice and ex-chief prosecutor for UN war crimes tribunals for the former Yugoslavia and Rwanda from October 1996 to September 1999, was appointed on 25 February 2004. She is replacing Brazil's Sergio Vieira de Mello who, along

with 21 others, was killed in a terrorist attack on the UN's Baghdad headquarters last August.

She is expected to start her four-year term in the Geneva-based post after she retires from the Canadian Supreme Court in June.

International events & projects

Reebok Human Rights Award Programme seeks nominations

Members of the international community of human rights and non-governmental organizations are urged to nominate young men and women activists to honor them for their courage and contributions to further human rights. The Reebok Human Rights Award, established in 1988, provides recipients with a \$50,000 grant from the Reebok Human Rights Foundation for the human rights organization of their choice. Candidates must be 30 years of age or younger. They cannot advocate violence or belong to an organization that advocates violence, and they must be working on an issue that directly relates to the United Nations' *'Universal Declaration of Human Rights.'*

Past Reebok award recipients include Rana Husseini who received it in 1998 for her work in exposing *'honor killings'* in Jordan. This led to worldwide coverage of the practice in which women are murdered by family members for suspected *'immoral behaviour'*. Nominations should be made by 31st May 2004. Recipients will be selected by

December 1, 2004. For more information, visit the following website www.reebok.com/humanrights or e-mail rhaward@reebok.com.

UN declares 7th April 2004 *'International Day of Reflection on the Genocide in Rwanda'*¹⁸

The United Nations and the international community commemorate an international day of reflection on the 1994 genocide in Rwanda and declare a recommitment to the fight against genocide throughout the world. The UN *'encourages all Member States, organizations of the United Nations system and other relevant international organizations, as well as civil society organizations, to observe the International Day, including special observances and activities in memory of the victims of the genocide in Rwanda.'*

The international body also *'calls on all states to act in accordance with the Convention for the Prevention and Suppression of the Crime of Genocide in ensuring that there is no repetition of events of the kind, which occurred in Rwanda in 1994.'*

Between 800,000 and one million people died in the Rwandan genocide which lasted three months. Hundreds of thousands of children were orphaned and it is estimated that 11% of Rwandan women were raped, some repeatedly for weeks as they were kept by members of the Hutu extremist militias in the space between the roof and the ceiling of their

¹⁸ Source: Prevent Genocide International at www.preventgenocide.org/prevent/UNdocs/UNGAResOn10thAnniversaryOfGenocideInRwanda.htm

houses (thus named 'women of the ceiling). Many women were subsequently infected with HIV.

For more information see:

- UN General Assembly [Press Release GA/10224](#) at website www.un.org/ga/.
- The 'Kigali Declaration' of May 8, 2003 on the African Union website: www.africa-union.org.
- Also: Rwanda 10th Anniversary Memorial Project 'Remember Rwanda' at www.visiontv.ca/RememberRwanda.

related publication ICAR signpost series on Rwandan in the UK (see below, under online resources UK).

new publications

international

New study on the situation of women in Jordan¹⁹

The report '*The Status of Jordanian Women: Demography, Economic Participation, Political Participation and Violence*' was launched in Amman this week by the United Nations Development Fund for Women (UNIFEM). It was prepared in collaboration with the national Department of Statistics and the Jordanian National Commission for Women, and includes in-depth analysis of gender gaps and disparities in the four areas studied. It is intended to be a tool for policy-makers and practitioners to report on CEDAW and progress towards the Millennium Development Goals, as well as facilitate better planning and

¹⁹ Source: unifem.media@undp.org.

equitable resource allocation in national budgeting.

The report is currently available only in Arabic. For more details, please contact Dana Khan, dana_khan@unifem.org.jo or gems@unifem.org.jo.

'Where are the Girls?

*Girls in Fighting Forces in Northern Uganda, Sierra Leone, and Mozambique: Their Lives During and After War*²⁰



by Susan McKay and Dyan Mazurana (March 2004), is a study published by Rights & Democracy, which provides for a better understanding of how girls' lives are militarized in armed factions and examines what roles girls play in such circumstances.

On the basis of their investigations in northern Uganda, Sierra Leone, and Mozambique, the authors show that girls enrolled in armed forces and groups are not and have never been just '*civilians associated with troops.*'

To order the book, click on this link: www.ichrdd.ca/english/commdoc/publications/women/Girls/girlsmainEN.html or e-mail: publications@ichrdd.ca. The book is free of charge for NGOs in developing countries.

related publication See below (online resources international) Amnesty International report on Child Soldiers in Burundi.

²⁰ Source: Libert@s, Rights & Democracy online Bulletin March 2004, Issue 12.

new publications

UK

'How to access disability services a guide for organisations in contact with refugees and asylum seekers in London'



This hardbound, 240-page guide, will be available from 29 April 2004. It gives advisers practical signpost information on rights, benefits,

services and opportunities available to disabled refugees and asylum seekers in London, including those provided by voluntary organisations. Organisations providing services for disabled people will also benefit from a greater understanding of how they can help, within permitted limits, to bring this neglected group into the mainstream of our society. Topics include: community care, health services, money, equipment, caring, housing, education, employment and leisure.

Prices: £12.99 to statutory organisations, £5.99 to voluntary organisations. To order, visit www.nif.org.uk and click on 'Our Publications'.

'A Gap in the Curtains'²¹

is a collection of first-hand stories from asylum seekers and refugees residing in York during 2003 who came from countries as diverse as Albania, China, Iran and Turkey, desperately in search of a place of refuge, using a variety of

modes of transport. Their moving stories remind us of the reasons they had to flee their countries, whether it be civil war or persecution and torture, only to find themselves in isolation in England. It is published by York Asylum 21 and is available at no cost from York Council of Voluntary Service, 15 Priory Street, York YO1 6ET.

online resources

international

Comparative report on the application of asylum standards to protect women trafficked for sexual exploitation

This is an analysis of the laws of the United States, France, Canada, Luxembourg and the United Kingdom with regard to the protection of women trafficked for sexual exploitation, conducted by a number of legal practitioners. A PDF copy is available at: www.antislavery.org/homepage/traffic%20news/DECHERT.pdf.

MSF' report on '*Sexual violence as a weapon of war*'

This short report by Médecins Sans Frontières, the international non-governmental organisation that provides medical aid worldwide, includes small sections on the 'Consequences of rape: women and girls are scarred: Medical, psychological and socio-economic'; and 'Rape and Sexual Violence: MSF's response' (go to the following link:

²¹ Source: Institute of Race Relations, <http://www.irr.org.uk/2004/february/ak000015.html>

www.msf.org/content/page.cfm?articleid=ED5DE091-C7BD-48FF-A76667F20DEBD400).

In this document released on the occasion of International Women's Day, MSF highlights the plight of hundreds of thousands of refugee women worldwide:

'When forced to flee their homes, women and girls frequently become separated from their families and are left open to attack. They may be forced to trade sex for protection, or simply food or shelter. The incidence of rape and sexual violence in these situations not only increases but often becomes systematic'.

The report contains a brief overview of the NGO's work in DRC, Burundi, Congo-Brazzaville and Liberia. MSF stresses that *'the dominance of African countries in this report does not mean that sexual violence does not happen elsewhere. It does, however, reflect the reality that it is extremely difficult to support victims of sexual violence in countries like Chechnya, Pakistan and Afghanistan where the taboo and stigma are even greater and where women risk being expelled or possibly killed once the family finds out.'*

Report on continuous persecution of homosexuals in Egypt

The Egyptian government continues to arrest and routinely torture men suspected of consensual homosexual conduct, Human Rights Watch said in a report released on 1st March. The detention and torture of hundreds of men reveals the fragility of legal protections for individual privacy and due

process for all Egyptians. See full Press Release at:

<http://hrw.org/english/docs/2004/03/01/egypt7735.htm>.

Webfilm on women, war and health

The three-minute webfilm in 9 languages produced by the United Nations Population Fund shows some of the ways women are impacted by war. You will need to download Macromedia Flash Player (free from the internet) to be able to view it at:

www.unfpa.org/emergencies/psa/

New AI report on child soldiers in Burundi²²

The report by Amnesty International, *'Burundi: Child soldiers - the challenge of demobilisation'* (24 March 2004), says that the prospects of a lasting peace in the country will be undermined if children used as child soldiers or 'wives' are not being reintegrated into the society. UNICEF estimates that between 6,000 and 7,000 children now need to be demobilised and reintegrated into Burundian society. AI says that the children *'who have known only violence and atrocities are re-recruited by militia groups or turn to violent crime'*.

'They took us as wives straightaway', says Fabienne (not her real name), who was forced to join an armed group at the age of 13 in 2001. 'We had to cook for them. We mostly stayed in the forest but sometimes we had to go with them

²² Extract from Amnesty International Press Release, *'Burundi: Thousands of child soldiers threaten possibility of lasting peace'*, 24 March 2004 at www.amnesty.org.uk.

and carry what they looted...They all had sex with me. I don't know how many people had sex with me. A man would come, then another and another. I wasn't even the youngest. Some girls were even younger than me. Even the commanders called for you. You couldn't refuse...They said they'd kill you if you ran away.'

To read the full report, please visit:

www.amnesty.org.

'Poverty, International Migration and Asylum'²³

This policy brief by Christina Boswell and Jeff Crisp (No.8, March 2004, UN University World Institute for Development Economics Research, UNU-WIDER) summarizes the key issues presented at the UNU-WIDER conference on Poverty, International Migration and Asylum in Helsinki during 27-28 September 2002 organized by George Borjas of Harvard University, and Jeff Crisp of UNHCR. The [PDF file](#) www.wider.unu.edu/publications/pb8.pdf

Refugee Law Reader Online²⁴

'*The Refugee Law Reader: Cases, Document and Materials*', is an online publication, the result of the co-operation of seven internationally acclaimed university professors, and a number of contributing experts. It can be accessed by all users, free of charge, at

²³ Information circulated by www.asylumpolicy.info.

²⁴ Information circulated on CCRLIST@YORKU.CA. The Refugee Law Reader is published by Legal Assistance through Refugee Clinics (LARC) - a project affiliated with the Hungarian Helsinki Committee and supported by the United Nations High Commissioner for Refugees (UNHCR).

www.larc.info/reader/. Aimed for use by professors, lawyers, advocates, and students across a wide range of national jurisdictions, the Reader is divided into four chapters, including migration and conceptual frameworks; international refugee law; and the European asylum system (including relevant EU, Council of Europe and ECHR materials). As a 'living book', the Reader will be updated to keep pace with ongoing developments in the field of asylum law. Write your comments to reader@larc.info.

New CrisisWatch database

The database is available online thanks to a search function which allows users to search current and previous issues of CrisisWatch at www.crisisweb.org/home/index.cfm?id=2530&l=1. Searches can be carried out on specific countries or conflicts, or by keywords. If you prefer to receive a colour printed copy of CrisisWatch each month, you can subscribe to CrisisWatch for 60 euros per year, which includes postage anywhere in the world. Go to www.crisisweb.org/home/index.cfm for contact details.

New UNHCR guide on reporting refugee and asylum issues

This section of UNHCR's website contains resources, including guidance for journalists issued by the UNHCR in conjunction with the NUJ and the Presswise Trust, to help the media report asylum issues fairly and accurately. At: www.unhcr.org.uk/press/reporting/index.html.

related information

UNHCR Quarterly Resettlement Trends and Quarterly Refugee Trends - Populations and Durable Solutions See: www.unhcr.ch/cgi-bin/texis/vtx/statistics/

online resources

UK

Signpost to Rwandans in the UK

To commemorate the Rwandan genocide which took place 10 years ago, the Information Centre about Asylum and Refugees in the UK (ICAR) has prepared this signpost which provides details of resources, organisations, projects, real lives stories, and statistical data that may be useful to researchers, teachers, journalists, civil society groups, and other interested parties seeking to compile information about Rwandan exiles in this country. To be found at <http://www.icar.org.uk/pdf/sign02.pdf>

The first in ICAR's occasional series of signposts to issues of current interest is now available on 'modes of entry to the UK' (February 2004]). ICAR has also produced a navigation guide to Liberians in the UK in order to inform and contextualise the arrival of Liberians to Sheffield as part of the UK's resettlement programme (March 2004). See: www.icar.org.uk/content/about/new.html

related information

A new research publication by ICAR, 'Understanding the Stranger' (February 2004) examines ways to manage the

arrival of asylum seekers into anxious local communities across the UK. The research seeks to record what local people affected by the arrival of asylum seekers want to know about their new neighbours and the arrangements to support them, who they turn to for information and who is best able to answer their questions. In addition, the research aims to record what asylum seekers want or need to know about their local community. For more, see: www.icar.org.uk/pdf/uts003.pdf.

'Asylum Seekers – A Guide to Recent Legislation'

This Guide (4th edition, March 2004) is intended to brief staff and volunteers working in a wide range of organisations about the effects and implications of the Immigration, Nationality and Asylum Act 2002 and associated changes. Aimed at people who are not specialists in immigration law, it covers the new law and procedures, appeals, legal representation, detention, bail, access to support, dispersal, access to employment, health care and education, minors, trafficked persons and other vulnerable asylum seekers. It includes a directory of refugee community groups and agencies providing advice for refugees and asylum seekers. For a free copy of the Guide telephone 020 7939 0641 (one copy per organisation). For a full-text (180 pages) in PDF file, go to: www.asylumpolicy.info/recentlegislation.pdf

'Making it Work: Refugee Employment in the UK'

by Dr Alice Bloch, is published by the Institute for Public Policy Research

(Asylum and Migration Policy Paper 2, March 2004). The author argues that getting refugees into full employment is the key to their successful integration in the UK. The paper presents a set of recommendations. For full text, see: www.ippr.org/research/files/team19/project183/ipprWPrefEmp.pdf.

'Offering more than they borrow: Refugee children in London'²⁵

This report (March 2004) presents what is known about refugee children in London and identifies an agenda for action to ensure that they have the same chance as others of realising their potential. The report is based on research studies that actively consulted young people in London, including refugee children. It also reflects responses to the GLA's consultation on refugees and asylum seekers. In PDF: www.london.gov.uk/mayor/refugees/docs/refugee_children_report.pdf. In RTF: www.london.gov.uk/mayor/refugees/docs/refugee_children_report.rtf.

1. Women's Development Officer- to run and develop the programme of support groups with Albanian speaking women. Albanian speaker required.

2. Youth Development Worker - to develop activities for young people aged 16-25 years, recruiting and supporting sessional staff. It is an advantage to be able to speak Albanian.

Both posts are 21 hours per week (£24,108 pro rata). Shpresa Programme is looking for staff who have good interpersonal skills and who have experience of community work. Please telephone on 020 8911 8973, or email shpresaprogramme@yahoo.co.uk for an application pack, stating which of the two posts you wish to apply for. The closing date for applications is Tuesday 11th April 2004. Shpresa Programme is based at the Froud Centre, 1 Toronto Avenue, London E12.

Please send any information that you would like to see published in our next bulletin by 9 April 2004 (see email or postal address on back cover).

notice board

Shpresa Programme seeks Women's Development Officer²⁶

Shpresa Programme is a vibrant community organisation working with the Albanian-speaking community in London and looking to recruit two new members to work in Newham:

²⁵ Source: refed@yahoogroups.com

²⁶ Advert placed by Tim Spafford and circulated on Refed network at refed@yahoogroups.com.

Asylum seekers urgently need our further help – and yours

Dear Friends,

On March 1st 2004, the Government introduced tough limits on the amount of legal aid available for asylum cases. The new limits arbitrarily restrict the amount of advice and advocacy that legal aid will pay for. Their effect is already proving brutal and unjust, denying many asylum seekers the advice and representation they desperately need to save them from being wrongly sent home to torture or death. They urgently need our further help – and yours.

Already several high quality law firms have closed their asylum departments, leaving countless asylum seekers without the hope of representation. The impact on Asylum Aid will be significant too; we will be bound by the time limits on any legal aid funded work we undertake, and without the ongoing support from people like you, our ability to continue to provide vital high quality work will be put at risk.

We could find that as we are forced to ration the time we can commit, we would be unable to pursue the more difficult and complex cases that others can't or won't support.

For instance, could we properly represent people like Dr Nazeem? A GP in Iran, she opposed the Islamic fundamentalist regime and suffered two years arbitrary detention. Persecuted for her political opinion as well as her gender, she fled to the UK, but the Home Office turned down her asylum claim. For Asylum Aid it was a time-consuming, but not unusual case. We commissioned expert background reports, had several original documents translated and needed additional time to draft the complex legal arguments. Her appeal finally succeeded after four years and she now works for a health protection agency in London.

Without funding from supporters like you, the new limits on legal aid will make it impossible for us to put in this level of work in future. For Dr Nazeem, without this in depth casework her appeal would most likely have been dismissed.

Asylum Aid is determined to keep standing up for asylum seekers, but to do so we need your regular support. We only have a few hundred supporters so my appeal to every one of you is crucial. Please support our work by setting up a regular gift of £4 per month or by sending us a donation, if you are able. This will enable us to help more people like Dr Nazeem.

The legal aid cuts are already generating a significant increase in the number of calls, letters and emails we receive from people desperate for representation, but who cannot find it because so many specialist legal firms are closing. This makes our work and your support even more critical.

Using the form on reverse and our freepost address is a simple way to set up a standing order or make a donation. Please show your support at this critical time.

Thank you again for standing up for asylum seekers.

Yours sincerely



Maurice Wren
Co-ordinator

Produced by RWRP (for more information on this issue, please contact Sophia Ceneda)
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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)

Membership Form

Name _____

Address _____

Tel _____

Email _____

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

STANDARD

UNWAGED

£4 / month = £48 / year

£20 / year

Benefits

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

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

STANDARD

UNWAGED

£2 / month = £24 / year

£10 / year

Benefits

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

I wish to make a gift of £ _____

Asylum Aid - STANDING ORDER FORM

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

Please pay **ASYLUM AID** the sum of £ _____ each

month/quarter/year (delete as appropriate) until further notice

and debit my account no. _____

sort code: _____ starting on (date) _____

Name: _____

Address: _____

Postcode: _____

Signature: _____ Date: _____

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

Gift Aid Declaration

Asylum Aid
Registered Charity no. 328729

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

Name _____

Address _____

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

Signature _____ Date _____

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