

Women's Asylum News

Refugee Women's Resource Project

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It's time to speak out about asylum: Launch of The Testimony Project

The Testimony Project is a new project giving a voice to refugee and asylum seeking women. Holly Pelham, Director of the Testimony Project has kindly submitted this article for Women's Asylum News.

The Testimony Project (www.testimonyproject.org) is dedicated to giving voice to those whose stories would otherwise not be heard. It was set up to enable some of the most marginalised, isolated and silenced women in the UK to speak out about their experiences of seeking asylum. Women like Marjorie, Bella or Farhat. Of course, they've told their story many times before – to the Home Office, to solicitors, journalists, caseworkers, even social workers. So why is The Testimony Project different? Because using filmed testimonials gives women like Marjorie, Bella or Farhat the opportunity to tell their stories themselves – direct, unmediated and heartfelt - instead of being reduced to a case study, a feature article or a footnote in a government consultation. As Marjorie herself has said “*My name is Marjorie, I'm a name, I'm not a number*”. The importance of testimony, of telling stories, and of giving voice was the theme of the recent launch of The Testimony Project at Amnesty International on 23rd July 2009. Speaking to a packed house, Monica Ali quoted from her latest book ‘*In the Kitchen*’:

“Every refugee knows how to tell his story. For him, you understand, his story is a treasured possession. For true, it is the most important thing he owns.”

But there are other equally important reasons why it matters that we put a human face on these stories of seeking asylum. Stories in their rawest form can – and do – change lives. Few have more experience of this than broadcaster and face of Channel 4 News, Jon Snow, who also lent his voice at The Testimony Project's launch:

“This is the age of the internet and of telling stories. There’s never been a more important time for doing just that. Telling stories, giving voice... makes a difference. It is vital that these stories from the margins are heard”.

It is vital and urgent because our current asylum system is so deeply flawed – a theme which runs through all these stories. The treatment experienced by all the women that we've spoken to, has been characterised at best by a lack of fairness, at worst by sheer brutality. Seeking protection in the UK has been an extension of the horrors that they have fled, not a reprieve from them.

Recalling her attempted deportation on a commercial flight from Heathrow, Bella (not her real name) says *‘It was like another horror, the horror of Uganda, happening all over again’*. Mercy, again not her real name, talks of how she has coped with the limbo of being an asylum seeker by turning to alcohol says simply *“I used to work, I was not like this before I came here”*. And for those who are granted status, that's rarely the end of the story either. Farhat sums it up well. She left Pakistan with her five children. She now has asylum but it took what she refers to as seven lost years. *“What hurt us so much is that we could have done so much, me and my children. Who will give us that time back? No one.”*

Marjorie, too, has indefinite leave to remain. But when she left Uganda in September 2002 she left behind her then 4 year old daughter Sweetny. Sweetny is now 11 and Marjorie hasn't seen her for 7 years. In January 2009 her application to be reunited with her daughter was refused. One of the grounds given was that there was no evidence that Marjorie and Sweetny were related. The appeal will be heard at Taylor House seven days from the time of writing this article. While it's a key part of the project, storytelling is not the whole story either. The purpose of The Testimony Project is threefold: films, as discussed above, forum and facts.

The forum is younger and still very much in development. The idea arose from a series of focus groups that we ran with refugee women in the year before the project was launched. What we heard again and again was that women wanted an opportunity to share their experiences, to listen to and to support each other. It is exactly this impulse which led Farhat Khan to set up the first branch of Women Asylum Seekers Together (WAST) in Manchester in 2005, a self-supporting group which has now spawned sister branches in London, Leeds, Liverpool and Glasgow. What The Testimony Project is doing, and Farhat has been one of our key advocates, is to set up an online community which can bring together women across Britain to share experiences, ask questions and support each other with useful practical advice.

Because of the length of time it takes for decisions to be made, many women have been in the UK for nearly a decade before getting status, some are still waiting a decade on. But during that time they have all accumulated a mass of vital experience – from where to shop for cheap clothes and food, to tips on finding good solicitors, and how to change them if they're bad. The forum provides essential information to make it easier for women to navigate their day to day life.

As well as connecting women with each other, the forum also connects them with the many organisations that provide vital support for refugees and enables professionals to offer their expertise online.

The third limb of The Testimony Project focuses on facts. Not so much a corrective to the myths about asylum (though this will be coming shortly to the site) but rather the facts and information that women navigating the asylum process need – from comprehensive signposting and a survival guide to seeking asylum in the UK to legal information guides. All these are being developed by experts in the field at the moment.

Vital work is being done already by numerous organisations including Asylum Aid and Refugee and Migrant Justice. Our intention is not to duplicate the valuable work that already exists, but rather to give voice to it and act as a node in the network, collecting all the essential information in one accessible place.

In terms of the future, we will continue to ensure that the voices of women are heard through films of their stories. A further six are now in development. We will continue to build an online resource centre of vital information – both one that can be viewed and downloaded and one that – in the form of the forum – is fully interactive so women can swap experiences with each other and access professionals in the field. Finally, we will continue to bear witness, to give voice and to speak out about asylum.

How, if you're reading this, can you lend your voice? The answer is in a variety of ways. You can acknowledge the remarkable women who have already spoken out by leaving a message of encouragement and support for them below their film www.testimonyproject.org/testimonies. If you're an organisation with useful resources languishing in your basement in need of distribution you can get in touch with us, if you've got an important event coming up tell us about it and we'll make sure others hear about it; if you've got a special area of expertise and have a read through the forum questions then add your voice, or become part of our online team of experts.

These are early days for The Testimony Project. The launch was a beta launch – the end of the first phase – and there is much work still to be done. We're now consolidating fast. But what the extraordinary turnout showed is that there is a real need for these stories to be told, heard and acted on. As Chris Cleave, author of the bestselling book *'The Other Hand'* said at the launch, *"it's amazing to see this many people at an asylum gig, this would never have happened 10 years ago, something's definitely changing"*.

Women's Asylum News would like to thank Holly Pelham, Director of the Testimony Project for contributing this article.

If you would like any further information about the Testimony Project or want to get involved please contact Holly Pelham email: holly@testimonyproject.org or telephone: + 44 (0) 7989 540 704. www.testimonyproject.org

Sector Update

New Campaign Launched: 'Desperately Seeking Sanitary Towels'

The Jewish Council for Racial Equality (JCORE) has launched an appeal to raise donations of sanitary towels for refugee and asylum-seeking women. They are calling on shoppers to add an extra pack of sanitary towels to their basket or donate £1 to buy seven supermarket-value packs. The campaign began after JCORE Support Coordinator Caroline Glasner saw women pleading for sanitary towels from a vastly insufficient supply at a centre for destitute asylum seekers.

JCORE works with the Jewish and wider communities to promote a positive multi-ethnic UK through education, action and dialogue. Action includes appeals such as this, which provide

practical help to refugee and asylum seekers via the New North London Synagogue drop-in for destitute asylum seekers, Barnet Refugee Service and the Helen Bamber Foundation. The women who attend the drop-in have fled traumas such as torture, rape, separation from their children or murder of family members.

The campaign aims to tackle negative media portrayal of asylum seekers, attract donations and support from a new audience and fulfil the pressing needs of asylum-seeking women for sanitary protection. Last year Caroline's "*Desperately Seeking Undies*" campaign raised tens of thousands of pounds and thousands of pairs of underwear for refugee and asylum seekers. It culminated in a celebrity undies auction in which a donation by artist Banksy raised £30,000 alone!

Caroline said "*I am touched and amazed at the generosity and compassion shown in response to the appeal for sanitary towels. It is hard for women to imagine being without adequate sanitary protection and yet so easy to donate a pack or a small amount to help.*"

Sanitary towel packs can be sent to:

JCORE PO Box 47864 London NW11

Or donations made at www.jcore.org.uk

For further information contact: caroline@jcore.org.uk

Significant Legal Issues

Domestic Violence - Turkey

Opuz v Turkey, Application No: 33401/02, European Court of Human Rights

Interights has reported that on 9 June 2009, in a landmark case, the European Court of Human Rights has found Turkey in violation of its obligations to protect women from domestic violence, and for the first time has held that gender-based violence is a form of discrimination under the European Convention.

The case was brought by Nahide Opuz who with her mother suffered years of brutal domestic violence at the hands of her husband. Despite their complaints the police and prosecuting authorities did not adequately protect the women, and ultimately Ms. Opuz's mother was killed by him.

Obligations with respect to domestic violence

For the first time the Court has elaborated the nature of State obligations with respect to violence in the family – recognising the gravity of domestic violence in Europe, acknowledging the problems created by the "invisibility" of the crime, and highlighting the seriousness with which States must respond. In a judgment relying heavily on international and comparative law, the Court emphasised that domestic violence is not a private or family matter, but is an issue of public interest which demands effective State action.

While acknowledging the existence of laws in Turkey criminalising domestic violence, the Court emphasised the need for such laws to be implemented in practice. It found that the criminal law in place did not have an adequate deterrent effect capable of ensuring effective prevention of violence against the women, and that there was widespread passivity on the part of police and prosecutors in responding to such complaints. The Court observed that "*the overall unresponsiveness of the judicial system and impunity enjoyed by the aggressors... indicated that there was insufficient commitment to take appropriate action to address domestic violence*".

Violence against women as discrimination

Critically, for the first time the Court recognised the failure to adequately respond to gender-based violence as a violation of Article 14 of the Convention, the non-discrimination clause. In a damning critique the Court notes: *“general and discriminatory judicial passivity in Turkey, albeit unintentional, mainly affected women... the violence suffered by the applicant and her mother may be regarded as gender-based violence which is a form of discrimination against women”*. In so finding, the European Court’s approach has been brought in to line with other international human rights bodies which recognise violence against women as a form of inequality.

Application in asylum cases

This judgment will have an impact in the asylum applications of women from Turkey who are fleeing domestic violence. It may also provide a useful reference point in assessing whether women who have claimed asylum abroad as a result of a fear of domestic violence are truly able to access state protection if they were to return home.

The Interights analysis which is the basis for this summary is found at: <http://www.interights.org/opuz>

UK Court of Appeal Test Case for Subsidiary Protection: QD (Iraq) & AH (Iraq) v SSHD [2009] EWCA Civ 620

The correct interpretation and application of Article 15c of the Qualification Directive, continues to be the focus of litigation in both the UK and European courts. Following on from the recent decision of the European Court of Justice in **Elgafaji, (C-465/07)**, the UK Court of appeal has recently handed down judgment in **QD (Iraq) & AH (Iraq)**,¹ a test case on the proper interpretation of claims for subsidiary protection under Article 2e and 15c of the Qualification Directive.

The ruling in Elgafaji had helpfully clarified two key issues; firstly that an assessment of a claim under Article 15c was distinct from an assessment under Article 3 of the European Court of Human Rights; and secondly that *‘individual threat’* did not require that a person be individually targeted.² However, there remained open a number of areas requiring judicial guidance on the correct interpretation of this increasingly important area of protection claims.

The key findings of the Court of appeal are summarised below:

The applicability of International Humanitarian law to the interpretation of Article 15c

The Court of Appeal considered the approach taken by the Tribunal in **KH (Article 15c Qualification Directive) Iraq GC [2008]**³, and found that the Tribunal had committed a fundamental error in taking International Humanitarian Law (IHL) as its source of guidance on the interpretation of the Directive. Rather, the Court of Appeal held, the Directive should be interpreted ‘autonomously’ without reliance on the existing body of IHL. Significantly, as a consequence of this error, the Tribunal had erred in its interpretation of the meaning of key terms of the Directive. In particular, it had led the Tribunal *“to construe “indiscriminate violence” and “life or person” too narrowly, to construe “individual” too broadly and to set the threshold of risk too high”*, (para. 18).

¹ QD (Iraq) & AH (Iraq) v SSHD [2009] EWCA Civ 620

² see WAN issue 81

³ Iraq GC [2008] UKAIT 00023

Risk of a threat

The Court of Appeal addressed the issue of the interpretation of a 'risk' of a 'threat' as set down in the wording of Article 2e and Article 15c. It held that this must go beyond subjective fear in that *"it is concerned not with fear alone but with a possibility that may become a reality"*, (para. 28). Further, it does not cover *'remote risk'* but must properly be understood as a real risk of a real threat to a civilian's life or person arising from *'endemic acts of indiscriminate violence'* (para. 27).

Serious threats of real harm.

The court found that the word *'serious'* referred to the threat rather than to the harm and that the focus of Article 15c must be serious threat of real harm.

The nature of the pattern of violence

In considering the nature and extent of violence, the Court firmly rejected the approach taken by **KH** in requiring a *'consistent pattern'* of violence. Rather, it held that *"the risk of random injury or death which indiscriminate violence carries is the converse of consistency"*, (para.32). Further, the Court stressed that an armed conflict need not be *'exceptional'*, rather the issue must be whether the level of indiscriminate violence is sufficient to meet the test set down in *Elgafaji*.

The definition of 'armed conflict'

Importantly, the Court clarified that Article 15c could be applied to any situation of indiscriminate violence, and did not necessarily involve two or more warring factions. Rather, the wording of Article 15c *"has an autonomous meaning broad enough to capture any situation of indiscriminate violence, whether caused by one or more armed faction or by the state, which reaches the level described by the European Court of Justice in Elgafaji"*, (para. 35). Finally, the term *'civilian'* was understood as correctly limited to genuine non-combatants.

The decision in **QD** is extremely valuable in shifting the interpretation and application of Article 15c outside the body of IHL. The decision clarifies the meaning and application of much of the complex terminology of Articles 2e and 15c whilst addressing the difficulties which arise in properly interpreting the two articles in conjunction, as required in assessing claims for subsidiary protection. As such, it will be an importance source of guidance for practitioners working on the protection claims of women who fear return to situations of *'internal armed conflict'*. However, there are a number of areas, particularly as regards to the correct construction of *'indiscriminate violence'*, *'life or person'* and the correct threshold of *'risk'*, which are likely to be the subject of further litigation for some time to come.

UK News:

Saudi Princess granted asylum

A Princess from Saudi Arabia has been secretly granted asylum in the UK. The woman who has been granted anonymity by the courts feared she would face the death penalty if returned after she had an adulterous affair and an 'illegitimate' child in Britain. The woman was married to a member of the Saudi Royal Family and began a relationship with a non-Muslim British man on a visit to London. The woman persuaded the courts that if returned to Saudi Arabia both she and her child would be subject to punishment under Sharia law including flogging and stoning to death and was also vulnerable to 'honour killing'. The woman has been granted permanent leave to remain in the UK.

This case is one of a small number of Saudi Arabia cases which are not openly acknowledged by either government for fear it will illustrate the level of persecution women face in Saudi Arabia.

Both governments believe publicising these cases would create bad publicity and would be interpreted as an open criticism of the House of Saud.

Saudi Arabia has many controversial and oppressive policies affecting women and homosexuals. The legal systems remains largely secretive and Amnesty International believe the death penalty is used extensively with an average of two people being executed a week. Adulterers face public stoning and floggings and in serious cases beheading or hanging. Recently The Society for Defending Women's Rights in Saudi Arabia have accused the religious police of endangering two sisters who were later killed by their brother for 'mixing with men to whom they were not related'. In addition, other high profile cases including the case of a woman who was sentenced to 200 lashes and six months in prison for being gang raped have received international condemnation.

For full article see:

<http://www.independent.co.uk/news/uk/home-news/princess-facing-saudi-death-penalty-given-secret-uk-asylum-1753007.html>

Yarl's Wood Allegations

The Home Office have begun an inquiry into the conduct of immigration officials who "threatened with injury" a Sudanese family during an attempt to return them. The removal of the family directly contravened a ministerial order demanding their removal be put on hold. Despite immigration officials being told this news the immigration officers still proceeded with the removal. A Channel 4 news investigation also reveals rules were breached at Yarl's Wood Immigration and Removal Centre in order to speed up the removal of the Sudanese mother and her daughters. In a Channel 4 news interview, one of the daughters' talks about the distress and anxiety caused. Alistair Burt MP said the chain of command in the UK Border Agency has "*badly broken down*". Upon the family eventually being returned to Yarl's Wood they were immediately served with another removal order. The treatment of this family could form the basis of a civil action. In a written statement to Channel 4 news the UK Border Agency who refuse to comment on individual cases state they are: "*confident the Sudanese family received the same sensitivity and compassion afforded to all asylum seekers.*"

The Channel 4 news footage also looks at conditions inside Yarl's Wood where the family were held for nine weeks. Yarl's Wood is designed to hold up to 400 women and families with children whose asylum claims have failed or people who have served a prison sentence and are due to be deported. The private company SERCO is contracted to run the centre which has been subject to much scrutiny and criticism. The conditions of the news footage restricted access to talk to any detainees and most of the shots are of newly decorated empty rooms. The film was recorded during a hunger strike however this was only discovered after the filming.

For full article and related news footage see:

http://www.channel4.com/news/articles/politics/domestic_politics/yarlaposs+wood+behind+closed+doors/3267842

International News:

Sudan: Women flogged for wearing trousers

Several Sudanese women have been arrested and 'flogged' as punishment for dressing 'indecently' in Khartoum. One of the women arrested is a journalist for the BBC's Arabic service and reported how 20-30 police officers entered a popular restaurant and arrested all women

wearing trousers. The normal punishment for 'indecent' clothing is 40 lashes. Some women pleaded guilty to reduce the lashes to 10 lashes received immediately. Ms Hussain who was one of the women arrested is a well known journalist and also works for the United Nations Mission in Sudan. Although as a UN representative she is immune from prosecution, she has resigned from her post in order to stand trial. Ms Hussain hopes the trial will enable her to challenge and raise awareness of the strict dress code law in Sudan. Her sentence has been adjourned until September.

Khartoum is governed by Sharia law. Although non-Muslims are not supposed to be subject to Islamic law, many of the women arrested were from Christian and animist south part of the country.

For full article see:

<http://news.bbc.co.uk/1/hi/world/africa/8147329.stm>

Burundi: Persecution experienced by LGBT people

The government in Burundi have recently added a provision to the criminal code which criminalises "sexual relations with persons of the same sex." Individuals convicted under this new law will receive a prison sentence of up to two years. It is feared this law will institutionalise discrimination against Lesbian Gay Bisexual and Transgender (LGBT) people who already face intolerance, violence and abuse in workplaces, homes and schools. These issues are highlighted in a multi-media project by Human Rights Watch. *'Forbidden: Institutionalising Discrimination against Gays and Lesbians in Burundi'* consists of printed and online narratives, photography and voice recorded testimonies of LGBT people in Burundi. The people involved in the project talk about how they have been evicted from houses, fired from jobs and beaten by family and community members.

Georgette Gagnon, Africa director at Human Rights Watch states *"The government needs to listen to these voices to understand the harm it is doing to Burundians with its state-sanctioned discrimination...The government should rescind this law and instead work to promote equality and understanding."*

Individuals involved in the *'Forbidden..'* project believe the new law is a step backwards. Cynthia (not her real name) stated: *"I was shocked when I heard about the new law against homosexuality. I want them to give us liberty. We are people like everyone else."* The project illustrates how life was difficult for LGBT people before the new laws. For example one lesbian describe how she lost a teaching job when her sexual orientation was discovered and then in another job, was harassed by a male colleague who locked her in a room and threatened to kill her. Human Rights Watch are calling for the Government to end the discrimination and to reform the Criminal Code.

For full article see:

<http://www.hrw.org/en/news/2009/07/29/burundi-gays-and-lesbians-face-increasing-persecution>

Human Rights Watch have also launched a film *'Forbidden: Gays and Lesbians in Burundi'*

To access the film see:

<http://www.hrw.org/en/node/84714>

Syria: Honour killing law amended

The Syrian government has amended Article 548 relating to honour killings. The change will increase the sentence given to men who kill female relatives who they suspect to have been having 'illicit sex'. Women's groups have campaigned for many years that Article 548 decriminalises 'honour crimes' and have called for it to be scrapped.

Women's groups estimate over 200 women a year are killed in Syria in so called 'honour crimes' and Article 548 has offered men lenient treatment for their crimes under the law. Justice Minister Ahmad Hamoud Younis said the change was made by the decree of President Bashar al-Assad, following a recent increase in "wife-killings... on the pretext of adultery".

The new law does however still allow men accused of killing female relatives in crimes of 'passion or honour' to benefit from 'extenuating circumstances' provided they serve a prison sentence of no less than two years. The new legislations covers men who kill female relatives who are suspected of having adulterous affairs.

Women's rights activists in Syria have expressed a cautious welcome of the change and see the amendment as a "small contribution to solving the problem." However, objections that the amendment will still "invite men to kill women if they catch them having sex or suspect they are doing so" still remain.

For full article see:

http://news.bbc.co.uk/1/hi/world/middle_east/8130639.stm

Saudi Arabia: Promises on women's rights broken

Human Rights Watch report conditions whereby women are required to seek permission from male guardians to conduct basic activities including travelling and receiving medical care still exist. This is despite government assertions these practices are no longer in place.

Sarah Leah Whitson, Middle East director at Human Rights Watch stated: "The Saudi government is saying one thing to the Human Rights Council in Geneva but doing another thing inside the kingdom...It needs to stop requiring adult women to seek permission from men, not just pretend to stop it." This statement comes after two high profile cases whereby a reporter for the Saudi *Al-Watan* newspaper was required to obtain permission from her male guardian to undergo elective surgery. Also, a renowned women's rights activist was not allowed to leave the country on three separate occasions at different border points as she did not have her guardian's permission to do so.

In 2008 Human Rights Watch published 'Perpetual Minors,' a report which analysed the impact of the 'guardianship' system in Saudi Arabia. The report discussed the negative impact of the system on women themselves especially when male guardians (fathers, husbands, brothers or male children) refused to grant permission. The *Al-Watan* newspaper has also written about the difficulties women face when their husbands refuse to grant them a divorce.

The government in Saudi Arabia has however refused to acknowledge such practices exist. In a recent review before the Human Rights Council the government reported that Sharia concepts of male guardianship are not a legal requirement and "Islam guarantees a woman's right to conduct her affairs and enjoy her legal capacity." The Health Ministry also confirmed the requirement for a guardian's permission for women seeking surgery is not necessary.

Sarah Leah Whitson however concludes *“Saudi Arabia continues to treat women as perpetual minors by refusing to allow them to make decisions about their own health...In Saudi Arabia, men get to decide how healthy a woman can be.”*

In 2001 Saudi Arabia ratified the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). CEDAW obliges Saudi Arabia *“to pursue by all appropriate means and without delay a policy of eliminating discrimination against women,”* including *“any distinction, exclusion or restriction made on the basis of sex which has the purpose of impairing or nullifying the recognition, enjoyment or exercise by women ... of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”*

For full article see:

<http://www.unhcr.org/refworld/docid/4a55b2c112.html>

For full Human Rights Watch 2008 report *‘Perpetual Minors: Human Rights Abuses Stemming From Male Guardianship and Sex Segregation in Saudi Arabia’* see:

<http://www.hrw.org/en/reports/2008/04/19/perpetual-minors-0>

Nepal: Government announces cash incentive to marry widows

Widows in Nepal are protesting against a recent government decision to offer cash incentives for men to marry widows. Nepal has a large number of widows due to recent conflicts and illnesses such as HIV/AIDS. The government policy is supposedly designed in recognition of the plight and difficulties faced by widows in Nepal. Human rights groups believe however the policy will not address the discrimination faced by widows and in reality, will exacerbate their misery and ‘do more harm than good’. Lily Thapa, founder of Women for Human Rights believe the policy is *“totally wrong....Women will not be empowered by getting remarried.”* Thapa urges the government to reassess its policy and to instead invest in women’s social security, healthcare and education whilst addressing the low social status of women in traditional Nepalese society.

One woman who was widowed after her husband was killed by Maoist fighters states: *“men could want to be with us for the sake of getting the 50,000 rupees. It is like putting a price tag on our head and we are humiliated by this.”* She fears this policy will result in further discrimination. Women for Human Rights have officially lodged a protest against this policy. Thapa states: *“Our research indicates that most widows are still young and they need help because they have small children and they need money to pay school fees and take care of them”.* Many girls were forced into marriage at an early age and become widowed very young. Currently the Nepalese government offers some payment to widows over the age of 60. Women for Human Rights are calling for the government to extend this policy and to offer it to all widows in order to help them survive.

Traditional Hindu practices whereby a woman loses her status within the home and society as soon as she becomes widowed are common in areas close to the Indian border. A widow is not allowed to participate in religious ceremonies and often they are confined to the house and only permitted to wear white. Culturally a widow is also regarded as a ‘bad omen’ and even to see a widow walking down the street is considered bad luck.

For full article see:

http://news.bbc.co.uk/1/hi/world/south_asia/8153193.stm

UK Courses

BAWSO Training on Forced Marriage and Female Genital Mutilation, Wales

The Black Association Women Step Out (BAWSO) is a voluntary organisation in Wales specialising in services to black and minority ethnic women and children in Wales. The BAWSO is an affiliation of Women's Aid in Wales and works closely with other Women's Aid organisations. The BAWSO Interpreting and Training Services (BITS) have announced several training programmes in Cardiff, Swansea and Wrexham. Each training programme is a one day course aimed at public, private and voluntary sector practitioners.

The Forced Marriage course covers:

What constitutes forced marriage and the difference between an arranged marriage and forced marriage; identifying the contributing factors in relation to forced marriages; understanding the risks facing victims of forced marriages; knowing what provisions are available and discussions around understanding the concept of 'IZZAT' (honour).

The FGM Course covers:

Defining and identifying different types of FGM; understanding short and long term health implications; discussions regarding motivations behind FGM and understanding what provisions and support are available. Dates include:

Cardiff

Forced Marriage: 18th and 29th September 2009;

FGM: 14th September 2009

Swansea

Forced Marriage: 16th September 2009;

FGM: 25th September 2009

Wrexham

Forced Marriage: 25th August and 22nd September 2009

For further information and booking details please contact: Lorraine Johnson

Tel. No.: 02920 644633

Email: lorraine@bawso.org.uk

<http://www.bawso.org.uk/index.cfm/whoware>

New UK Publications:

'Stolen Futures: Trafficking for Forced Child Marriage in the UK'

Farhat Bokhari

ECPAT UK

This research report aims to explore issues around the trafficking of girls for purposes of child and forced marriage. The report highlights a lack of data both internationally and in the UK regarding this aspect of child trafficking. The findings aim to heighten understanding on this issue particularly within the UK whilst offering key insights into how to address the needs of children involved.

The report provides a legislative context for trafficking issues within the UK and outlines UK and international obligations regarding trafficking, child and forced marriage. The research documents 48 cases of trafficking or suspected trafficking where the movement of children for the purpose of exploitation and marriage were identified.

The research discusses the relationship between child and forced marriage and trafficking. Many of these marriages are classed as 'servile marriage' that is solely for the purpose of domestic and sexual servitude and where girls have few rights and means of escape. The report highlights how current immigration policy in the UK means many of these girls have no access to public funds and consequently, even if they escape their forced marriage they will usually end up destitute and vulnerable to further abuse and exploitation. The research also highlights cases where girls with learning disabilities were being forced into marriages abroad and a case which potentially involved female genital mutilation, forced marriage and trafficking. The report provides context regarding motives, methods and control and draws out mental health implications for girls.

For full report see:

http://www.ecpat.org.uk/downloads/StolenFutures_ECPATUK_2009.pdf

'Out of Sight, Out of Mind: Experiences of Immigration Detention in the UK'

Bail for Immigration Detainees (BID)

This report documents the experience of people held in detention centres across the UK. Approximately 70% of all people detained in 'immigration removal centres' have claimed asylum. Unlike people held in the criminal justice system, immigration detainees are locked up without a time limit and without a right to an automatic bail hearing. The report draws out specific stories and issues affecting women asylum seekers and their children and a specific chapter of the report discusses detaining families. The report also illustrates the detained fast track programme, access to health care and legal advice and life after detention.

The research consisted of interviewing detainees about their experiences of detention and their transcripts are interjected throughout the report. The research illustrates the anxiety and trauma associated with detention in the UK including the stress of being arrested and taken to detention, experiences in detention and coping strategies. One woman asylum seeker said:

"To be detained is making my mind sick. The way they are detaining me it's killing me. My mind is dead. There is nothing you can do, because the way they treat you sometimes, sometimes the way the officers treat you, you feel as if you are not anything. You are nothing. The experience has changed my life I'm telling you."

For full research report see:

<http://www.biduk.org/library/BID%20-%20%27Out%20of%20sight,%20out%20of%20mind%27.pdf>

New International Publications:

'Unsafe Haven: The Security Challenges Facing Lesbian, Gay, Bisexual and Transgender Asylum Seekers and Refugees in Turkey'

Joint report: The Helsinki Citizens Assembly – Turkey Refugee Advocacy and Support Programme & Organisation for Refugee, Asylum and Migration (ORAM)

This report discusses how lesbian, gay, bisexual and transgender (LGBT) asylum seekers and refugees in Turkey are amongst the country's most vulnerable groups. As individuals they have fled persecution in their countries of origin yet whilst in Turkey they often find themselves living in fear from local violence.

Forty six LGBT asylum seekers and refugees living in Turkey were interviewed for the report. Participants discussed violent harassment from local communities, limited support, a lack of police protection and some were evicted from their accommodation after their sexual orientation was discovered. The report also discusses discrimination and abuse of LGBT asylum seekers at work and difficulties accessing healthcare.

The report outlines the global persecution of LGBT people and specifically discusses the asylum procedures in Turkey and the prevailing climate of intolerance. The report also highlights the new UNHCR guidance on LGBT refugee claims and resettlement procedures.

The research concludes there is a *"woefully deficient protection environment for Turkey's LGBT asylum seekers and refugees"*. The report provides a series of recommendations for the Government, Ministry and the Police; the UNHCR in Turkey; Governments of 'resettlement' countries; NGO's; health and education providers; refugee and migrant community leaders and LGBT asylum seekers and refugees.

For full research report see:

http://www.hyd.org.tr/staticfiles/files/unsafe_haven_report.pdf

'Soldiers who rape, Commanders who Condone: Sexual Violence and Military Reform in the Democratic Republic of Congo'

Human Rights Watch

The research report explores the systematic acts of abuse and sexual violence committed by the government army, Forces Armées de la République Démocratique du Congo (FARDC) in the Democratic Republic of Congo. FARDC are one of the main groups of perpetrators of gang rapes leading to injury and death and the abduction of women and girls. The report examines specific sexual violence abuses committed by FARDC, efforts to stop it and analyses why such efforts have failed so far. Specific attention is given to the 14th brigade as an example of the wider problems of impunity within FARDC with examples of how Commanders of the 14th brigade continue to protect their soldiers. The analysis covers how despite protests by NGOs, victims and residents, the Congolese military courts have done little to address issues of sexual violence and bring justice to victims.

The report concludes with various recommendations for the Congolese government and the National Assembly, the UN Mission in Congo (MONUC) and other international bodies including the International Criminal Courts.

For full research report see:

<http://www.hrw.org/sites/default/files/reports/drc0709webwcover.pdf>

Charter of rights of women seeking asylum



Total Endorsements: 152
Google Group Membership: 91

Charter of Rights of women seeking asylum: A Kirklees Refugee Forum Event

In January of this year women from the Kirklees Refugee Forum (KRF) and workers from the Northern Refugee Centre (www.nrcentre.org.uk) supported by the Refugee Women's Development Project held a 2 hour discussion group around the issues outlined in Section 3 of the Charter of rights of women seeking asylum which focuses on 'Women seeking asylum have the right to accommodation, support & healthcare appropriate to their particular needs as women'. The KRF is a newly established group of Refugee Community Organisations, refugees and people seeking asylum who meet regularly to raise awareness within the community about the specific needs of people seeking sanctuary, to share information and to work to ensure their voice is heard on the issues which affect them.

The format of the day was informal and attended by 17 women including 2 facilitators. The women were from a range of nationalities including Zimbabwe, Congo DRC, Ethiopia, Eritrea, Syria, Iran, Kenya and Somalia and included those who were seeking asylum, those whose asylum claims had been refused and those with refugee status. The aim of the discussion group was: **'To gain a snapshot of the issues affecting women in Kirklees with a focus on financial support & accommodation and to use these discussions and evidence for the national lobbying work being carried out by Asylum Aid around improved rights and treatment for women seeking asylum in the UK'**.

3 main priority areas were identified by the women in Kirklees:

1. Difficulties of being supported with Section 4 (S4) vouchers
2. Difficulties faced by mothers and babies sharing with other families in S4 accommodation
3. Access to education

Key issues and solutions raised by the women from the discussions were written in to a report and presented to Asylum Aid and other stakeholders at the Charter Workshop in January 2009. For a full copy of this report please contact NRC.

Ensuring women's voices are continually heard by these different agencies is crucial to ensure effective lobbying work on a national level. Women found the Kirklees discussion group very helpful, it presented an opportunity to raise common areas of concern and a chance to try and feed directly into future policy change, as one woman stated:

'Having discussions like this....it helps to activate women, it helps them to start talking to other women, to share our voices' – L Congo

Jillian Hall
 RCO Forum Development Coordinator (Kirklees), Northern Refugee Centre

If your organisation would like to endorse the Charter or you would like any further information about the Charter, please see www.asylumaid.org.uk

Donations to Asylum Aid

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.

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