

Women's ASYLUM NEWS

Refugee Women's Resource Project - Asylum Aid - Issue 32 May 2003

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Leave granted to woman who lost at every appeal stage

A Ugandan woman whose rape by state agents was described as 'simple and dreadful lust' has won the right to stay after the launch of a public campaign Rose Najjemba, who claimed asylum in January 2001, less than four months after her ordeal at the hands of Ugandan soldiers, was denied protection under the 1951 UN Refugee Convention both at initial level and on appeal. She had fled after being raped by soldiers who brutally beat and arrested her son who had connections with the Allied Defence Forces (ADF) in Uganda.

In July 2002 her case was dismissed in the Court of Appeal who found the adjudicator's decision in initial appeal justified and not disclosing any error of law.¹

The woman ran a shop with her son near the Congolese border and lived with her son. Four soldiers came to her home and questioned her and her son about the rebel

group (ADF). The soldiers brutally beat the son in front of his mother and then found a case under the bed. The woman was questioned about the key to the case and then raped twice. The soldiers left with her son, who appeared to be seriously injured, and the woman has never seen her son again. The woman feared for her life and her other children's safety and fled to Kampala and then to the UK in 2000 with the help of a friend. She has been diagnosed by a consultant psychiatrist as suffering from post-traumatic stress disorder and has also tried to commit suicide since her arrival in the UK.²

The facts of her case were not disputed by the adjudicator or other jurisdictions: *'the adjudicator, having heard all the evidence, was prepared to accept the account that the applicant had given of the rape and the circumstances in which it occurred (...).'*

The case was dismissed because no Convention Grounds were found for the rape:

'The evidence which the adjudicator heard seems to me to have pointed inexorably,

¹ *The Queen on the application of N v SSHD (CA)* [2002] EWCA Civ 1082. The claimant had sought judicial review after her appeal to the Immigration Appeal Tribunal was rejected following the refusal of her case by the HO and further dismissal by an appeal adjudicator.

² *Ibid.*

*as she found it, to the conclusion that this was not a matter of persecution. This was simple and dreadful lust.*³

*[The adjudicator] came to the conclusions that there was nothing in the evidence before her to suggest that the incident was anything more than a very serious criminal act of sexual gratification on the part of the soldiers. She did not consider that there was "any reasonable likelihood" (which was the phrase she used) that the security forces would have returned to arrest the applicant and the fear asserted by the applicant she concluded was not well-founded.*⁴

Lord Latham recognised that *'in the area in the north [of Uganda] where there is civil unrest, the soldiers are acting on many occasions with uncontrolled lawlessness, including rape. It follows, therefore, that rape is an offence to which women there are exposed; but there is, it seems to me, nothing in the evidence which goes so far as to show that, because of that fact, they could possibly be described as a social group the subject of persecution in Convention terms'*.

*'The adjudicator also found (...) that this was a gratuitous act of violence, a crime committed in the course of her son's arrest, which was itself a brutal act. The adjudicator expressly rejected the case that the attack upon the applicant was politically motivated.'*⁵

It was also found that the claimant had the option to go Kampala where she could live in *'relative safety and with the protection of the authorities from unlawful actions of*

soldiers and others who may well operate with a degree of impunity in the North and West of the country'.⁶ The case was ejected on both Convention grounds and Human Rights grounds.

Saved by public campaign

Rose Najjemba won the right to stay in the UK after a national public campaign, including BBC radio, which was launched to publicise the facts of her case. In December last year, Women Against Rape (WAR), who has been helping the Ugandan asylum seeker, launched a campaign by calling on MPs, feminists and other prominent women to intervene to support her case for asylum.⁷

According to WAR, Ian Macdonald QC, the leading UK immigration barrister, who represented Ms Najjemba in the High Court, declared: *'Without the commitment, the experience and the attention to detail of WAR, Rose Najjemba would not have won her case. Of this I am quite sure. The Minister has righted a terrible miscarriage of justice by a decision, which, I hope, will scotch for ever the outdated notion that rape by on-duty security forces can properly be classified as mere acts of "dreadful lust", rather than persecutory conduct'*.

In this case, Minister Beverley Hughes, who intervened to overturn the appeal decision, admitted: *'it is clear that what [she] suffered amounted to inhuman and degrading treatment'*. It is the second time in less than five months that Minister Beverley Hughes has intervened to overturn a decision denying protection to a woman fleeing persecution in the UK.⁸

³ *The Queen on the application of N v SSHD* (CA) [2002] EWCA Civ 1082, par. 9.

⁴ *The Queen on the application of N v SSHD* (CA) [2002] EWCA Civ 1082, par. 3.

⁵ *Ibid.*, par. 14.

⁶ *Ibid.*, par. 14.

⁷ WAR, *'Rape survivor faces deportation as her rape by soldiers is judged not torture but "sexual gratification" and "simple lust"'*, 17 December 2002.

⁸ The first case is that of Mende Nazer who sought asylum in the UK after she escaped from her *'owners'* (who were Sudanese diplomats) who kept her as a household slave

The case highlights the fact that serious harm at the hands of “out of control” state agents remains a core issue in the determination of women’s claims (and open to interpretation) not only by the Home Office but also by the appeal authorities in the UK. Gender-related persecution is also often not recognized for what it is: inhumane and degrading treatment.

RWRP’s research confirms that many cases of political imputed opinion are not recognised in the UK

In our own research study, *‘Women’s asylum seekers in the UK: a gender perspective, some facts and figures’* (February 2003), RWRP found that rape featured in over a quarter of all cases reviewed by the research and sexual assault featured in nearly one in six cases. In total at least a third of the women in the sample experienced some form of sexual violence or threats of sexual violence directed at them or a female relative.

In three quarters of these cases, state agents were responsible for the rape or sexual assault and/or threats. As in the case of Rose Najjemba, who was targeted because of her son’s suspected activities as a rebel, half of all cases where rape was claimed as a form of severe harm in RWRP study involved imputed political grounds as part of the grounds for asylum. However, “imputed political opinion” was not found in Rose Najjemba’s case.

Many cases are rejected on credibility points and, as in the case of Rose Najjemba, because these serious forms of harm and violations of women’s rights are

traditionally interpreted as ‘*private acts*’ thus not deemed to fit under the 1951 Refugee Convention.

RWRP’s study highlights that Rose Najjemba’s case is not unique. Each year tens of women seeking asylum on grounds based on gender-related abuse are denied protection in the UK because the abuse they suffer does not qualify under as persecution under the UN 1951 Convention.

However, as RWRP demonstrated in our report, a review of over 70 refusal letters issued by the Home Office demonstrates that it is the authorities in the UK that fail to recognize the specificity and often complexity of women’s experiences as asylum seekers. In addition, a gender-blind approach to women’s claims in this country is often compounded by obstacles relating to procedural issues, from access to the asylum system, respect for confidentiality at all stages of the process to provision of facilities for children.

For a copy of our study, please contact sophiac@asylumaid.org.uk or visit: www.asylumaid.org.uk and check our publications list.

WAR offers counselling, support, legal advocacy and information to women and girls who have been raped or sexually assaulted including to women asylum seekers. For more details, visit www.womenagainstrape.net/

Update on Asylum Support (Section 55)

in London. She won asylum in January this year. See WAN Issue No. 28, January 2003, for full details.

In recent editions of Women's Asylum News we have discussed the new legislation affecting the rights of asylum seekers to financial support and accommodation.

Section 55 of the Nationality, Immigration and Asylum Act, allows the National Asylum Support Service (NASS) to refuse to support single people and childless couples who have not claimed asylum "as soon as reasonably practicable". The exceptions to this rule are: families with children, those with special needs, those claiming asylum in-country following a significant change of circumstances in their country of origin and those who can show they would suffer treatment contrary to article 3 of the European Convention on Human Rights (ECHR).

Section 55 came into force on January 8th and it became obvious very quickly that NASS was implementing this harsh legislation in a draconian way. People were being refused access to NASS support despite the fact that they had been in the country less than 48 hours before making an asylum claim at the Asylum Screening Unit in Croydon.

NASS interpretation of the legislation was soon being scrutinised by the courts as a result of Judicial Review proceedings. The High Court and the Court of Appeal have now both considered Section 55 and have given judgements that have forced NASS to reconsider the way that it implements Section 55. The main points of the Court of Appeal judgement can be found in our March bulletin.

NASS have amended Policy Bulletin 75 (which deals with Section 55) since the court judgements. However, as we write, there is still much confusion over how NASS is changing its procedures to come

into line with the Court of Appeal judgement.

The judgements do seem to have resulted in far fewer people being refused support under Section 55 but this is not the whole story. At the moment, NASS appear to be fudging the issue by neither excluding people from NASS support or accepting that they have a duty towards them.

Growing numbers of people with "holding letters" in full board emergency accommodation

It seems that many in-country asylum applicants are being issued with 'holding letters' that allow destitute applicants to access emergency accommodation. These holding letters state that a decision on Section 55 eligibility has yet to be made, although they do not state when a decision is likely to be forthcoming.

As a result, there are growing numbers of people with these holding letters in full board emergency accommodation. People cannot be dispersed to more permanent accommodation until the decision on Section 55 has been made. If they are eventually issued with a negative decision (i.e. that they have not claimed asylum as soon as reasonably practicable), they will be expected to leave emergency accommodation at very short notice.

The Refugee Council estimates that it is taking NASS about 24-48 hours to issue positive Section 55 decisions and 3-4 weeks to issue negative Section 55 decisions after a screening interview. This delay is because negative decisions are being scrutinised by the NASS legal team, presumably to try and ensure that they are less open to legal challenge. So, effectively, the Home Office appear to have manufactured another decision-making

backlog out of the implementation of Section 55.

Advice workers who are trying to help people who have been issued with holding letters should contact NASS to request further information about when a decision is going to be made. The team that is dealing with the implementation of Section 55 is delightfully called the Restricting Access to NASS Support (RANS) team. Telephone numbers for the team can be found below.

As mentioned above, negative Section 55 decisions seem to be few and far between at the moment. However, anyone who has received such a decision should consider challenging it through Judicial Review. In some cases, people will find that their asylum claim representative will be able to help with a legal challenge to a Section 55 decision. But others will find their asylum claim representative may not have much knowledge of this area of the law. If that is the case, people should look around for other legal firms or advice agencies that deal with asylum support issues. The advice line at Asylum Aid can provide details of solicitors who undertake asylum support work.

People who claim asylum at small regional Immigration offices may find accessing NASS support even more difficult than those who claim at Croydon, Liverpool or the Midlands. In theory, the local immigration office is supposed to facilitate access to regional emergency accommodation for destitute asylum seekers and then arrange for people to travel to the larger offices for a screening interview. Anecdotal information suggests that people who claim asylum at small regional immigration offices are being told to go to the main offices but are not being given any financial assistance to do so. Nic

Alderson (Asylum Support Development Co-ordinator) at the Refugee Council would like to get an idea of the numbers of people affected by this problem. If you have come across this issue, you can email her at: nic.alderson@refugeecouncil.org.uk. RANS Team at NASS: 0208 604 5192/5191

Other support developments The Joint Council for the Welfare of Immigrants is appealing to the Court of Appeal on a case (CO/252/2003) involving Schedule 3 of the new Act. Schedule 3 limits the rights of various categories of people, including 'failed' asylum seekers, to support from Local Authorities. The case was dismissed in the High Court but the JCWI are appealing the judge's interpretation of what constitutes a breach of Article 3 of the ECHR.

Another ongoing judicial review case (Salih) is concerned with the length of time that NASS is taking to decide on Hard Cases support. The case involves an applicant who waited 47 days to get a decision. A full hearing is awaited.

The Government has announced an independent review of the operation of NASS. Beverley Hughes described the following terms of reference: '*To review the organisation, management and staffing and expertise within NASS to identify changes necessary; (...) to enable it consistently to achieve the appropriate standards of operational and administrative performance*'.

The Independent Review will submit a report, with recommendations, to Beverley Hughes by the end of May 03.

UK News

Concern for Afghan women at risk of being removed from the UK

The National Coalition of Anti-Deportation Campaigns has expressed deep concern at Home Office's plans to forcibly remove failed Afghan asylum seekers and, in particular, any attempt to remove single women or women with children whose father had been killed or had disappeared to Afghanistan

Both UNHCR and Amnesty International warn that the situation in Afghanistan is still extremely volatile and characterised by a climate of impunity. Last month, RWRP reported on the dangers and repression Afghan women face in the context of apartheid and insecurity developed by warlordism (see Rights of Women's campaign, WAN Issue No. 31, p. 14).

Amnesty International has also urged the EU to postpone the repatriation of Afghan refugees after EU ministers announced their plan to repatriate 1,500 Afghan refugees a month. It is estimated that 400,000 Afghans are now living in Europe legally or illegally.⁹

New Database for Refugee Nurses willing to pursue their career in the UK

The Royal College of Nurses (RCN) has received funding from the Department of Health to establish a national database of asylum seeking and refugee nurses. RCN is asking refugee nurses in the UK to fill in the data collection form and send in their details so that they can add them on the database.

The objective of the database is to help refugee nurses to continue in their career. Many organisations want to help refugee nurses continue their careers in the UK, but they do not have the information they need to help them do this.

The database will help the RCN to determine how many refugee nurses are in the UK, and in which cities they are currently live. It will also help to identify the support refugee nurses need to pursue their career in the UK and to refer them to organisations such as the Workforce Development Confederations (WDC) and Refugee Education & Training Advisory Service (RETAS).

All nurses registered will receive a regular newsletter and information that could be useful for pursuing their career in the UK. They will also receive information on events or schemes from which they could benefit.

Registration to the database is both voluntary and confidential. Any details sent out to the RCN will only be shared with permission with the organisations named by the RCN. All details and the registration form can be obtained online at www.rcn.org.uk/news/refugeenurses.php

Any qualified nurse who is a refugee or asylum seeker in the UK and who sends in a completed form will be entered onto the database. If you want to be on the database, but do not want any other organisation to be sent your details, you can say this on the form.

For more information or if you have any queries about the confidentiality policy, please contact Denis Hippolyte on 0845 772 6200.

⁹ Source: IRIN news, 'Afghanistan: Amnesty concerned over refugee returns from Europe', Islamabad, 9 May 2003, at www.irinnews.org.

UK Events/Projects

Violence Against Women - Challenges within the Law is a full day conference for women, evaluating current domestic and international law in this context and identifying key areas for change. To be held on Wednesday 9 July 2003 at Britannia Street Conference Centre, Britannia Street, London WC1X 9JP.

With new legislation on domestic violence imminent, and increasing awareness of the low conviction rates for rape and sexual assault, the day will provide a thorough grounding in the issues for those unfamiliar with the area. It will also offer an opportunity for women with existing expertise to receive updates on key subjects, and contribute to an important and vital discussion on the law.

The conference will feature speakers (including Harriet Harman QC MP, the Solicitor General and Professor Jennifer Temkins on rape and the criminal justice system), and workshops on domestic violence, rape and sexual assault, particular issues facing refugees and asylum seekers, the role of trade unions and employers in combating violence against women, forced marriage and honour killings, international human rights law... and more. A booking form can be downloaded from the site at: www.rightsofwomen.org.uk/conference.htm

For more details of our conference, please contact Bethan Rigby, Policy and Information Officer, Rights of Women, 52-54 Featherstone Street, London, EC1Y 8RT. Tel: +44 020 7251 6575/6 or fax: +44 020 7490 5377, or via email at: info@row.org.uk

Supporting Refugee Doctors to Practise in the UK is a one day Conference organised by the Refugee Council on Wednesday June 4th 2003 from 9.30am - 4.30pm, at Kings College London, The Franklin-Wilkins Building, Stamford Street, London SE1 8WA.

The conference aims to bring together Government departments, trade unions, private sector, voluntary and community sector organisations, researchers and other academic institutions to review the services and inspire a debate on and the development of a long-term strategy for supporting their needs. Besides highlighting current needs and potential, other aims include organising a debate on ways and means of bridging gaps in services, and sharing good practice with the view to enable other organisations that wish to develop services/training programmes.

Fees range from £95 for voluntary organisation to £245 for central government/business. For more information, details of the programme and booking, please contact Kate Walters, training administrator on tel: 020 7820 3049 or visit www.refugeecouncil.org.uk/refugeecouncil/training/organisations.htm

Invitation to a training event on working with young refugees who are unaccompanied or separated from their main carer is an event organised by Save the Children as part of their Young Separated Refugees Project 2003.

The training will take place on Wednesday 11th June 03 from 10.30 - 4pm in Manchester, Venue: Friend's Meeting House, Central Manchester. The cost is £10.00. The day will focus on the needs

and experiences of unaccompanied asylum seekers and refugees in Greater Manchester; policy issues affecting young refugees; good practice workshops on refugee awareness, rights and entitlements; young people speak out for themselves.

All participants will receive an Information Pack from Save the Children containing a set of 5 new practice briefings on working with young refugees. For more information and to book a place contact Helen or Kate at Save the Children Manchester on 0161 434 8337 or email h.ingham@scfuk.org.uk.

Irregular Migration and Human Rights Conference to be held on the 28-29th June 2003 at the University of Leicester. For more information on the programme and speakers, please phone +44 (0)116 252 2362 or visit: www.le.ac.uk/law/celi/migration.html .

Refugee Week Events

Asylum Aid and Refugee Week Celebrating Sanctuary Festival, Sunday 15th June, London's South Bank Visit Asylum Aid's interactive stall at the Celebrating Sanctuary Festival on 15th June at London's South Bank; marking the launch of Refugee Week. Visit our stall, take part in our quiz and win exciting prizes, discover where most asylum seekers come from and why, learn the truth behind the media myths and find out how you can help. Last year over 5,000 people attended, enjoying music, dance, food and more. You are warmly invited to attend the festival and to visit our stall. For further information, please log onto www.asylumaid.org.uk or

www.refugeeweek.org.uk - we look forward to seeing you there!

Celebrating Sanctuary Festival is an event organised by the Refugee Council. For other events during Refugee Week, please call: 020 7820 3055 or visit www.refugeeweek.org.uk

Refugee Week Festival at the Arcola Theatre (27 Arcola Street, London E8 from Monday 16th - Saturday 21st June 03) is a week of activities organised by the Social Action for Health (SAfH) in partnership with many organisations. The Festival will provide an opportunity to use theatrical and other artistic/cultural forms and activities to work creatively and in a participatory way with the social issues that are experienced by the refugee communities.

The Festival is free for all but you will need to contact Ferhat Cinar for a booking form at: ferhatc@safhhackney.org.uk or write to her at Social Action for Health, 62 Beechwood Road, London E8. For more information please ring 020- 7275 2732 (Ferhat Cinar). Places are limited. Please book in advance.

The programme will be covering topics throughout the week: Issues for the Refugee Children and Young People, Monday 16th June, Issues for the Refugee Women, Tuesday 17th June Access to Employment, Training, Education and Funding, Wednesday 18th June Refugees and Homelessness, Thursday 19th June, Refugees and Mental Health, Friday 20th June, Media Images, Racism and Discrimination, Saturday 21st June

Each day there will be opportunity to see video shows reflecting upon refugee experiences (show time: 12.30 pm every day). There will also be photographic exhibition by various refugee artists throughout the week. Places are limited. Please book in advance.

Notre Dame Refugee Centre Benefit Concert 12 June 2003

With: the National Westminster Choir with Rachel Vermont, songs from Venice and London, on Thursday 12th June 2003, 7pm at the French Protestant Church, 8-9 Soho Square, London. Programme includes Monteverdi's "Beatus Vir", Vivaldi's "Magnificat", Anthems and arias by Purcell William Llewellyn's "Songs and cries of London". Tickets £12/£6 concessions All proceeds will go to support the Notre Dame Refugee Centre in Leicester Square. For information please contact Pascale Vassie at

notredamerc@freenetname.co.uk

Sanctuary is an exhibition on the theme of asylum seeking taking place from Wednesday 9 April - Sunday 28 September, 2003 at the Glasgow Gallery of Modern Art, Queen Street, Glasgow, G1 3AZ. The exhibition will showcase an exciting collection of international and Scottish artists. It is part of a project developed in partnership with Amnesty International and the Scottish Refugee Council. **For more details** contact Katie Bruce on 0141 553 2557 or Sean McGlashan on 0141 229 1996.

International News

Women and girls victims of rape as a weapon of war in Great Lakes

region Women from the Democratic Republic of Congo (DRC) and Burundi are suffering the consequences of civil wars ravaging the two countries on a daily basis.

In a conflict barely covered by the media despite causing the deaths, human rights abuses and displacement of millions, women living in Eastern parts of the DRC continue to be sexually assaulted by members of various warring militias. It is reported that the majority of militias are infected with HIV/AIDS.¹⁰ Women's Enews wrote how *'rape is frequently used as a weapon in war and the five-year conflict in the Congo. (...)* In the South Kivu region bordering Rwanda and Burundi, it is difficult to find a family not affected by sexual violence'. Last year Human Rights Watch's report *'The War Within the War: Sexual violence against Women and Girls in Eastern Congo'*¹¹ had documented the scale of the abuse perpetrated by *'all different rebel groups fighting in the area'*, which number *'at least a dozen'*.¹²

A recent statement by a regional branch of the Jesuit Refugee Services, an International Catholic organisation supporting refugee and forcibly displaced people, confirms that the situation has not improved:¹³ *'A spiral of violence and a culture of anarchy have taken root in the region. (...) South Kivu has become a lawless area where various armed groups can carry out acts of violence with total impunity. In spite of the efforts of many local NGOs, human rights violations remain largely unknown. Beyond some large scale*

¹⁰ See Women's Enews, Tiare Rath, 'In War-Riddled Congo, Militias Rape with Impunity', 27 April 2003, at www.womensenews.org

¹¹ See www.hrw.org/reports/2002/drc

¹² Women's Enews, op. cit.

¹³ JRS Dispatches English No. 131, 'South Kivu, Democratic Republic of Congo, Sinking into Chaos'. To read the JRS Grands Lacs statement in full go to www.jrs.net/inf/statemen/cd030422en.htm

massacres, many daily violations stay hidden: murders, rapes, taking of hostages, arbitrary detentions, detentions in private jails, acts of torture or humiliation, and looting. Without witnesses, whole territories are forsaken by international organisations due to legitimate security concerns'.

Women and children in Eastern Congo are the majority of victims of heavy fighting between rival militias: Recent attacks in Bunia, in North-East Congo, have resulted in the deaths of tens of people and hundreds of wounded. According to United Nations (UN) spokeswoman, Patricia Tome, most of the victims are women and children.¹⁴

Rape as a systematic weapon of war is also used in fighting between rebels and government forces in neighbouring Burundi. The UN Integrated Regional Information Network Information (IRIN) recently reported on the widespread human rights violations taking place during the country's civil war where both rebels and government forces are guilty perpetrators.¹⁵ IRIN reports that according to the governor of Ruyigi, Isaac Bujaba, 'rape has emerged as a previously undiscussed weapon, alongside the killings'. In a statement to IRIN, the governor said: 'Rape has existed in these communities, but people are traditional here, and never before has it been talked about like this'.

A woman, who was one of eight women raped during an attack on Ruyigi, said she considered herself lucky as she was 'only' raped by three rebels while another woman had been raped by 10. She said she had

tried to protect herself by telling the attackers she was HIV positive: 'they said that didn't matter and they brought people whom they said were also HIV positive.'

Related info Amnesty International's campaign re: lack of protection for women in Kenya who suffer Rape and Violence Check online at: <http://www.amnestyusa.org/stoptorture/women/actions.html>

New International Roma Women's network¹⁶ On 8 March, Roma women from 18 European countries have launched a new network, the International Roma Women's Network (IRWN), to lobby governments for better living conditions and to fight for Roma women's rights.

IRWN brings together for the first time Roma women's groups from West and Eastern Europe. IRWN has drafted a charter, and established an informal committee of five women from Sweden, England, Bulgaria, Macedonia and Rumania. The new Network has been set, as an body independent of governments and international agencies, to give Roma women a voice.

The improvement of the conditions of Roma was a precondition for Eastern and Central European countries apply for entry to the EU but reports show that little has been done in practice. Despite legal changes to protect the rights of minorities, issues of health and reproductive rights for Roma women and their children, as well as education, have not been given sufficient attention or action.

¹⁴ Source: ABC online, 'Up to 10 dead in Congo fighting', Thursday 15 May 2003, at www.abc.net.au/news/newsitems/s855078.htm

¹⁵ IRIN, 'Burundi: Feature: Civilians losing the war', 14 May 2003 (IRIN@irinnews.org).

¹⁶ Source: EWL newsflash, April 2003. Source: EWL Newsflash, April 2003 and www.advocacy.net.org/.

The IRWN charter can be read in English and Romanes at www.romawomen.org/ (see also www.advocacy.net/).

For more information contact the IRWN president Soraya Post at email: soraya.post@kortedala.goteborg.se.

Related Information Romani women: Oral histories of Romani women in Vojvodina

(Northern Yugoslavia) is a publication by the Women's studies and Research 'Mileva Maric Einstein' (Futura Publickacije, Novi Sad, 2002) and is part of a series of publication on Oral Histories of Women from Minority Groups. A survey based on a random sample of a 100 Serbian women in Novi Sad carried out in 2001 had revealed a biased perception of Romani women amongst young women from the dominant national group.

Women's Studies in Novi Sad decided to conduct their own research to ascertain who Romani women were. The project was based on interviews, carried out by young Romani women, with elderly Romani women covering all aspects of their lives, from family, education, marital issues to leisure, public and political life. The result is a unique insight into the lives of 40 elderly Romani women. For more details or to obtain a copy, contact:

studije@eunet.yu.

Unprecedented rates of mental illness among young asylum seekers says new study¹⁷

Findings from the study presented at the Royal Australian and New Zealand College of Psychiatrists congress in Hobart, Australia, reveal that 21 out of 22 children and 14 adults from 10 different families held in a

detention centre were suffering a major depression.

Prior to their arrival to Australia, the children had displayed little evidence of psychiatric illness but after two years in detention, all children interviewed were diagnosed with at least one psychiatric disorder and most with multiple disorders. Most of the symptoms of post traumatic disorder were '*exclusively related to experiences of trauma in detention*'.

According to Zachary Steel, clinical psychologist in the School of Psychiatry at the University of New South Wales, and coordinator of the research study, '*every adult was diagnosed with a major depressive disorder, and the majority were also diagnosed with post-traumatic disorders*'. Even with the possibility that the interviewees exaggerated their stories, each family was held in different compounds of an unnamed detention centre and had been interviewed separately. Their responses were found to be remarkably consistent.

Related News The Australian Federal court has ruled that immigrants who were refused asylum status cannot be detained indefinitely while awaiting deportation. The Australian government is set to appeal the court's decision, which is believed to have implications for quite a number of asylum seekers.¹⁸

International Events

Sexual Rights are Human Rights, Taking Stock and Looking Forward

Date: June 27, 2003 Venue: Crowne Plaza Hotel, Brussels. Contact: IPPF:

¹⁷ Source: Andrew Darby, 'Mental illness curse for young asylum seekers', in *The Age*, 13 May 2003 at www.theage.com.au/articles/2003/05/12/1052591734133.html.

¹⁸ Source JRS, Dispatches English, No. 132.

International Planned Parenthood Federation European Network or visit: www.ippf.org.

Gender and Power in the New

Europe Intersections of ethnicity, class, disability, sexualities and generations 5th European Feminist Research Conference, Date: August 19 - 24, 2003. Venue: Centre for Gender Studies, Lund University, Lund Contact: Sara Goodman and Anna-Karin Persson, 5th European Feminist Research Conference, Centre for Gender Studies, Lund University, Box 117, SE - 221 00 Lund. Tel: +46 46 222 7624; 46 46 222 9778; Fax: 46 46 222 4004. Web site: <http://www.5thfeminist.lu.se>; Email: 5thFeminist@genus.lu.se

European Women Lawyers' Association
The Future of Europe: Enlargement, the European Convention, Cross-border mergers, societas europeae SE, Violence against Women, Trafficking in Human Beings, Immigration Date: June 6 - 8, 2003
Venue: Helsinki. Contact: Web site: <http://www.ewla.org>

The **Second World Congress on Family Violence (WCFV)** sponsored by the World Health Organisation (WHO) will take place in Prague from June 21 - 26, 2003. The congress will provide an interdisciplinary, multicultural learning opportunity for professionals in health care, education, law, child and adult protection, social services, public policy, human rights advocacy, public health, governmental and intergovernmental agencies and nongovernmental organizations.

For more details, contact: Alan Davis, International Steering Committee, WCFV

Email: WCFV@aol.com; Web site: <http://www.wcfv.org>.

New Publications

New OMCT report expresses concerns regarding violence against women in Turkey¹⁹ In its alternative country report entitled "Violence against Women in Turkey," which has been submitted to the Committee against Torture (30th Session), the World Organisation Against Torture (OMCT) expresses grave concern at reports of violence against women at the hands of both private individuals and state officials.

Turkey has ratified most major international and European human rights treaties and its Constitution provides for equality of men and women without discrimination. In addition, the Turkish Civil Code which came into effect on 1 January 2002 promotes gender equality in civil legislation. However, these legal reforms remain insufficient to prevent gender discrimination and violations of women's rights in Turkey.

OMCT reports that '*women's lives continue to be shaped by a multiplicity of traditional practices which violate existing laws, including early and forced marriages, polygamous marriages, "honour" crimes, virginity testing and restrictions on women's freedom of movement.*

Specific concerns are raised about "honour crimes" particularly prevalent in, but not limited to, the Eastern and South-eastern regions of Turkey but also reported in the major Turkish cities, including Istanbul and Izmir and also in Turkish immigrant

¹⁹ Source: Edited from OMCT Press Release, 'OMCT expresses its concerns regarding violence against women in Turkey', Geneva, 1 May 2003.

communities in other countries. OMCT reports that punishment for the killing of women and girls, usually committed by a male member of the family, frequently a minor, is *'typically minimal if any, because Turkish law enforcement authorities generally condone this practice and the Turkish Penal Code contains provisions which continue to discriminate against women and provide loopholes for the perpetrators of "honour crimes".'*

Figures show that in Eastern and Southern Turkey one in ten women live in polygamous marriages, despite the fact that polygamy was banned under the Civil Code of 1926. Over half of the women (50.8%) were married without their consent despite that fact that consent of both parties is a precondition for marriage under Turkish law.

Violence against women at the hands of State officials OMCT reports that women in Turkey are particularly at risk of being subjected to sexual torture, including *'electro-shocks to the genitals, (...) being forced to strip and stand naked in front of male guards, forced virginity tests, beatings targeting the genitals and breasts, use of high-pressure water hoses, and sexual abuse including rape and threats of rape. Moreover, threats of rape are often compounded by police taunts that rape will deprive women of their virginity and their "honour".'*

Violence and torture committed by state officials are not investigated by the authorities and remain unpunished. At the same time, *'women and girls frequently do not file complaints of rape and other forms of sexual violence out of shame and fear. Due to the fact that in Turkey a woman's sexuality is a reflection of the family honour, if a woman is not chaste then she may be viewed as a burden on the family,*

not accepted, subjected to forced marriage, or even killed'.

In its conclusions, the report notes that *'while Turkey has a duty under international law to act with due diligence to prevent, investigate, prosecute and punish all forms of violence against women, irrespective of whether this violence is committed by public or private individuals, this obligation has not been adequately implemented at the national level'.*

For copies of the alternative report on "Violence against Women in Turkey" or for further information on OMCT's programme on Violence against Women please contact Carin Benninger-Budel at + 41 22 809 4939 or cbb@omct.org.

Vision-Action-Change – Feminist principles and practice of working on violence against women

Women's Aid Model of Work presenting a feminist analysis of male violence against women, key principles of knowledge and beliefs on violence against women and good practice guidelines. Contact: Women's Aid, Everton House, 47, Old Cabra Road, IRL-Dublin 7, email: info@womensaid.ie.

Achievements Against the Grain: Self-Defence Training for Women and Girls in Europe by Corinna Seith and Liz Kelly, published by Child and Woman Abuse Studies Unit, London Metropolitan University, Ladbroke House, 62-66 Highbury Grove, UK-London N5 2AD

States of Conflict: Causes and patterns of forced migration to the EU and policy responses (Stephen

Castles, Heaven Crawley and Sean Loughna, May 2003) is a new report launched by the Institute for Public Policy research (IPPR).²⁰ According to the report, war, repression, discrimination of ethnic minorities, ethnic conflicts and human rights abuses drive more people to seek asylum in the UK than poverty. It argues that European governments must address the underlying factors that force people to leave their countries of origin if they hope to reduce the number of asylum applications. Thus, policy makers should *'recognise the causes of forced migration and to reflect this in 'joined-up' policies across the areas of migration, foreign policy, arms export, trade and development. Too often, existing European Union policies contribute to the very conditions that give rise to large-scale migration'*.

The report is available from Central Books on 0845 458 9910. Copies for journalists and statistics are available on request from the IPPR media office on 020 7470 6125 or b.stern@ippr.org. Other enquiries: Heaven Crawley on 020 7470 6250 / 07813 127121 or email: h.crawley@ippr.org.

Rights and Entitlements of young separated refugees is a new guide by the Young Separated Refugees Project at Save the Children. Its aims are to inform professionals working with young separated refugees about their rights and entitlements and advice on how to support separated children in accessing them. The guide, which is part of a series of guides on young refugees in the UK includes information on the asylum process, social services support, transition at 18, age disputes, education, healthcare,

employment, tackling racism, family reunion. For copies, contact Chris MaCarthur on 020 8741 4054 ext. 101 or email: c.macarthur@scfuk.org.uk.

Directory of Refugee Groups in Barnet is a resource produced by the Refugee Health Access Process in response to continuing enquiries from voluntary and statutory sector agencies, as well as asylum seekers and refugees asking whom they can turn to for help. It contains information supplied by voluntary and community groups listed in alphabetical order. Updates will be added to the online version at www.barnetvsc.org.uk. For more details of any group not listed in the directory, please contact RHAP on 20 8446 6624 or email tim@barnetvsc.org.uk.

More publications details following-up our campaign on trafficking (see WAN No. 31)

Change, the organisation mentioned in our last bulletin dedicated to a UK campaign on anti-trafficking, has published recently several reports that provide a wealth of information and resources on the issues of trafficking. Change, a women's human rights organisation founded in 1979, challenges gaps in knowledge and action, and brings to public attention the inequalities that are imposed on women through law, practice and custom. Change's Anti-Trafficking Program (ATP) started in October 2000. For more details visit: www.antitrafficking.org/change.htm.

Trafficking in the World Today (2002) is a briefing paper incorporating a gender analysis of the causes and consequences of trafficking in women around the world and includes a summary of the current trafficking situation in 90 countries.

²⁰ Source: <http://ippr.org.uk/press/index.php?release=218>

Combating Trafficking in Persons: A Directory of Organisations is a 229-page directory which brings together into one comprehensive resource, information on over 600 organisations working to tackle trafficking in 90 countries worldwide. The resource includes a summary of the trafficking context in each country and legislative frameworks.

Co-operation: Practices and Constraints (2002) is a comprehensive report on inter-agency collaboration in combating trafficking and protecting the victims in Italy, Greece, the Czech Republic and Romania, highlighting the ways in which organisations are working together in these countries, covering co-operation in prevention, assistance and law-enforcement efforts. The report, which includes recommendations, focuses on good, replicable practices, analyses some of the constraints to improved co-operation within each country.

(Re)integration of Victims of Trafficking from an Empowerment Perspective is a report on current (re)integration policies and practices in Belgium, The Netherlands, Germany, Spain, Italy and United Kingdom. Expected in hard copy and on-line in March 2003.

New Online resources

New Website for Committee to Defend Women's Rights in the Middle East The website includes a link to the Committee's regular bulletin '*Women in the Middle East*' as well as articles and campaigning details to defend women's rights in the Middle East. There is also access to a Farsi page. CDWRME welcomes any comments on their new

website which you can visit at:
www.middleeastwomen.org.

The UN Population Division **International Migration Report 2002** is now available online from the Division's website <http://unpopulation.org>. The first part of the report contains an extensive overview of the subject, including methodological issues, major substantive findings, recent views of governments and documents from ongoing consideration of international migration issues by the United Nations General Assembly. The second part of the report contains country profiles for every country in the world with respect to migration levels and trends (1990-2000) as well as selected policy indicators.

Notice Board

The Gender Institute of the London School of Economics is working on a research project about women and multiculturalism and is trying to identify what has been done in different European countries to prevent forced marriage and Female Genital Mutilation. Contact: Moira Dustin, moira.dustin@talk21.com.²¹

Please send us any information that you would like to see published in our next bulletin by Wednesday 18 June 2003 (see address on back cover).

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

²¹ Source : EWL Newsflash, April 2003.

women's ASYLUM NEWS

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Asylum Aid provides free legal advice and representation to asylum-seekers and refugees, and campaigns for their rights. Registered as a charity no. 328729. To support Asylum Aid's work, please complete and return the form below to Asylum Aid, FREEPOST LON18836, London, E1 6BR (however, using a stamp will save us money)

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- Receive a copy of our annual report free of charge
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