

women's ASYLUM NEWS

Refugee Women's Resource Project - Asylum Aid - Issue 3 September 2000

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Women's rights eroded in Sudan

Human Rights Watch has condemned the ban imposed on September 3, 2000, by the Governor of the State of Khartoum and former minister of social planning, Mr. Mazjoub al-Khalifa, that prevents women from working in public places where they come into direct contact with men.

"It's outrageous that the governor wants to prevent women from doing work they have done for decades, just because they are women," said Regan Ralph, Executive Director of Human Rights Watch's Women's Rights Division. "It is a violation of women's rights to equality and to work."

The decree bars women from working in hotels, restaurants, and gas stations. The governor justified the ban as "intended to honor women," to uphold their status in line with Islamic law, and to respect the values and the traditions of the nation. He asserted that women should not be harmed by this decree because they could be employed in other areas.

According to local sources, Shell Oil recently started employing women in service stations. Some have speculated that this provoked a backlash, and that the order was targeted at women working in these stations. The order itself, however, goes beyond this. Women are banned from working in cafeterias, at cash registers, and anywhere in the service sector.

The government of Sudan has pledged to uphold women's equality by acceding to the

International Covenant on Civil and Political Rights. "This ban defies guarantees of equality embedded in Article 21 of the Sudanese constitution and in international human rights law," said Ralph.

Some Sudanese activists have expressed their fear that the decree is a prelude to removing women from all fields of public work. After years of civil war, many women are the sole providers for their families and rely on their income, even if the jobs are low-paying. The measure may also mean hardship for employers, who are required to fire women who turn up at work. Some employers have stated that they will have to shut down if women employees are not allowed to work.

...and in Afghanistan

BBC news reported in August that the Taliban have ordered the United Nations to close down bakeries run by women in the Afghan capital, Kabul. The bakeries sell subsidised bread to 7,000 of the capital's poorest women.

In July the Taliban issued an edict banning foreign agencies from employing any Afghan women outside the health sector. The UN had been hoping the bakeries would also be exempt. When the Taliban took power here in 1996 they banned all women from working. That left begging and charity as the only options left for women who had no male relatives to support them.

The refugee women's sector

Since it was set up five months ago, the Refugee Women's Resource Project has met many refugee women's organisations and agencies that work closely with refugee communities or individual women. The purpose of these meetings is to inform groups about the work of RWRP and to identify the main activities of the numerous refugee community organisations (RCOs) operating in or outside London. We also provide group advice sessions to meet the needs of specific organisations on request.

With the implementation of the government's dispersal policy, our efforts in liaising with RCOs outside the South East will prove crucial to the welfare and the outcome of the asylum claims of dispersed asylum seekers and in particular women. We therefore welcome any information on refugee organisations outside London whose work is focused on the needs of women. But whoever and wherever you are, please contact us to tell us about your services and if you would like to work with us. We would be happy to come and meet you.

Below is a list of some of the organisations we have met with a brief outline of their activities. This is a snapshot only – details of other groups will be featured in future issues.

Refugee women's groups

Akina Mama Wa Afrika

334-336 Goswell Road, London E1 : Sarah Mukasa, UK Programs Manager, 020 7713 5166
amwa@akinamama.com

Amongst many other activities for African women, AMWA offers support to women refugees and a counselling and therapy service for individuals or groups by African women counsellors. The service is both gender and culturally sensitive for African women. AMWA is also active in campaigning to raise gender awareness in the asylum application process. Its training programmes for the forthcoming year include HIV/AIDS, Mental Health and Capacity Building.

Kenya Women Association

6-9 Manor Gardens, London N7 : Sabina Obare, 020 7687 1404

The KWA's main area of activity is to give advice and support to Kenyans on HIV/AIDS and other health issues. Other areas include training opportunities in IT and advice and information on welfare, immigration, housing, education and training. Advice is given to individuals or groups through outreach work and social events.

Harambe

London SE18 : Jane Inepe, 020 8317 2137

Harambe works with women from Eastern Africa and the Great Lakes Region. It provides support and advice on health issues as well as other welfare issues affecting refugee women.

Mosaada Centre for Single Women

London E1 : Huda Al-Amin, 020 7247 7111

Mosaada works with single refugee women and asylum seekers in three hostels in London and also organises a Ladies night at Whitechapel. In addition, Mosaada provides help to women in search of employment or education opportunities. The organisation is currently looking for volunteers to help with funding management. Please contact Huda if you are interested.

Kurdish Cultural Centre

London SE11 : Nazand Begikhani, 020 7735 0918

Alongside the provision of health and social support through outreach activities (800 women clients in 1999), the KCC runs a club for elderly women on Friday and organises English classes as well as seminars.

Mosaic (Bosnian Community) Centre

c/o Accord Centre, Kilburn High Road, London NW6 : Edina Fezjic, 020 7604 4404

The Mosaic Centre runs a small therapy group and provides counselling as well as English classes and training for interpreters. A group for Bosnian women enables them to sustain their handicraft work. The centre also has drop-in facilities to allow parents who have separated to spend time with their children.

Refugee Women's Project

Barnet : Shazia Malik, 020 8445 6051

The Refugee Women's Project offers training opportunities for refugee women in areas such as childcare and counselling.

Other women's organisations

Greenwich Women's Centre

London SE18 : Selma Omerkic, 020 8317 4141

GWC offers comprehensive support for victims/survivors of domestic violence, including a Domestic Violence Support Group on Monday mornings. It also provides general and legal advice and runs an Asian Women's Drop-in Group fortnightly on Friday mornings.

Action for Refugee Women

Hildegard Dumper, 0117 971 0686

AFRW is a network of over 200 Refugee Community Organisations with a core number of about 30 that are active in issues affecting refugee women and asylum seekers through the dissemination of materials, organisation of seminars and campaigning and lobbying. Membership is unrestricted.

Other refugee groups

TRASE

Middlesborough : Jane Anderson, 01642 244 625

TRASE provides welfare support and access to employment and education programmes.

Migrant & Refugee Communities Forum

London W10 : Claire Standring, 020 8964 4815

MRCF offers capacity-building support, including access to facilities, training and employment courses to various community organisations in the Borough of Kensington and Chelsea. It also runs an African Women's health project and recently produced a video on Female Genital Mutilation.

Midlands Refugee Council

Birmingham : Mary Alphonse and Ekhlash Ahmed, 0121 242 2200

Besides general support services, MRC runs a project that aims to raise awareness of Female Genital Mutilation (FGM) issues amongst the communities in Birmingham.

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Women and human rights websites

Following on from the websites feature in last month's bulletin, here is an introduction to websites that focus specifically on women's rights and gender based human rights abuses. The focus may not be on incorporating such abuses into claims for asylum, but they can provide valuable information for researching claims, and finding out about the work of other organisations working for women's human rights.

Unifem	http://www.unifem.undp.org/index.htm The United Nations Development Fund for Women exists to promote "women's empowerment and gender equality". It provides links to relevant UN documentation and publications, and to Unifem sites in other parts of the world, which also contain relevant publications and links.
Hieros Gamos The Comprehensive Law and Government Portal	http://www.hg.org/women.html This site contains news updates and articles on women's rights. There are texts of relevant reports and conventions such as those published by the UN and documentation on women's human rights issues in different countries. They also provide details of organisations working to promote women's rights, and links to journals and libraries.
Equality Now	www.equalitynow.org This organisation campaigns for the equal rights of women. The website contains updates on campaigns and developments in the relevant legislation of different countries. It also has reports on women's human rights issues throughout the world in subjects as diverse as employment, land or inheritance rights, domestic violence, trafficking and FGM.
Women's Human Rights Resources	www.law-lib.utoronto.ca/diana/ This library at the University of Toronto provides access to Women's Human Rights Resources pages. It is organised according to different subjects such as Health and Well Being, Marriage and Family Life, and Political Rights and Participation. Each subject contains links to its respective legislation and Conventions, UN Documentation, and various reports and academic articles, as well as links to other organisations
The Centre for Gender and Refugee Studies	www.uchastings.edu/cgrs/ Based at the Centre for Human Rights and International Justice at the University of California, the CGRS has an interesting website with sections on gender related immigration and asylum law, details of case law on gender based asylum claims, information on guidelines for decision-making and links to the texts of documents and articles.
The Women's Caucus for Gender Justice	www.iccwomen.org This site represents a body of organisations concerned with women's human rights. Much of their work focuses on ensuring that gender based human rights abuses are recognised by the International Criminal Court. Their site contains details of relevant reports, articles and publications, UN work and links to similar organisations internationally.
Madre	www.madre.org This women's human rights organisation works with community based groups to promote women's human rights throughout the world. The site provides links to these and other organisations campaigning for women's rights.

Women at the Home Office

We reported in our last bulletin that the Home Office had promised to provide female interviewers and interpreters for women clients' asylum interviews, in response to pressure from the Refugee Women's Legal Group who highlighted the difficulty women may face relating sensitive aspects of their case to male officials. This may mean that crucial aspects of a woman's case would not be included in her evidence.

However, our experience shows that this policy is not being translated into practice. On three separate occasions since the project started, our caseworker has arrived at the Home Office with her client, to be greeted by a male interviewing officer and a male interpreter, and has had to argue for female officers to be provided, despite it being clear from the nature of the women's experiences that this would be necessary. On one of the occasions, our caseworker had faxed in advance a request for this provision to be made, but the fax was ignored. One client had suffered sexual violence. The male official insisted that he would do the interview, saying 'I've done rape cases before you know, and I'm not going to ask any questions about the rape'. It was only down to the representative's persistence that a female interviewer was finally found; an unrepresented woman would probably have had little chance of succeeding.

RWRP believes that the Home Office should automatically provide female staff without it having to be requested, if it is clear from their initial information on the client that she has suffered gender-related persecution such as domestic or sexual violence. For the time being, we will be submitting formal written requests in advance for female staff to deal with all our clients.

Representatives should be aware of a client's right to same sex interviewers - be persistent in obtaining this right and make sure you record and complain about times when it is not

granted automatically. Please keep us informed of your experiences on this issue, and/or of any responses you get if you complain or write to the Home Office. The address to write to is on page 6.

RWRP research success

An Iranian women's rights activist who was represented by one of Asylum Aid's appeals workers has had her appeal allowed, meaning that she will be granted refugee status. A member of RWRP's research team participated in finding evidence to support her case. One of the strengths of RWRP is that we are able to spend more time than caseworkers usually have available on in-depth research for clients.

Case law update

Iranian woman wins human rights claim against Turkey

An Iranian woman has recently won her case against Turkey in the European Court of Human Rights. She claimed that their decision to return her to Iran would be a breach of Article 3 of the European Convention on Human Rights, which states, "no one shall be subject to torture or to inhuman or degrading treatment or punishment." The woman had fled Iran after being arrested and detained for committing adultery. She had claimed asylum in Turkey and been refused on the grounds that her application was out of time, but had later been granted refugee status by UNHCR, who accepted that she had a well-founded fear of inhuman punishment (such as stoning to death) by reason of her social group. Her refugee status, as well as reports from Amnesty International showing that women have been stoned to death in Iran for having committed adultery, convinced the European Court of Human Rights to support her claim.

Jabari V Turkey (40035/98) (11 July 2000). Summarised from Refugee Legal Centre's Bulletin no. 78. Contributions of other useful case law summaries welcome.

No help with essential expenses

Under the new National Asylum Support Service (NASS) scheme, asylum-seekers are dispersed to different areas of the country and forced to live on vouchers and a minimal amount of cash. This makes it extremely difficult for them to meet obligations related to their asylum claim such as attending interviews or appeal hearings.

The Home Office have pledged to cover the cost of travel arrangements for asylum-seekers supported by NASS (or under the Interim Support Provisions) to attend their Home Office interview or appeal hearing. However, they have stated that they will not cover the travel costs for their children or other dependants, except when the dependent is specifically requested by the Secretary of State to attend the interview or hearing.

So if they can't afford to bring children, who will look after them in their NASS accommodation? Previously, people had depended on friends, family, and community to assist with childcare, but the dispersal scheme has forced asylum-seekers to live away from such support networks. No help with childcare costs or arrangements is provided. There are bound to be numerous occasions where it would be wholly inappropriate (and probably illegal) for children to be left alone for hours at a time, possibly even overnight. And if a client manages to bring children along, there are no facilities for them at the interviewing centre. No toys are provided and there is no supervised area to leave them. They have no option but to accompany their parent inside the interviewing room or court. Surely the Home Office doesn't expect parents to have to describe distressing and traumatic events in front of children who have already been through enough?

In addition, there are also likely to be many instances where the appellant wishes to call one of his or her dependents as a witness in an appeal hearing. Many spouses and even some children are material witnesses, for instance as to maltreatment which an asylum

applicant may have suffered in their country of origin. They may themselves have been maltreated and wish to give evidence about that. In those circumstances it will generally be at the appellant's request, and not the Secretary of State's, that the dependent is asked to attend to give evidence.

If such witnesses are not able to attend simply because the Home Office refuses to pay their travel costs, this would clearly be unfair. It is impossible for an Appeals Adjudicator to make a proper assessment of a case if important evidence is not available, and it is not acceptable, in principle, for the outcome of an appeal to be affected by the refusal of the Home Office to enable a witness to attend. What is more, adjournments, judicial reviews or other disruptions to the running of the appeals system are bound to result if people are not allowed to attend.

There are also likely to be cases where people want to call other asylum-seekers as witnesses, such as relatives, friends or party colleagues who are not their dependents, but whose evidence is necessary for a full and fair assessment of the appeal. Again, it does not seem fair for such witnesses to be prevented from attending through lack of resources.

Asylum Aid has written to the Home Office urging them to undertake to pay for witnesses to attend appeal hearings, and for children to travel to interviews or appeals even where their attendance is not strictly necessary, but where the alternative would be to leave them alone and unsupervised.

Please write to the Home Office with your concerns on any of the above points, and keep us informed of any replies received. Please address your letter to Chris Hudson, Head of Major Projects Team, Home Office Immigration & Nationality Directorate, 3rd Floor, Leon House, 233 High Street, Croydon CR0 9XT. Add to your letter any examples of relevant problems from your community group or agency. Anyone encountering any problems with getting travel costs paid should also contact us.

RWRP outreach work

RWRP's Outreach Worker is Asther Hagos. Since the project began, she has been providing advice to refugee and asylum seeking women at community centres, refugee agencies and hostels, as well as to individual women who are isolated by distance, poor health or child care.

Asther also offers training for those working with women refugees and asylum seekers, and has been running group advice sessions on the UK asylum procedure, and giving one-to-one advice to individuals on their asylum cases and other relevant matters. She has started making links with groups in the regions, who do not have access to as many services.

So far women's groups in Camden, Shepherds Bush, Lambeth, Southwark, female residents in hostels in South London, users of family and health projects, individual women with gender related asylum applications, those suffering domestic violence, disabled women, and women with terminal illness have all benefited from outreach advice and, hence, the Resource Project. Training was given to staff at a health project for women with the aim of familiarising them with the Asylum Procedure.

Asther has found that women's most pressing needs at the moment are for appropriate housing and competent legal advice and representation.

New publications

Deciding to detain: how discretion to detain asylum seekers is exercised at ports of entry

A report by Leanne Weber & Loraine Gelsthorpe, Institute of Criminology, University of Cambridge, June 2000

This report, based on interviews with Immigration Officers and detained asylum seekers and observations at ports of entry,

provides a detailed and critical overview of how decisions are made at ports of entry to detain asylum seekers for one night or more. Many individual factors lead to a decision to detain being made, which is an act of administrative discretion. According to the report, women are generally less liable to detention than men because of relative lack of female detention space, responsibility for children, and decision-makers' perceptions of vulnerability.

For details of how to order the full report visit the Institute web page at

www.law.cam.ac.uk/crim/iochpg.htm

New women's guidelines published in Ireland

The Irish Council for Civil Liberties Women's Committee has published best practice guidelines for treatment of women asylum seekers and refugees in Ireland. The guidelines aim to help build trust between female refugees and their host community, through the improvement of social and political practices. Included are sections on interpretations of the 1951 UN Convention on the Status of Refugees, asylum procedures, and reception and integration issues.

The authors note that the Irish Refugee Act 1996 offers additional protection to women in that it specifically enumerates gender and sexual orientation as grounds within the category of "social group". Section 2 provides that: "Membership of a particular social group includes membership of a trade union and also includes membership of a group of persons whose defining characteristic is their belonging to the female or the male sex or having a particular sexual orientation."

Representatives in the UK have rarely succeeded in persuading the authorities to grant refugee status on the grounds of women as a social group.

The guidelines can be obtained from ICCL Women's Committee, Dominick Court, 40/41 Dominick St, Dublin 1. iccl@iol.ie www.iccl.ie

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