

# women's asylum news

refugee women's resource project @ asylumaid

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Please send any information that you would like to see published in our August edition by 20<sup>th</sup> July 2007 to [Claireb@asylumaid.org.uk](mailto:Claireb@asylumaid.org.uk) (for postal address see back cover).

## Internal Relocation: Two New Cases

Internal relocation was considered in two recent cases in the UK. These cases are individually complex and based on different grounds of persecution, however the outcomes are noteworthy.

In the assessment of an asylum claim, the Home Office and the Asylum and Immigration Tribunal [AIT] at appeal hearings, will take into consideration the credibility of the claimant and any corroborating objective evidence. The applicant's experiences of persecution in their country of origin and for which they have sought international protection must be supported by evidence from objective sources which support their claim. In addition, they must show that they cannot relocate to another safe part of their country on the basis that such relocation would be 'unduly harsh' or 'unreasonable' for them.

This article summarises the key issues and legal considerations for these two new cases in turn.

### **Case 1: FK (Female Genital Mutilation (FGM) – Risk and Relocation) Kenya CG [2007] UKAIT 00041**

FK along with her daughter and granddaughter feared that on return to Kenya the Mungiki sect would subject them to FGM. The AIT deemed this account and the evidence presented credible. The

Tribunal applied *K and Fornah*<sup>1</sup> and accepted the appellant had a convention reason for the threat of persecution, namely that of her membership of a particular social group. They said:

*"We consider that the evidence as presented before us strongly supports the view, in the light of the proper legal criteria now clarified by K & Fornah, that Kenyan women belonging to those ethnic groups where FGM is practiced are properly to be regarded as falling within a particular social group for the purpose of being a refugee. It is not in issue that the infliction of FGM is capable of amounting to serious harm, a risk which if established would lead to the issue of grant of humanitarian protection. We find that the imposition of FGM could amount to a breach of the protected rights of the Appellant in respect of Article 3 of the European Convention of Human Rights (ECHR)."*

The AIT identified the particular social group to which FK belonged as:

*"Women in Kenya belonging to those ethnic groups (or sub groups) where Female Genital Mutilation is practiced"*

However, on the issue of internal relocation the court found they had to consider objective evidence judged against the appellant's claim. They had to decide if they thought relocation was a reasonable option for her and women from Kenya facing FGM i.e. whether a safe relocation to Nairobi or elsewhere within Kenya was reasonable.

The Tribunal decided that in FGM cases, certain principles and factors must be considered when assessing a woman's risk

and deciding whether relocation within the country of origin is reasonable and not unduly harsh. These include:

- a) *The particular clan or sub clan of the claimant and whether FGM is practiced and the degree to which it is enforced.*
- b) *The claimant's particular family, extended family and community and the degree to which FGM is practiced and the attitude of influential community figures, elders and church leaders.*
- c) *The ability of family and the state to provide protection*
- d) *Individual considerations based on her education, skills and family responsibilities*

On these grounds the Tribunal's conclusions can be summarised as follows:

- (1) *The claimant belongs to an ethnic group, amongst which FGM is practiced and may be a member of a particular social group of the 1951 Geneva Convention.*
- (2) *Uncircumcised women in Kenya, whether Kikuyu or not, are not all at risk of FGM. Statistics show that at least fifty per cent of women in Kenya have not experienced FGM.*
- (3) *The decision to undergo FGM is one made by the individual if adult or by the parents if a child. It is possible for a woman not wishing to embrace the initiation of FGM for herself or her family to live in a community that does not subscribe to it.*
- (4) *A woman will only be at real risk if she comes from an ethnic group (or sub-group) where FGM is practised and she is likely to be required by parents or others in a position of power and influence to undergo FGM.*
- (5) *There is no evidence that the Mungiki seek to impose FGM upon women or*

<sup>1</sup> *SSHD v K and Fornah v SSHD* (2006) UKHL 46, 18 July 2006

*communities other than those who have been initiated into their particular sect.*

*(6) Internal relocation will be available in Kenya to a woman who is at real risk of FGM in her home area if the evidence shows, (i) she is not reasonably likely to encounter anyone in the place of relocation who would be in a position of power and influence over her to require her to undergo FGM; and (ii) she can reasonably be expected to live in that place. In the case of a woman from a rural area in Kenya, internal relocation to another region or urban centre will not be available unless her circumstances are such that she will be able to survive economically (see Januzi v Secretary of State for the Home Office and Others [2006] UKHL 5).*

*(7) The availability of family or sub-clan support in the proposed area should be considered including individual circumstances, support structure, family and extended family situation, education, economic lifestyle and work experience.*

In light of all the above consideration the AIT ruled that:

*“We do not find that the Appellant (or her family) has a well-founded fear of persecution or faces a real risk of having FGM inflicted upon her (or them) on return to Kenya. We find that internal relocation is reasonably open to the Appellant (and her family) in all the circumstances. We do not find that the Appellant's protected human rights will be breached by such a return.”*

This case is particularly important from a legal perspective as it shows that an asylum claim may not succeed where based upon the circumstances of an FGM claim. This particular claim fulfilled the requirements of the 1951 Convention relating to the Status of Refugees as regards to member of a particular social

group that experienced persecution, however reasonable relocation in the country of origin was found to be open to the appellant. It further appears that on consideration of the objective evidence considered in this appeal, not all women in Kenya will be considered to be at risk of FGM. An assessment of the risk of FGM in asylum applications and appeals from Kenyan women will depend upon the credibility findings in their claim and then the application of the tests described within the appeal to their particular set of circumstances.

### **Case 2: AH (Sudan) IG (Sudan) NM (Sudan) [2007] EWCA Civ 297**

This case concerned three appellants who were non Arab Darfurians and Sudanese Nationals.

The Court accepted that the appellants were at risk in Darfur from persecution from Janjaweed militias due to their ethnic origin. The Court of Appeal decided that the AIT applied the wrong test to discover whether it would be reasonable to grant relocation to Khartoum.

Specifically the AIT had:

1. wrongly compared conditions within an Internally Displaced Persons (IDP) camp to those in the whole of Sudan.
2. failed to take into account the particular circumstances of each of the appellants.

The Court Of Appeal said:

*“The AIT's analysis entirely excludes from the equation the original condition of the asylum-seeker and the effect on him of the new conditions. The AIT*

*place weight on comparisons (however sparse the evidence was to support them) between conditions in Khartoum and conditions elsewhere in Sudan... In particular, ...the AIT referred to, and thereafter relied on, a statement elicited in cross-examination from the appellants' experts that in general terms, albeit the living conditions in Khartoum IDP camps compared unfavourably with those in Darfur currently..."*

*"The relocation proposed is from stable rural village life to a refugee or squatter camp, a structure of life completely different from that from which the refugee has come. Had that factor been taken into account, as it would have been if the correct comparison had been made, the total alteration in the kind and structure of the refugee's life would have been a further powerful factor indicating that the change would be unduly harsh."*

Therefore the Court of Appeal decided that internal relocation for these appellants was not a reasonable option. The AIT's decision that the proposed return of the appellants to Sudan IDP camps in Khartoum would prove unduly harsh for the client.

These two cases discussed in this article highlight that if the Home Office or the Courts accept a person's fear of persecution in their home area, further considerations should be given. Each individual must prove their personal circumstances judged against the legal tests and objective country evidence as well as internal relocation options.

### RWRP news

#### **Gender guidance added to CEDAW report**

The UK Government's 6<sup>th</sup> periodic report to the Committee of CEDAW, the UN Convention for the Elimination of all forms of Discrimination against Women, includes a range of legislation and policies that the UK has brought in since 2003 that help to eliminate such discrimination. The section on Nationality (Article 9 of CEDAW) includes a number of developments relating to refugees including integration strategies and the Gateway Protection Programme. However until RWRP intervened, the report failed to mention the major policy that is of benefit to women asylum seekers.

The Home Office incorporated the *Asylum Policy Instruction (API) on Gender issues in the asylum claim* in March 2004 after years of campaigning by NGOs. RWRP highlighted the omission of the gender API to the Chief Executive of the Border and Immigration Agency (BIA) and the Minister for Women. Since RWRP pointed this out the policy has now been added to the annex of the UK's report to the CEDAW committee.

#### **Gender Equality Scheme**

The Gender Equality Duty (GED) came into force in April 2007. This policy places a legal obligation on public authorities not just to eliminate unlawful gender discrimination and harassment, but also to promote equality of opportunity between women and men. It represents the largest change in gender equality legislation in 30 years. For the first time public bodies have to be proactive in eliminating gender



inequalities and not rely on individuals to take action after discrimination occurs.

The BIA, (formally Immigration and Nationality Directorate) produced a Gender Equality Scheme and Action Plan in May 2007 as part of its Gender Equality Duty. This document failed to mention the *Asylum Policy Instruction on Gender issues in the asylum claim*.

The BIA consulted RWRP on its draft Gender Equality Scheme and Action Plan. RWRP identified a range of practical measures that we believe the BIA needs to put in place in order to comply with its gender equality duty. These include implementing its API on gender, asking asylum applicants at the screening stage as to whether they have a preference as to the gender of their case owner (they are currently asked this about their interpreter but not their interviewer), providing childcare during asylum interviews and improving the ratio of female staff in detention facilities. The BIA have said that no specific decision was made to omit reference to the API and that reference to training for caseworkers implicitly includes ensuring that the API is adhered to. They say the Scheme might be strengthened if this were stated explicitly and consideration as to whether to do this can be made in a year's time. RWRP has asked for our suggestions which were not included in the final version, to be considered before then.

### Related news

#### Gender Guidelines at Appeals

When concerns were raised over the removal of the Immigration Appellate

Authority's Gender Guidelines<sup>2</sup> from the AIT website last September (see WAN Jan/Feb 2007), the AIT President Mr Justice Hodge OBE referred stakeholders to the Judicial Studies Board (JSB) Equal Treatment Training.

RWRP initiated a letter to the JSB (sent jointly with the Refugee Council, the Medical Foundation for the Care of Victims of Torture and the Law Society) suggesting that gender guidance for immigration judges are incorporated into the JSB's Equal Treatment Bench Book and Equal Treatment Training for Tribunals. NGOs involved agreed this appeared an appropriate place to put gender guidelines as this already covered gender inequality. The guidelines might even be strengthened as judges are expected to follow the guidance in the bench book unless they can provide reasons for not doing so.

The Chair of the JSB, the Right Honourable Lord Justice Keene, responded positively and the Chair of the Equal Treatment Advisory Committee, Mrs Justice Cox, has now requested further details.

### RWRP Country of Origin Update

#### Women and Country of Origin Information (COI)

RWRP have been continuing to advance the women and COI campaign. This campaign raises awareness of the difficulties women face substantiating asylum and human rights claims due to a lack of research documenting women's experiences of human rights violations in their countries of origin.

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<sup>2</sup> N. Berkowitz and C. Jarvis, *Asylum gender guidelines* (Immigration Appellate Authority, 2000)

Two RWRP interns have been sourcing information from organisations including Amnesty International, Human Rights Watch, the UN's Integrated Regional Information Networks and local newspapers. These selected documents are relevant in substantiating women asylum seekers experiences and assessing credibility. This information is forwarded to a company (HJT) who hold an online database of country information accessible from [www.ein.org.uk](http://www.ein.org.uk). Through this website, reliable documents relating to women's human rights are made available. There are women's specific pages indexed by the types of harm women experience (trafficking, rape, female genital mutilation, honour crimes, domestic violence etc). The accessibility of the site reduces the amount of time spent searching separate sources. The [www.ein.org.uk](http://www.ein.org.uk) website can be referred to for any country of origin information relating to women.

### Related news

#### Eurosil Workshop

RWRP were invited to submit a paper on gender and COI issues for a workshop held by Eurasil. Eurasil is a group of the 27 EU member states, which meet to discuss common guidelines for the production of COI (parallel to the single EU asylum policy). This was a great opportunity to input on the process as Eurasil meetings are usually closed to NGO's. The RWRP paper was presented at the workshop by the UK delegate from the Home Office and will be circulated by the EU Secretariat. The paper can be viewed at [www.asylumaid.org.uk](http://www.asylumaid.org.uk)

#### Country of Origin Information Practitioner's Forum

The COI Practitioner's Forum (CPF) chaired by RWRP, continues to meet bi-monthly. At our last meeting we discussed the Advisory Panel on Country Information. The panel was established by parliament to monitor human rights/country information produced by the Home Office, particularly its Country of Origin Information Service (COIS) reports. COIS reports detail human rights conditions in countries of origin and are heavily relied upon by Home Office caseworkers and immigration judges in deciding a person's asylum or human rights claim. In the past they have been criticised for not being accurate or up to date and their coverage of issues affecting women has been poor. The Panel will be commissioning a researcher to undertake a thematic review of gender in COIS reports, looking at coverage and accuracy of information. The CPF will recommend the following:

- The research is carried out by a gender expert, who has access to other country experts
- The researcher should be familiar with the Home Office's Gender Asylum Policy Instructions (APIs) and know how the information in the COIS reports is used within the decision making process
- The research brief should include an examination of whether the COIS reports cover the difficulties women may face if returned to their country of origin, noting different profiles of women ie, those with children, single, widowed, divorced, married and the risk and vulnerability of women to trafficking, female genital mutilation, honour crimes, domestic violence, marital and reproductive rights etc

### RWRP Update

#### Leaflets for Women Asylum Seekers updated

RWRP has revised its leaflet directed at asylum seeking women that explains the Home Office policy for deciding women's asylum claims. The page on how the asylum system works now describes the New Asylum Model. The new version of the leaflet is now available. Download the leaflets free in English, Amharic, Arabic, Chinese, Farsi, French, Pashto, Somali, Turkish, Tigrinya, Urdu, Vietnamese, by clicking on the following link [www.asylumaid.org.uk/Press%20statement/gender\\_guidance\\_campaign.htm](http://www.asylumaid.org.uk/Press%20statement/gender_guidance_campaign.htm).

The Home Office has bought new display stands for the leaflets at its screening units in Croydon and Liverpool. The Inter-Agency Partnership and the Red Cross Refugee Units are also distributing the leaflets to women at the early stage of the asylum process.

### UK News

### Campaign Update

#### RWSG Childcare Campaign

In April 2007 the Refugee Women's Stakeholders Group (RWSG) launched a campaign to persuade the Home Office to provide childcare during asylum interviews. The lack of such provision results in asylum seekers, primarily women, being interviewed about their asylum claim with their children in the room. This can be distracting and can also prevent women from disclosing some of their experiences (particularly torture or sexual violence)

despite the relevance of such experiences to their asylum claim.

A paper has been circulated to all members of the RWSG and they are being encouraged to ensure that this topic gets onto the agenda of the Stakeholder Forum in their region or is raised in other ways with their New Asylum Model (NAM) team in their region. It is considered particularly timely to be asking for this now as the NAM teams have just been set up regionally with new offices and working practices.

Anne Hubbard, the Manager of the Welsh Consortium for Refugees and Asylum Seekers has written to the RWSG stating that following lobbying by a number of NGOs in Cardiff "The BIA [Border and Immigration Agency] has prepared a space for childcare and has had discussions with the NSPCC (National Society for the Prevention of Cruelty to Children) about how they will look after children at substantive interviews where childcare has not been found. The BIA has agreed to pay for this provision. The NAM staff will ensure that all interviews where they think there may be a need for childcare are arranged on the designated day with the NSPCC."

For a copy of the campaign paper "Why the Home Office should provide childcare" contact [deboras@asylumaid.org.uk](mailto:deboras@asylumaid.org.uk)

To join the Refugee Women's Stakeholders Group's e-network, contact: [Asther.Hagos@refugee-action.org.uk](mailto:Asther.Hagos@refugee-action.org.uk)

### UK News Articles

#### Father and Uncle Found Guilty of Honour Killing

The father and uncle of 20-year-old Banaz Mahmud have been found guilty of her honour killing. Her body was found in Birmingham. She had been strangled with a bootlace and buried in a suitcase. Banaz, an Iraqi Kurd, was in a relationship with an Iranian Kurd that was deemed unsuitable by the family. The three-month trial heard that Banaz had feared for her safety and reported this to the police at least four times. At one time, a woman police officer believed she was making the incident up to gain attention from her boyfriend. After an attempt on her life the police urged Banaz to enter a safe house, however she believed she would be safe with her mother in the house. Banaz disappeared a day later.

For full article please see:

<http://www.guardian.co.uk/crime/article/0,,2100488,00.html>

In addition, the Iranian and Kurdish Women's Rights Organisation (IKWRO) have launched a "**Justice for Banaz**" Campaign Petition.

For further information and to sign the petition please contact: [ikwro@yahoo.co.uk](mailto:ikwro@yahoo.co.uk) or Tel: 0207 490 0303

### Other UK news

#### Reports of Self-harming Increasing in Yarl's Wood Detention Centre

The Observer reported that cases of self-harming, hunger strikes and rioting amongst asylum seekers in Britain's largest detention centres are soaring. The

Observer states that over 100 women in Yarl's Wood are refusing to eat, 70 per cent of women had reported rape, 57 per cent had no legal representation and nearly half had been in the detention centre for more than three months. Based on research by Liberty, many asylum seekers from a variety of detention centres have reported incidents of verbal abuse and maltreatment.

For full article please see:

[http://observer.guardian.co.uk/uk\\_news/story/0,,2083892,00.html](http://observer.guardian.co.uk/uk_news/story/0,,2083892,00.html)

### Related news

#### Women Asylum Seekers in Yarl's Wood Write to Gordon Brown

Over 100 women asylum seekers detained in Yarl's Wood have written to Gordon Brown asking to be allowed to stay in the UK. The letter mentions the psychological distress, suicide attempts, physical deterioration and poor health care facilities. Many women have been detained from one month to two years.

For article please see:

<http://www.communitycare.co.uk/Articles/2007/06/08/104753/yarls-wood-women-call-on-gordon-brown-to-let-them-stay-in.html>

For letter please see:

<http://www.frankslist.info/amnestyappeal.pdf>

#### Breastfeeding Mother Separated From Children

Another case of a breastfeeding woman asylum seeker who was separated from her children has been reported. Ms Maseko was forcibly evicted from her council accommodation after her asylum application was rejected. She was found homeless and diagnosed with depression



when taken to Yarls Wood detention centre. Her children, a four-week-old son and one-year-old daughter were immediately placed into foster care. To add to the emotional trauma, she was not allowed access to a breast pump to ease the pain and to continue lactating. After intense campaigning and lobbying, Ms Maseko is now reunited with her children. This case highlights how forcible separations still occur despite government promises to end this practice that contravenes UN conventions.

For further information please see two articles below:

<http://www.guardian.co.uk/immigration/story/0,,2085613,00.html>

<http://www.nursing-standard.co.uk/thisweek/news6.asp>

### **Asylum Seekers Handcuffed Across Irish Sea**

The BBC highlights that asylum seekers being transferred from Belfast police cells to Scotland are being handcuffed on the ferry across the Irish Sea. The article is based on findings from a Government report by Anne Owers, Chief Inspector of Prisons exploring the Strathaven asylum centre and transport to it. The BBC mentions that a woman asylum seeker who was five months pregnant was handcuffed during her journey.

For full article please see: [http://newsvote.bbc.co.uk/1/hi/northern\\_ireland/6660085.stm](http://newsvote.bbc.co.uk/1/hi/northern_ireland/6660085.stm)

### **The Trauma of Dawn Raids**

Evidence has been presented to a 'national citizens enquiry' into the impact and trauma dawn raids cause asylum seekers. The Independent Asylum Commission held a

public meeting on the 5<sup>th</sup> June in Glasgow. The inquiry heard testimonies from asylum seekers including a Ugandan woman who described her experiences of a dawn raid in Glasgow. She told how she was woken and made to dress in front of the immigration officers. With her children, she was placed in a cage in a police van and driven to Yarls Wood detention centre in Bedfordshire where her feelings of being treated like a criminal continued. After being released from Yarls Wood, the woman then experienced a second dawn raid. For full article please see: <http://www.ekklesia.co.uk/node/5344>

Further public hearing will be held in:

- Leeds: Asylum Appeals, September 20<sup>th</sup> 2007
- Manchester: Asylum Support and Destitution, October 17<sup>th</sup> 2007
- London: National Hearing, November 29<sup>th</sup> 2007

Please see link below for further information:

<http://www.independentasylumcommission.org.uk/>

## UK conferences and courses

### **Tackling Trafficking of Women and Children**

This one day Capita Conference will discuss up to date information on the trafficking of women and children within the context of the Trafficking Action Plan. For further information and registration details please contact:

[kelly.connolly@capita.co.uk](mailto:kelly.connolly@capita.co.uk)

020 7808 2570. Local Government price: £399+VAT

### For Refugees

#### Training Programme for Refugee Women Nurses & Midwives

25th June 2007; 10:30 - 2:30 Leroy House, 436 Essex Road, London, N1 3OP The Training Programme will include workshops on: Understanding the NHS, Meeting NHS Professionals, Communication Skills, Support in registering with NMC, Confidence Building, CV Writing, Interview Skills. You can join the programme if you have: refugee status or ELR/ ILR/HP; qualified as a nurse or midwife overseas; and wish to work as a nurse or midwife. Expenses paid: Travel expenses paid; Contribution towards childcare (limited places) To book a please call RWA on 020 7923 2412 or [rwa@refugeewomen.org.uk](mailto:rwa@refugeewomen.org.uk)

#### Get Started Business Training Programme for Refugees

The Prince's Trust Get Started Business Training Programme for Refugees starts on the 26<sup>th</sup> June – 12<sup>th</sup> July near Liverpool Street in London. The three-week programme is for young unemployed refugees (18-30) who are interested in starting their own business.

The course is intended as an introduction to being self-employed and covers business topics including: Marketing, Budgeting, Accounting, Finances, Legal Issues, Branding, Business Planning, Market Research, Product Design and Production, as well as Sales and Business Registration. On completion of the course participants may choose to access the Prince's Trust Business Programme, receive a start-up business loan and

business mentoring for up to three years. Alternatively Prince's Trust staff will be available to work with participants, supporting them into employment, education or training. The course is free and participant travel expenses and refreshments will be provided. For further course information and registration please phone Paul on 020-7382-5171 or e-mail: [paul.casserly@princes-trust.org.uk](mailto:paul.casserly@princes-trust.org.uk)

### International News Articles

#### Iraq: Honour Killings on the Increase

Many international news and human rights agencies have reported on the honour killing of 17 year old Du'a Aswad in Iraq. She was stoned to death near Mosul in front of hundreds of people. Du'a Aswad was in a relationship with a man from a different pagan Yazidi faith and deemed to have bought 'shame' on the family. The attack was recorded and posted on the internet and was also posted to local women as a warning. International human rights agency MADRE, argue that honour killings, violent attacks and rape have increased in Iraq since the international occupation. They state that in October 2004 the Ministry of Women's Affairs in Iraq claim that of 400 rapes reported since international occupation, over half of the women have subsequently been murdered for bringing 'shame' to their family.

For further information please see:

<http://www.madre.org/articles/me/duamurder.html>

### Related news

#### Iraq: Woman Journalist Murdered

Sahar Hussein al-Haideri, a female journalist who reported on the honour

killing of Du'a Aswad and other issues, was murdered on the 7<sup>th</sup> June 2007 in Mosul. This comes a few days after Zakia Zaki, a Afghan journalist and Sanga Amach, a television news presenter, were murdered in Kabul. These incidents highlight the risks many women face for participating in the media industry. Sanga Amach's death is a suspected honour killing.

For further information and a range of articles by Sahar Hussein al-Haideri please see:

[http://www.iwpr.net/?p=icr&s=f&o=336147&apc\\_state=henh](http://www.iwpr.net/?p=icr&s=f&o=336147&apc_state=henh)

Also see following article regarding Zakia Zaki and Sanga Amach:

<http://www.guardian.co.uk/afghanistan/story/0,2096815,00.html>

### **Iraq: Deteriorating Women's Rights**

IRIN report on the increased discrimination of women in Iraq. The article highlights how many women are being sacked and refused employment based solely on their gender. Recently two women teachers were killed for teaching other women, and other teachers are receiving similar threats. In addition, amid sectarian violence and tensions, many women are being forced to divorce partners from a different sect and marry within their own sect.

For full article please see:

<http://www.irinnews.org/Report.aspx?ReportId=72451>

### **Other international news**

#### **Egypt: Police Attitudes Deter the Reporting of Rape and Sexual Assault**

Women's News state that women reporting incidents of sexual assault in Cairo, Egypt

will experience negative police attitudes. The article quotes research on women's experience of sexual harassment from the Centre for Women's Rights in Cairo. The research reveals that only 1.7% of 2,800 women reported sexual harassment to the police yet, 40% of professional women experienced harassment 'regularly'. In October 2006 the sexual assault of a group of women during the Eid festival hit international headlines but no police report was filed and the government denies the incident. The article also mentions the 'systematic torture' of women in the judiciary process and includes a testimony of a woman whose relative was suspected of murder.

For full article please see:

<http://www.womensenews.org/article.cfm/dyn/aid/3188>

#### **Nepal: Torture and Rape of Woman by Police**

Asian Human Rights Commission highlight a recent case where a woman was brutally tortured and raped by the police. The article states that on the 17<sup>th</sup> May, Kalpana Bhandari was arrested and repeatedly beaten, raped, urinated on and threatened. Unconscious and bleeding, Kalpana Bhandari was taken to a maternity hospital in Kathmandu for her injuries inflicted by the police. Although she needed an x-ray on her uterus no further medical attention was granted. After being transferred to different police departments, Kalpana was released on the 25<sup>th</sup> May 2007 and plans to submit a Torture Compensation Case. The government have taken no measures to date, to investigate or prosecute the people responsible.

For further details please see:

<http://www.ahrchk.net/ua/mainfile.php/2006/2414/>

### **DR Congo and Burundi: Sexual Violence**

The UN High Commissioner for Human Rights, Louise Arbour reports of appalling sexual violence in the Great Lakes regions, especially DR Congo and Burundi. She states that "Gender-based violence is not just an affront to dignity; it is a form of torture and absolute brutal physical and mental assault on the victims." After a recent visit to the region, Louise Arbour calls for greater measures to locate and bring perpetrators to justice.

For full article please see:

<http://www.un.org/apps/news/story.asp?NewsID=22757&Cr=great&Cr1=lakes>

### **Related news**

#### **Central African Republic: Investigations into Widespread Rape 2002-2003**

The UN reports that the International Criminal Courts have agreed to investigate alleged crimes in the Central African Republic especially widespread rape between 2002-2003. Prosecutor Mr Moreno-Ocampo states "the information we have now suggests that the rape of civilians was committed in numbers that cannot be ignored under international law."

For full article please see:

<http://www.un.org/apps/news/story.asp?NewsID=22629&Cr=Central&Cr1=African>

### **Other international news**

#### **Sierra Leone: FGM excluded from Child Right Bill**

The Parliament in Sierra Leone recently passed a Child Rights Bill that prohibits child marriage. Although this is positive

and welcomed, the Bill attracted controversy as it dropped the specific clause on female genital mutilation (FGM). Up to 90% of girls in Sierra Leone have experienced FGM. It is reported that the press and public were excluded from the parliamentary debate specifically on FGM where it was agreed to remove it from the Bill. This follows a 2006 case whereby a female asylum seeker was granted asylum in the UK on the grounds she feared FGM. The Sierra Leone government condemned the decision.

For full article please see:

<http://news.bbc.co.uk/1/hi/world/africa/6734273.stm>

#### **Uganda: Women Beggars Forced Out Of Kampala**

The Ugandan government is removing many women beggars from the capital Kampala, and returning them to the troubled northeastern region of Karamoja. This is part of a drive to resettle pastoralists but many agencies fear the return programme is not adequate and women will migrate again. The Karamoja region remains the poorest in the country, with gun violence, cattle stealing and food insecurity remaining prevalent. 90% of the population are partially dependant on food aid.

For further information please see:

<http://www.irinnews.org/Report.aspx?ReportId=71702>

#### **America: Victim of Forced Abortion Granted Asylum in the US.**

A woman who was forced to abort a pregnancy has been granted asylum in the US. This may impact on other similar cases where women may experience forced abortions by their government. The



ruling follows the case of Zi Zhi Tang whose wife was ordered to abort her pregnancy by Chinese officials because they were not married. The federal appeal court ruling stated that victims of forced abortions and their spouses should be granted the same protection as women who have experienced forced sterilisation.

For full article please see:

[http://www.mercurynews.com/news/ci\\_6075767?nclick\\_check=1](http://www.mercurynews.com/news/ci_6075767?nclick_check=1)

### **America: Anti Trafficking Law in New York State**

New York State has introduced a new Human Trafficking law. This legislation makes sex trafficking a Class B felony, punishable by up to 25 years in prison and labour trafficking a Class D felony, with a 3-7 year sentence. The Human Trafficking law also agrees to provide emotional and practical support to help people who have been trafficked. The State Department believe 14,500-17,500 people are trafficked into America per year for labour or sex purposes. This Bill provides New York with one of the toughest stances on human trafficking in the country.

Please see the following two articles for further information

<http://www.humantrafficking.org/updates/649>

[http://www.equalitynow.org/english/pressroom/press\\_releases/nysatc\\_20070606\\_en.html](http://www.equalitynow.org/english/pressroom/press_releases/nysatc_20070606_en.html)

### **Related news**

#### **US and UK Agreement on Trafficking**

The UK government and US have signed a Memorandum of Understanding to help combat human trafficking. The agreement

will improve the sharing of information and intelligence.

For full press release please see:

<http://www.ukhtc.org/includes/Press%20Release%20June%2006.pdf>

### **Malaysia: New Laws on Trafficking**

The Inter Press Service report that Malaysia is about to introduce new laws aimed at targeting traffickers and protecting trafficked victims. This legislation is welcomed by international NGOs who have been lobbying for changes to the previously harsh legislation. Before, trafficked women were assigned to the immigration agency, dispersed to detention centres, charged with illegal entry and illegally working and then removed to their home countries. The new Anti Trafficking Persons Bill 2007 aims to prosecute traffickers with heavy sentences of up to 20 years. In addition, provisions are being made for trafficked women with the introduction of shelter and support for up to two years and immunity from prosecution. A public campaign to raise awareness of the issues is also being launched.

For full article please see:

<http://www.ipsnews.net/news.asp?idnews=37551>

### **International Conferences and Workshops**

#### **International Women's Summit: Women's Leadership Making A Difference on HIV/AIDS**

**4 - 7<sup>th</sup> July 2007, Nairobi, Kenya**

The World YWCA, International Community of Women living with HIV/AIDS

(ICW) and other international partners are convening for an international conference. This includes a series of workshops and plenary discussion from leading experts, activists, policy makers and community workers on women's leadership in the field of HIV/AIDS.

For further information and registration details please see:

[http://www.worldywca.info/index.php/ywca/world\\_council\\_07/iws\\_women\\_s\\_summit](http://www.worldywca.info/index.php/ywca/world_council_07/iws_women_s_summit)

### **HIV and Gender Norms: Alcohol and Gender Based Violence: A Strategic Communication Perspective**

**5 - 9<sup>th</sup> August, Addis Ababa, Ethiopia**

A Workshop for people managing and implementing HIV/AIDS programmes in Africa. This workshop aims to analyse underlying social factors that influence prevention, care and treatment practices, such as gender norms, gender-based violence and alcohol and drug abuse. It will also address communication approaches to address these issues

For further information please email: [infodesk@africomnet.org](mailto:infodesk@africomnet.org) **Registration by 30<sup>th</sup> June 2007**

For registration form please see:

<http://www.africomnet.org/events/africomnetRefPracticum.doc>

### **New Publications - UK**

**'A Journey of a Thousand Miles Begins with a Single Step'** has been launched as a practical guide to help survivors of forced marriage. This is part of a government initiative to help people in abusive and forced relationships and coincides with a two-year government strategy on forced

marriage. A support network is also being established in partnership with Karma Nirvana, a NGO focusing on forced marriage.

You can download the handbook at:

<http://www.fco.gov.uk/Files/kfile/Survivors%20Handbook.pdf>

Also see this link for The Forced Marriage Unit's two-year strategy, consultation response summary and information for professionals and victims:

<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1148475632096>

The Immigration Law Practitioners Associations (ILPA) Report **'When is a Child not a Child?'** written by Heaven Crawley has been published. This report analyses the misconceptions and process surrounding the disputed age of young asylum seekers. Drawing on a range of evidence from children and professionals, the research explores both policy and practical implications within the current political context and the New Asylum Model. Many of the disputed age case studies included in the report are girls. The report also lists key recommendations that are useful for people researching and working in this area. For full report please see: <http://www.ilpa.org.uk/>

ICAR has produced a series of briefing papers for the Independent Asylum Commission to explain the Asylum Process. Papers include:

#### **Asylum determination process**

[http://www.icar.org.uk/bob\\_html/04\\_iac\\_briefings/The\\_operation\\_of\\_the\\_asylum\\_determination\\_process\\_June\\_2007.pdf](http://www.icar.org.uk/bob_html/04_iac_briefings/The_operation_of_the_asylum_determination_process_June_2007.pdf)

### Detention of asylum seekers

[http://www.icar.org.uk/bob\\_html/04\\_iac\\_briefings/Detention\\_of\\_asylum\\_seekers\\_in\\_the\\_UK\\_June\\_2007.pdf](http://www.icar.org.uk/bob_html/04_iac_briefings/Detention_of_asylum_seekers_in_the_UK_June_2007.pdf)

### Vulnerable groups

[http://www.icar.org.uk/bob\\_html/04\\_iac\\_briefings/Vulnerable\\_groups\\_in\\_the\\_asylum\\_determination\\_process\\_June\\_2007.pdf](http://www.icar.org.uk/bob_html/04_iac_briefings/Vulnerable_groups_in_the_asylum_determination_process_June_2007.pdf)

### Removals

[http://www.icar.org.uk/bob\\_html/04\\_iac\\_briefings/Removals\\_June\\_2007.pdf](http://www.icar.org.uk/bob_html/04_iac_briefings/Removals_June_2007.pdf)

## New Publications - International

The International Organisation for Migration has recently published a **'Handbook on Direct Assistance for Victims of Trafficking'**. The report provides an overview of the assessment procedure, screening processes, referral and reintegration assistance and shelter advice. This document is specifically for service delivery organisations and professionals in the sector.

For full report please see:

[http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published\\_docs/books/CT%20handbook.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/CT%20handbook.pdf)

Amnesty International's **'The State of The Worlds Human Rights 2007'** report is now available. The document records country specific human rights issues, incidence of torture, ill treatment and abuses. A section on violence against women is included for most countries as well as some country updates on trafficking.

For full report please see:

<http://report2007.amnesty.org/eng/Homepage>

UNICEF has published the **'Humanitarian Action Report 2007'** that focuses on the role of women and children in 33 global emergencies. The report explores gender-based issues such as the dual role as carers and providers and incidence of violence and discrimination. The research lists key achievements during 2006 and actions for 2007.

For full report please see:  
[http://www.unicef.org/har07/files/HAR\\_FULLREPORT2006.pdf](http://www.unicef.org/har07/files/HAR_FULLREPORT2006.pdf)

The Cambodian League for the Promotion and Defence of Human Rights has recently published **'Violence Against Women In Cambodia 2006.'** The report charts statistics and case studies of rape, domestic violence, trafficking and sexual exploitation. The research explores the specific trauma suffered by women, cultural and social attitudes and government policy. For full report please see:

<http://www.licadho.org/reports/files/105LICADHOReportViolenceWoman2006.pdf>

## Online Resources

ICAR has launched an on-line research resource, *'Researching Asylum in London'* (RAL). This database is targeted specifically at policy makers and service providers and charts a range of research. Please see link below for more information:

<http://www.researchasylum.org.uk/>

In addition, the ICAR website includes a useful navigation guide on women's asylum seeker and refugee issues (no 5). This was updated in May 2006 and may be useful for anyone doing research in this subject area. Please see:

<http://www.icar.org.uk/?lid=6283>

### Noticeboard: events

**The Newham Asian Women's Project** is celebrating 20 years of opposing violence against women and children. They are holding a benefit event on the 24<sup>th</sup> June at the Theatre Royal, Stratford East, London. The event will consist of a range of speakers and performers to celebrate the achievements of women. Guests include Meera Syal, Jo Brand, Asian Dub Foundation. For further information please contact: [info@nawp.org](mailto:info@nawp.org)

### Refugee Week Celebrations

A range of events across the UK are being organised to celebrate refugee week.

Highlights include: **Mini Film Festivals; Asylum Monologues; Refugees into teaching; Refugee awareness days; Celebration days; Football tournaments etc.**

Please see link below for further details and full list of events from 17<sup>th</sup> June – 8<sup>th</sup> July:

<http://www.refugeeweek.org.uk/Events/Events+Calendar.htm>

### New Interactive Forum

#### Asylum Aid Launch: Asylum Rights Watch

Asylum Aid has launched a new facility on its website, called Asylum Rights Watch, which will make it easier for people to share their experiences of the UK's asylum system with us. We know that there are many people in the UK who come across examples of the unfair treatment given to asylum seekers, but who do not have

opportunities to publicise these examples to the public or policymakers themselves. Asylum Aid has therefore created the Asylum Rights Watch survey so that they can share these examples with us. We will use the data collected through this facility as part of our lobbying, research and campaigns work.

The Asylum Rights Watch survey can be easily accessed from a link on the homepage of the Asylum Aid website ([www.asylumaid.org.uk](http://www.asylumaid.org.uk)). Once the survey is opened you will be asked to answer a short survey and write a testimony of your experiences of the UK asylum system. Visitors can make as many submissions as they wish and do not have to provide their personal details if they do not want to.

We welcome comments from any organisations and individuals who have contact with asylum seekers; for example, refugee community organisations, legal representatives or primary health care trusts. We would also like to hear from people currently seeking asylum, or those who have already been through the asylum application process. It does not matter whether you are young or old, male or female, please visit the Asylum Rights Watch webpage and share your experiences and thoughts with us. Submissions made via the Asylum Rights Watch page will not be on public display to other website visitors.

All comments received will be analysed and reported on frequently. All submissions sent before the end of September will be considered for a dossier of all the evidence, which will be launched in October 2007.

If you would like any further information or would like to help us publicise this forum please contact [jamesd@asylumaid.org.uk](mailto:jamesd@asylumaid.org.uk).



## 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. We rely on the generosity of individuals to help us continue our work. Your support would be greatly appreciated.**

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

Name \_\_\_\_\_

Address \_\_\_\_\_

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I wish to make a gift of £ \_\_\_\_\_

### Asylum Aid - STANDING ORDER FORM

To: The Manager, \_\_\_\_\_ Bank, \_\_\_\_\_  
(Address of Bank) \_\_\_\_\_

Please pay **ASYLUM AID** the sum of £ \_\_\_\_\_ each  
month/quarter/year (delete as appropriate) until further notice

and debit my account no. \_\_\_\_\_

sort code: \_\_\_\_\_ starting on (date) \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

### Gift Aid Declaration

#### Asylum Aid Registered Charity no. 328729

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

Name \_\_\_\_\_

Address \_\_\_\_\_

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

Signature \_\_\_\_\_ Date \_\_\_\_\_

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

**To support Asylum Aid's work, please complete and return this form to:  
Asylum Aid, Club Union House, 253-254 Upper Street, London, N1 1RY**