

# women's asylum news

refugee women's resource project @ asylumaid

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## also in this issue

Other UK news including  
HO revises APIs including on gender issues  
p. 5

International news from Spain, Zimbabwe,  
Haiti, Kyrgystan, etc.  
p. 13

International actions & events  
p. 16

RWRP news: launch of new forum  
p. 9

UK projects & events  
p. 10

New publications international & UK  
from p. 17

Online resources international & UK  
p. 19

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Please send any information that you would like to see published in our next edition by 28 November 2006 at [wan@asylumaid.org.uk](mailto:wan@asylumaid.org.uk) (see postal address on back cover).

## UK: House of Lords grants asylum to FGM case

RWRP welcomes the House of Lords' decision on Fornah, the case of a young woman from Sierra Leone who had fled female genital mutilation (FGM), but was refused refugee status under the Refugee Convention because it was found that her well-founded fear of persecution (otherwise recognised) was not for one of the five Convention reasons.<sup>1</sup> The Secretary of State held that Fornah would not be persecuted for reason of '*her membership of a particular social group*' as claimed by the appellant.<sup>2</sup>

However, he conceded that if the woman were forcibly returned to her country of origin, she would be subjected to inhumane and degrading treatment (a breach of article 3 of the European Convention on Human Rights to which the UK is a signatory). She had therefore been granted humanitarian protection in the UK after her leave to remain expired on her 18<sup>th</sup> birthday.<sup>3</sup> This meant however that she was not entitled to full Refugee Convention rights.

On appeal of the Refugee Convention point, the Adjudicator found that her fear was for a Convention reason i.e. because of her membership of a particular social group, that of young, single Sierra Leonean women, who are clearly at considerable risk of enforced

<sup>1</sup> The House of Lords published at the same time opinions in the case of K and Fornah as they both relate to the definition of '*membership of a particular social group*'. In this feature, we only refer to the decision on Fornah.

<sup>2</sup> Fornah v SSHD [2005] EWCA Civ 680 (09 June 2005).

<sup>3</sup> For more details on this case, see WAN issue no. 52, july/august 2005, front page.

FGM.<sup>4</sup> On appeal to the Immigration Appeal Tribunal the decision was reversed. The Tribunal was not satisfied that the social group identified by the Adjudicator could properly be regarded as a particular social group within the meaning of the Refugee Convention. The Court of Appeal agreed with this view. This matter proceeded to the House of Lords.

### Fornah and MPSG

The House of Lords panel of five judges led by Lord Bingham of Cornhill, set to look at the meaning of 'a particular social group' (PSG) only and whether the appellant was a member of a PSG.

In their opinion, the judges referred to a number of authorities in relation to MPSG, including domestic (*R v Immigration Appeal Tribunal, Ex p Shah and Islam* [1999] 2 AC 629) and international decisions (such as *re Acosta*) and an analytical review of approaches adopted worldwide by T A Aleinikoff entitled '*Protected characteristics and social perceptions: an analysis of the meaning of "membership of a particular social group"*';<sup>5</sup> they also referred to the relevant definitions provided by UNHCR and the European Union Council Directive 2004/83/EC (29 April 2004) which came into force in the UK on 10 October 2006.

The House of Lords stated that FGM has been widely recognised as persecution for a Convention reason in decisions across the world but also in the UK (par. 27, par. 108) and questioned why the case had to reach that level of appeal in the UK in the first place.

However, looking at Fornah in particular, the judges are unanimous in recognising that either '*all women in Sierra Leone*' (par. 31), or '*intact or uninitiated women and girls who are in tribes in SL which practice FGM*' (par. 71,

72), i.e. women who have not undergone FGM, constitute a particular social group of which Fornah is a member, because, as women, they are discriminated against in Sierra Leonean society. Relying on what he describes as '*undisputed evidence*', Lord Bingham of Cornhill, proposed a wider definition of the social group:

*'par. 31. ...I think it clear that women in Sierra Leone are a group of persons sharing a common characteristic, which, without a fundamental change in social mores is unchangeable, namely a position of social inferiority as compared with men. They are perceived by society as inferior. That is true of all women, those who accept or willingly embrace their inferior position and those who do not. To define the group in this way is not to define it by reference to the persecution complained of: it is a characteristic which would exist even if FGM were not practised, although FGM is an extreme and very cruel expression of male dominance.'*

Some judges preferred the narrower definition of PSG that excluded women who had already undergone FGM (see for instance par. 56, 114, 119) but even then, they clearly stated that they were not in disagreement with the wider definition of the group as '*all women in Sierra Leone*'.

The House of Lords is therefore unanimous in holding that:

1. The characteristics of the group are the fact that members of this group are female and as such are '*perceived by society as inferior*' (par. 31) or discriminated against and targeted for FGM ('*The harm is 'gender-specific'... in other words, "but for" being a woman, the persons concerned could not be selected as victims of the practice*', par. 74) and if in favour of the narrower definition,

2. That they belong to certain tribes, which practice FGM.

<sup>4</sup> Paragraph 9 of the House of Lords Decision- Lord Bingham's summary

<sup>5</sup> Published by UNHCR, eds Feller, Türk and Nicholson, as part of its *Global Consultations on International Protection*,

These, they say, constitute immutable characteristics that exist independently of FGM and fulfil the requirements of the definition of MPSG under the Refugee Convention and in particular as defined in paragraph 11 of the UNHCR *Guidelines on Membership of a Particular Social Group* (7 May 2002),<sup>6</sup> which is quoted by Baroness Hale (par. 100). The Lords stressed that it is because of their characteristics and of the discriminatory position of women in a society where '*patriarchy is deeply entrenched*' (par. 54) that uninitiated or intact women are forced to undergo FGM:

*'FGM may ensure a young woman's acceptance in Sierra Leonean society, but she is accepted on the basis of institutionalised inferiority. ... FGM is an extreme expression of the discrimination to which all women in Sierra Leone are subject, as much those who have already undergone the process as those who have not.'* (par. 31, see also par. 79).

The House of Lords further adds that women in Sierra Leone who oppose FGM have no means to seek protection from the State authorities or legal redress against the practice (par. 54, p. 69).

### **Circulatory argument rejected**

Thus the House of Lords categorically rejects the Court of Appeal's circulatory argument according to which the group to which Fornah contended to belong ('*young Sierra Leonean women who [had] not undergone female genital mutilation*') is defined by the persecutory act (par. 78); and that that social

<sup>6</sup> The Guidelines define MPSG as follows: '*A particular social group is a group of persons who share a common characteristic other than their risk of being persecuted, or who are perceived as a group by society. The characteristic will often be one which is innate, unchangeable, or which is otherwise fundamental to identity, conscience or the exercise of one's human rights. Par. 12. It follows that sex can properly be within the ambit of the social group category, with women being a clear example of a social subset defined by innate and immutable characteristics, and who are frequently treated differently to men.'*

group did not have immutable characteristics because women who submit to FGM are not at further risk and that the practice is '*accepted and/or regarded as traditional and part of one's cultural life*', and thus cannot be considered discriminatory. The House of Lords held that it cannot be argued that because FGM is a one-off act, it does not constitute persecution for a Convention reason. First the reasoning is fallacious because it defines the group on the basis of the risk of persecution; but even if the group is defined by the fact that women are '*intact*', it remains that it is the characteristics of the group, gender, ethnicity and intactness, which make them subject to that particular form of persecution, not the persecution that leads to these characteristics (par. 113).

Also contrary to the Court of Appeal's decision, it held that the fact that the practice is widely accepted or widespread is of no relevance, nor is the fact that the practice is being performed or accepted by other women (par. 31, 57-58, 81, 109, 110). Furthermore, the House of Lords held that it is wrong to reject the group definition that includes all women in Sierra Leone because not all its members are at risk, pointing to the fact that some members may be under social pressure to submit to a particular form of persecution, like FGM, or may escape persecution for various reasons as already recognised in *Shah and Islam* (par. 55-56). Lord Rodger of Earlsferry holds:

*'(par. 75) While it is not necessary that all members of the social group in question are persecuted before one can say that people are persecuted for reasons of their membership of the group, it is necessary that all members of the group should be susceptible to the persecution in question.'*

The House of Lords also holds that, whilst the persecution cannot solely define a particular social group, some persecution like FGM can be a factor in identifying a PSG, and that this is not inconsistent with the Convention and current legal interpretations: '(par. 120)

*Assume that albinos were openly persecuted simply because of their appearance. Could it really be said that they were outside the protection of the Convention? Plainly not.'*

(par. 79) In particular reference to the case of Fornah, the House of Lords stated that *'actions of those who persecute these women by mutilating them certainly serve to reinforce the identity of the particular social group of intact and uninitiated women.'*

Crucially the House of Lords holds that they accepted the definition of a particular social group as contained in paragraph 11 of the UNHCR 2002 Guidelines and that they expected any Regulations brought into force under the EU Council Directive 2004/83/EC to be interpreted consistently with this definition (par. 118).

### **Gender persecution – a human rights issues recognised by international law**

RWRP welcomes the fact that Baroness Hale took the opportunity to highlight issues to do with gender-related or gender specific persecution in general. In particular she points to the fact that the Refugee Convention is one of very few international human rights law instruments, which does not list sex amongst the reasons for persecution or discrimination. Importantly, she stresses that gender persecution should raise rights to international protection not only under the Refugee Convention but also other international instruments (par. 86):

*'States parties to the Refugee Convention, at least if they are also parties to the International Covenant on Civil and Political Rights and to the Convention on the Elimination of All Forms of Discrimination against Women, are obliged to interpret and apply the Refugee Convention compatibly with the commitment to gender equality in those two instruments.'*

She thus proceeds to explain how FGM constitutes a human rights issue within not

only the meaning of article 3 of the ECHR but also article 1 or 16 of the of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, article 7 of the International Covenant on Civil and Political Rights, and article 37(a) of the Convention on the Rights of the Child.

Lastly Fornah had already been granted humanitarian protection for three years in 2005. But RWRP is also particularly pleased that the House of Lords stressed the practical implications in terms of fighting for the recognition of refugee status as this leads to more substantial rights (such as right to work, welfare, naturalisation, travel documents, etc.); benefits which, in the words of the House of Lords, are *'well worth arguing for'* (par. 35) and more importantly, a status which will be recognised by Contracting States of the Geneva Convention. Finally and as concluded by Lord Brown of Eaton-under-Heywood in paragraph 121 of his judgment:

*'It must be remembered that by no means all states party to the Convention are party too to the ECHR. Article 3 of ECHR will not, therefore always preclude states from returning home others in like situations to these appellants. It would be most unfortunate if the jurisprudence of the UK were available to support a narrow view of the Convention's protective reach.'*

RWRP interprets the Fornah decision as an encouragement for all cases, but in particular, gender-related persecution cases, to endeavour to attain the highest form of protection in the UK.

A full copy of the House of Lords' opinion on Fornah can be found at:

[www.publications.parliament.uk/pa/ld200506/ldjudgmt/jd061018/sshd-1.htm](http://www.publications.parliament.uk/pa/ld200506/ldjudgmt/jd061018/sshd-1.htm)

WAN will publish an article on the House of Lords' opinion on K, published at the same time, in a subsequent edition.

## HO revises asylum policy instructions including on gender issues

The Home Office (HO) has revised a number of Asylum Policy Instructions (APIs) including the APIs on interviewing, handling claims, Section 31 and gender issues, in order to ensure consistencies with the Gender Equality Duty. In relation to the latter, RWRP was invited to meet the HO Policy Advisor responsible for gender in the summer. This followed our research and campaign on the HO Gender Guidance (*'Lip service' or Implementation?*)<sup>7</sup> to discuss our suggestions about the content of the then API on gender issues.

Some of the changes in the revised API on gender issues are related to the *European Council Directive (2004/83/EC) of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection*. The *'Qualification Directive'* (as it is also known) has been transposed into UK law through the Refugee or Person in need of International Protection (Qualification) Regulations 2006 as well as changes to the immigration rules.<sup>8</sup> It applies to all asylum and human rights claims since 9 October 2006.

In terms of gender and persecution for instance, the API quotes Section 5 (1) of the Qualification Regulations:

*'In deciding whether a person qualifies as a refugee an act of persecution must be:*  
*(a) sufficiently serious by its nature or repetition as to constitute a severe violation of a basic human right, in particular a right from*

*which derogation cannot be made under Article 15 (2) of the ECHR; or*  
*(b) an accumulation of various measures, including a violation of a human right which is sufficiently severe as to affect an individual in a similar manner as mentioned in (a).*

The API also quotes Section 5(2) of the Regulations which gives examples of persecutory acts:

- *'an act of physical or mental violence, including an act of sexual violence;*
- *a legal, administrative, police, and/or judicial measure which in itself is discriminatory or which is implemented in a discriminatory manner;*
- *prosecution or punishment, which is disproportionate or discriminatory;*
- *denial of judicial redress resulting in a disproportionate or discriminatory punishment;*
- *prosecution or punishment for refusal to perform military service in a conflict, where performing military service would include crimes or acts falling under the exclusions in Regulation 7.'*

It adds that the list is not exhaustive and that *'acts of a gender specific-nature, other than sexual violence, may also constitute persecution.'* Also the API's section on the failure of state protection<sup>9</sup> starts with the recognition in the *Qualification Directive* (thus also the UK *Qualification Regulations*) that persecution can be perpetrated by both state and non-state agents. Prior to the EU *Qualification Directive*, this was not recognised in all European States.

Likewise the definition of what constitutes a particular social group refers directly to the position adopted in the UK Courts and in particular the House of Lords in *Shah and Islam*. Undoubtedly it will also now be informed by the recent publication of the House of Lords' determination on *K and Fornah* (see our front page article).

<sup>7</sup> See [www.asylumaid.org.uk](http://www.asylumaid.org.uk).

<sup>8</sup> Statutory Instrument 2006 No. 2525.

<sup>9</sup> API on gender issues, as per October 2006, Section 5, p. 4.

Whilst not as exhaustive as suggested in our recommendations to the Home Office in our report *'Lip Service' or implementation?* (March 2006), RWRP welcomes a number of clarifications in terms of wording but mostly in the form of examples that were added to the revised API. They include the following (text underlined):

*'The fact that violence against women is common, widespread and culturally accepted in a particular society is not relevant in assessing whether the gender-specific harm amounts to persecution. Each case should be considered on its own merits against country information and not disregarded because such treatment is common and widespread.'*<sup>10</sup>

In terms of failure of state protection, the revised API provides an example of theoretical protection not being available in practice: *'For example the state may make an act that can amount to persecution, such as FGM, illegal, but continue to condone or tolerate the practice or be unable to put an effective end to the custom because of its widespread cultural acceptance.'*<sup>11</sup>

An example was also included to illustrate gender-related persecution for reason of religion when particular roles or behavioural codes are imposed on women: *'For example a woman who does not adhere to certain dress codes, such as wearing a veil, may be subject to discrimination and harassment amounting to persecution.'*<sup>12</sup>

RWRP also welcomes a section in the revised API on trafficking (which however only refers to women) and in particular the following paragraphs:

*'Trafficking for sexual exploitation involves the movement of a woman into a situation of exploitation using deception and/or coercion.'*

*Decision-makers should be mindful not to confuse trafficking with illegal migration or human smuggling, although many victims of trafficking may have been smuggled illegally.'*

*...Forced recruitment of women for the purposes of forced prostitution or sexual exploitation is a form of gender-related violence and/or abuse and may amount to persecution. In addition, trafficked women may face serious repercussions upon their return to their home country, such as reprisals or retaliation from trafficking rings or individuals, or discrimination from their community and families. Each case should be considered on its individual merits and in the context of the country on which it is based.'*<sup>13</sup>

On credibility, the revised API includes the paragraph on the need for decision-makers to be sensitive to the fact that an applicant's demeanour may be affected by her gender, cultural norms, and/or trauma (previously in *'Objectivity'* section). In addition, it stresses: *'Demeanour alone is an unreliable guide to credibility.'*<sup>14</sup>

Lastly on *'Credibility'*, the API on gender issues recognises that the absence of information on certain forms of violence – a key obstacle to the recognition of abuses against women – does not necessarily suggest that human rights violations are not being perpetrated: *'For instance, systematic abuse of a certain group would usually be documented, but isolated acts of ill treatment perpetrated by one person on another would not.'*<sup>15</sup>

For a full list of APIs, see online:

<http://ind.homeoffice.gov.uk/aboutus/newsarchive/revisedapis>.

<sup>10</sup> Ibid., Section 3, p. 4, our emphasis.

<sup>11</sup> Ibid., Section 5, p. 6.

<sup>12</sup> Ibid., Section 7 (ii), p. 8.

<sup>13</sup> Ibid., Section 8, p. 11.

<sup>14</sup> Ibid., Section 10, p. 13.

<sup>15</sup> Ibid., Section 11, p. 13.

### related news

European Council on Refugees and Exile (ECRE) Gives its verdict on the Asylum Procedures Directive Information Note on the Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status. Member States must transpose this Directive into national legislation by 1 December 2007. [www.ecre.org/statements/Infnotprocdir.pdf](http://www.ecre.org/statements/Infnotprocdir.pdf)

### Health provision in women's detention centre severely criticised

A report by HM Chief Inspector of Prisons (HMIP), Anne Owers, on Yarl's Wood removal centre reveals that the provision of healthcare in the immigration facility is seriously failing detainees. Major concerns were raised in particular for people with mental health issues or those who were being detained for longer periods. Inadequate staff training was identified as one of the major concerns. The review into Yarl's Wood health provision was triggered by the care of two specific detainees who went on hunger strike to protest against their detention. According to Black Women's Rape Action Project the women were two of over 300 rape survivors detained in Yarl's Wood who have contacted them since June 2005.

The report echoes concerns already raised by previous HMIP reports, the medical profession and non-governmental organisations. In 2004, RWRP at Asylum Aid and Bail for Immigration Detainees (BID) published a report on women's experiences of immigration detention in the UK, *'They took me away'*, which found a lack of systematic and specialist provision for women, including pregnant women, and a lack of specific mental health care provision, especially for women who had experienced trauma.

The HMIP's report published on 4 October, which includes 48 recommendations, severely

criticises the lack of response from the Immigration and Nationality Directorate at the Home Office which consistently fails to address grave concerns about the impact of detention on asylum seekers, including those who have suffered torture or trauma. It states:

*'There seemed to be no means whereby clinical concerns were systematically considered in review of detention by IND, which had ultimate responsibility for the detainees.'*

A PDF copy of the HMIP's report can be found on BID's website at:

[www.biduk.org/pdf/Yarl\\_s\\_Wood\\_healthcare\\_report.pdf](http://www.biduk.org/pdf/Yarl_s_Wood_healthcare_report.pdf).

The report was published on the same day BID reported to the BBC the cases of hundreds of detained immigrants who said they had been physically assaulted or abused by staff at privately-run detention centres, but were afraid to speak out. See full story at: BBC News, 'Detained immigrants are "abused"', 4 October 2006, online at:

[http://news.bbc.co.uk/2/hi/uk\\_news/5405222.stm](http://news.bbc.co.uk/2/hi/uk_news/5405222.stm). See also Medical Justice Network's response to HMIP's report online at: [www.medicaljustice.org.uk](http://www.medicaljustice.org.uk)

### related information

### Two women held in fast-track win cases against unlawful detention and removal

A rape survivor from Uganda, who was held in detention for several months whilst pregnant, has been granted full refugee status. Ms N faced deportation on two separate occasions but these were stopped at the last minute following the intervention of Black Women's Rape Action Project (BWRAP). During one such attempt to deport her, BWRAP managed to organise support from medical professionals, journalists and Heathrow MP John McDonnell. According to BWRAP, *'Ms N was imprisoned, raped and tortured in Uganda because of her*

*political activities and fled after government soldiers murdered her husband in front of her and her children. She claimed asylum in August 2003 but was refused, despite compelling photographic evidence of her political activities. As a result of negligent legal representation, the Home Office decision was never appealed. Ms N was arrested and detained in July 2004; over seven months pregnant, she was denied daily medication and held in a filthy and unhygienic cell. As her removal date approached, three doctors signed her fit to travel despite high blood pressure and increasingly severe stomach pains. At Heathrow she suffered a barrage of racist comments from immigration officials.'*

After being held in Yarl's Wood for almost a week with her baby, she won refugee status following submissions from BWRAP, including expert reports and information on the torture suffered by women who were forcibly returned to Uganda.

Another woman, who was also raped in her country because of her political activities as an opponent during the 2005 elections in Togo, was detained on arrival on the fast-track in Yarl's Wood Removal Centre. Her detention was in contravention of the Home Office and UNHCR's guidelines according to which torture victims and people who have experienced trauma should not be detained. Women Against Rape intervened in her case by documenting how her ill-treatment in detention compounded the trauma she suffered. The Home Office conceded that she had been unlawfully detained.

These examples show that victims and survivors of gender-related persecution are continuing to be detained despite procedures against this and provisions available in detention being unsuitable, in particular at Yarl's Wood. Despite the inadequacy of the fast-track procedures to deal with such cases, as well as to provide adequate services, including medical care, the government is planning to expand them.

Contact: Black Women's Rape Action Project ([bwrap@dircon.co.uk](mailto:bwrap@dircon.co.uk)), Women Against Rape, Tel: 0207 482 2496/07958 152 171, Email: [war@womenagainstrape.net](mailto:war@womenagainstrape.net) or website: [www.womenagainstrape.net](http://www.womenagainstrape.net)

### **Centre to fight against trafficking opens in UK**

A dedicated centre to combat trafficking, the United Kingdom Human Trafficking Centre (UKHTC) opened at the beginning of the month to coordinate law enforcement in relation to trafficking in this country. The centre aims to '*bring enforcement, intelligence gathering, training, victim care and research functions under one roof.*'

Based on a multi-agency and expertise approach, it is envisaged that its work will result in a more comprehensive and co-ordinated approach in the fight against trafficking not only in the UK but also in Europe. A key stated remit of the UKHTC is the promotion and development of a human rights based approach to dealing with victim care. Police officers will cooperate with other agencies, stakeholder organisations such as CPS (Crown Prosecution Service), SOCA (Serious and Organised Crime Agency), and IND (Immigration and Nationality Directorate), non-governmental organisations, as well as experts from the academic world and victim care organisations, in their efforts to tackle the causes and consequences of trafficking in the UK.

UKHTC was launched officially by Home Office Minister Vernon Coaker and the Solicitor General Mike O'Brien who stated:

*'The global economy and easier transport means trafficking people across borders for prostitution, for labour or the selling of children is a growing problem. The Government is determined to tackle it. Most trafficked victims in the UK come from Eastern*



*Europe or the Far East, but they can arrive from anywhere in the world.*

*Some victims do not even realise they are being trafficked until they arrive and find that the job of a waitress is really enforced servitude as a prostitute, including being beaten and raped.*

See more about the UKHTC online at:

[www.ukhtc.org/index.php](http://www.ukhtc.org/index.php).

### related news

A new safe house run by Catholic nuns opened earlier this month in the North-East of the UK. The safe house is a refuge for foreign women who have been trafficked into sexual exploitation. It will have a capacity of 18 beds. 4,000 women are estimated to be working in sexual slavery in the UK. See more online at: BBC News, 'A "tiny drop in the ocean"', 2 October 2006,

[http://news.bbc.co.uk/2/hi/uk\\_news/5365412.stm](http://news.bbc.co.uk/2/hi/uk_news/5365412.stm).

### RWRP News

#### Launch of new forum for COI Practitioners

The Country of Origin Information Practitioners Forum (CPF) is an opportunity for practitioners to discuss best practice, research needs, facilitate peer support, provide briefings and updates on policy and sector developments and produce policy and lobbying documents with both a UK and European focus.

The forum was initiated due to increased interest in the role of COI within the decision making process, attempts to theorise its production and usage by academics and

practitioners and in the light of European plans for practical cooperation on the sharing of COI and the development of common guidelines.

We have defined 'practitioner' as a researcher engaged in both human rights research and the asylum or human rights claim decision-making process. The focus of the group is on research issues, rather than legal issues.

#### The COI Practitioners Forum invites new membership from individuals who:

- Produce country reports on human rights conditions in countries of origin
- Undertake case research on individual asylum or human rights claims on behalf of legal representatives or individuals
- Work in library/information resources in the asylum field supporting research on human rights in countries of origin.

Those outside these criteria, with an interest in human rights research, but which is not focused on asylum, may like to join our e-mail group; see below for contact details.

The Forum meets on the last Wednesday of the month; next meeting 25<sup>th</sup> October, 3pm at Asylum Aid offices, 28 Commercial Street, London, E1 6LS. If you would like to join please contact CPF Chair Bethany Collier, Country Information Officer, Asylum Aid, Tel: 0207 377 5123 or Email: [bethanyc@asylumaid.org.uk](mailto:bethanyc@asylumaid.org.uk).

### UK projects

#### **New Refugee Mentoring Project for HIV+ refugees**

The Refugee Mentoring Project is a new service for HIV+ refugees and asylum seekers living in London provided by the Terence Higgins Trust (THT). It aims to offer targeted one-to-one support to HIV+ refugees who need help accessing services, health care, skills development, English courses, immigration, housing and benefits advice, volunteering opportunities and work placements, as well as emotional and practical support.

Initially a one-year pilot scheme, the service is open to all HIV+ refugees and asylum seekers over 18 who live in London. When you contact THT, the organisation will arrange to meet you to discuss issues and problems you may have and draw up a plan accordingly. THT will then match you with a trained volunteer mentor, who will be in contact with you every week, either face-to-face or on the phone, to give you the practical help and support you need, and to offer emotional support when things are difficult. Your plan will be reviewed after three months to assess progress.

If you are not sure of your immigration status, or not sure whether you are eligible to get help from the project, please contact THT who can advise you. The service is completely confidential. Where possible, THT can arrange to make an interpreter available if needed.

For more information on the service (as a refugee, asylum seeker or volunteer mentor), or for referral, contact Mel Steel, Project Co-ordinator on Tel: 020 7812 1715 or Email: [mel.steel@tht.org.uk](mailto:mel.steel@tht.org.uk).

#### **Face to face: Refugee doctors' mentoring project**

The Migrant and Refugee Communities Forum (MRCF) has received funding to set up and provide a mentoring scheme for forced migrants who are using statutory mental health services. Mentors will be recruited from the MRCF Refugee Doctors Programme who will provide emotional support; help with social and practical needs; increased social connection and reduced social isolation; support to access community and/or voluntary sector activities and services; as well as language and interpreting support. If you would like to refer someone who is accessing mental health services and would benefit from being a mentee, or for more information about the project, please contact: David Palmer, MRCF Deputy Director, 2 Thorpe Close W10 5XL Email: [david@mrcf.org.uk](mailto:david@mrcf.org.uk), Tel: 0208 964 4815.

#### **One day course on Forced marriage**

This course is provided by Ashiana Network Training on 20 October 2006 or 23 January 2007. It will cover:

- Definitions of forced and arranged marriage
- Understanding the differences and similarities of the two
- Knowledge of the cultural roots surrounding forced marriage
- Information on marriage law
- An insight into the effects of forced marriage
- Tips on how to deal with forced marriage situations

For more information please contact Ashiana on 020 8539 0427 or email [info@ashiana.org.uk](mailto:info@ashiana.org.uk).

### **No Recourse to Public Funds: Launch of campaign and resource pack for women's organisation**

Women's Resource Centre and Southall Black Sisters is to launch a comprehensive resource pack that gives advice on immigration law and no recourse to public funds. The pack is for advisors and caseworkers in women's organisation to help them support women with no recourse to public funds who face domestic violence. Women who have insecure immigration status (such as women on spouse visas and failed asylum seekers) often are not eligible for housing benefit other support that they need.<sup>16</sup>

The event will also launch the Campaign to Abolish No Recourse Public Funds, which brings women's organisations together to call on the government to end the double standards in its approach to domestic violence, which allows some women the right to seek protection but not others.

The event will take place on 26 October 2006, 2-5pm at the Diana Memorial Fund (London SE1). It is free but you need to book in advance either by downloading a form from [www.wrc.org.uk](http://www.wrc.org.uk) and return it completed to email: [admin@wrc.org.uk](mailto:admin@wrc.org.uk), by fax to 020 7324 3050 or by post to WRC, Ground Floor East, 33-41 Dallington St, London EC1V 0BB. Or request a booking form (contact: [admin@wrc.org.uk](mailto:admin@wrc.org.uk) or Tel: 020 7324 3030).

### **Backlash: The hidden war on women in the UK**

'*Backlash*' is a free night of cutting-edge films, speakers and campaigns about women's lives, which is based on the launch of the film '*Why women?*'. The event is organised by the Women's Resource Centre (WRC) and aims to raise awareness of the hidden discrimination

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<sup>16</sup> In 2004, NASS produced a policy bulletin '*NASS DV Policy Bulletin 70*', which contains information to support asylum seeking women who have suffered domestic violence the UK.

and violence against women in the UK, the invaluable work of women's organisations, and what can be done to challenge gender inequality. It is an opportunity to engage people with the issues and to inspire people about positive action they can take.

Refreshments (food and wine) will be provided. When and where: Wednesday 1 November 6-10pm @ Amnesty International UK, Human Rights Action Centre, 17-25 New Inn Yard, London EC2A 3EA. Book at [info@wrc.org.uk](mailto:info@wrc.org.uk) or 020 7324 3030.

### **Responding to Violence against Women in the Name of 'Honour'**

Imkaan's forthcoming Roundtable Discussion on Thursday 2 November 2006 at the Law Society will members aims to examine both the cultural and legal dimensions in combating this form of patriarchal violence. The Roundtable Discussion will feature national and international experts on key areas of women's rights and gender based violence. The panels and the discussions will focus on the following sub-themes: policy implications, global manifestation of the phenomenon, nature and causes, legal remedies and proposed training and educational interventions.

Participants will have the opportunity to consider the next steps in tackling the problems. The audience will be composed of various groups and individuals: from legal services, police authorities, housing organisations, education authorities, local criminal justice boards, academia and the private, legal & voluntary sectors.

Cost: legal professionals and other professionals, £85; women's organisations and BME and community groups £50; and FREE places to a limited number of frontline Refugee staff allocated on a first come, first served basis. For further information and booking, check Imkaan's online at [www.imkann.org.uk](http://www.imkann.org.uk) or contact, Selina Ulhaq, Information Officer,

Imkaan, 76 Brewer Street, London W1F 9TX, (T) 020 7434 9945, (F) 020 7851 0942 or check [www.imkaan.org.uk](http://www.imkaan.org.uk). The deadline for booking is 26 October 2006. Venue: Law Society, 113 Chancery Lane, London, WC2A 1PL (CPD Accreditation - This programme will have a total of 4 hours accreditation points).

### **At what price? Tackling the buying and selling of women and children**

This is a one-day national conference focused on the sale and commodification of women's and children's bodies and sexualities. The conference will include expert speakers, and workshops covering issues such as *'the globalised trade in women and children'*; *'working with women exiting prostitution'*; *'teaching non-violence'*; and *'the media's role in perpetrating and challenging violence against women and children'*. Speakers include: Christine Beddoe, ECPAT, Poonam Joshi, Amnesty International, Jo Phoenix, Bath University, Scottish Women Against Pornography.

It takes place on Friday 24 November 2006 at Hamilton House, Mabledon Place, London WC1H 9BD. To have a registration form sent to you, please e-mail [info@niaproject.plus.com](mailto:info@niaproject.plus.com) or call 0207 683 1270. Source: RWA October 2006 newsletter.

### **Free preparation for work course for refugee women**

Are you an unemployed refugee woman looking for work? Then Refugee Women's Association (RWA) is running a 12 Week Employment and Communications Skills Course for you. Learn about: administrative work; job search; teamwork; problem solving; customer care; confidentiality; effective English; time management; cross cultural awareness; assertiveness; health & safety: communication in the work place and more! Eligibility for course: Refugee status (ILR/EL/HP), good level of English (Level 1) and living in London.

Travel expenses paid; contribution towards childcare (limited places). For booking now, contact: Refugee Women's Association, Print House, 18 Ashwin Street, London E8 3DL, call Monica on 020 7923 2412 or email [monicatucker@refugeewomen.org.uk](mailto:monicatucker@refugeewomen.org.uk).

### **Related information**

Also RWA and Harrow Refugee Forum offer free training for all refugee community organisations on *'funding and mobilising resources'*. The training will take place on 26 October 2006, 9.30am - 3.30pm at Community Premises, 27 Northolt Road, South Harrow, HA2 0LH (Tube: South Harrow on the Piccadilly Line, bus 140 or 114 from South Harrow & Harrow Hill tube stations). To book a place, please call The Harrow Refugee Forum, Tel. no: 020 8427 7359 or Refugee Women's Association, Tel. no: 020 7923 2412, Email: [rwa@refugeewomen.org.uk](mailto:rwa@refugeewomen.org.uk) or [info@harf.org.uk](mailto:info@harf.org.uk). Free lunch will be provided. Travel and childcare expenses will be reimbursed.

### **Free training and seminars for London RCOs**

From October to March 2007, seminars, workshops and training to help with refugee community organisations' organisational development, will be offered by the Refugee Council Community Development Team. These include: writing better funding applications; bookkeeping; developing gender sensitive services; exploring the boundaries between giving asylum support advice and immigration advice and much more. The list of training available can be found online at: [www.refugeecouncil.org.uk/eventsandtraining/training/rco/](http://www.refugeecouncil.org.uk/eventsandtraining/training/rco/).

Alternatively, email [cdt@refugeecouncil.org.uk](mailto:cdt@refugeecouncil.org.uk) to request brochures and booking forms in the post. For further information about any of the training courses or seminars, please call Penny McLean on 020 7346 1052. Places are

available for a limited number of non-RCOs to attend the trainings and seminars for a minimal fee to these participants.

### **Seminar on 'Women, Disabilities, Violence and Abuse'**

Amnesty International Human Rights Centre and the Lilith Project are organising this one day seminar on 24 November 2006 (9.30am to 4pm). The event will include the following presentations:

- Statutory agencies and the duty of care;
- Interim findings: WAFE research on Disabled women's experience of domestic violence;
- The disabling impact of violence on women, a case study: Rwanda;
- Supporting women with learning difficulties who are experiencing or have experienced violence/abuse.

There will also be a series of workshops which will explore best practice in supporting women with mental health issues, learning difficulties and physical disabilities.

This event is being held at: Amnesty International Human Rights Action Centre, 17-25 New Inn Yard, London, EC2A 3EA (Nearest Tube: Old Street on the Northern Line). The seminar is £75 for voluntary sector organisations or £125 for statutory sector organisations. Please call 0207 840 7133/7134 or email [lilith@eaveshousing.co.uk](mailto:lilith@eaveshousing.co.uk) for more information.

## International news

### **Spain grants asylum to lesbian couple for first time**

According to articles published in the Spanish press and circulated by Stephen Knight, Deputy Director of the Center for Gender & Refugee Studies (University of California, Hastings College of Law), Spain has granted

for the first time a lesbian couple with refugee status. Niyiret R. and Sandra C., from Colombia, had to flee their country in October 2005 after suffering attacks and receiving death threats from the paramilitary group Autodefensas Unidas de Colombia due to their activism in defense of gay, lesbian, transexual and bisexual rights.

For a copy of press articles on the determination, please contact Stephen Knight at Email: [knights@uchastings.edu](mailto:knights@uchastings.edu), Tel: +415/565-4791, Fax: +415/581-8824, or see Website: <http://cgrs.uchastings.edu/>.

### **DRC: New cases of mass rapes in Equatorial Province**

The Human Rights Division of the United Nations Mission in the Democratic Republic of Congo (DRC) has reported new cases of mass rape and ill-treatment of civilians in Equateur Province, allegedly perpetrated by state agents.<sup>17</sup>

According to IRIN (the United Nations Integrated Regional Information Network), Jean-Tobbie Okala, the deputy spokesperson for the UN Mission in the DRC, known as MONUC, said: '*A group of policemen may have raped 60 women, including two minors, and systematically tortured and plundered civilians who were forced to seek refuge in a nearby forest*'. Nine of the policemen were subsequently arrested.

These incidents and the arrests follow a previous military court's judgment in Equateur's capital Mbandaka, in April 2006, which resulted for the first time in seven soldiers being sentenced to life in prison for crimes against humanity. The crimes for which they were charged included the mass rape of

<sup>17</sup> Source: Integrated Regional Information Network (IRIN), 'DRC: New cases of rape and abuse by police in Equateur', Lubumbashi, 7 September 2006, online at: [www.irinnews.org/report.asp?ReportID=55446](http://www.irinnews.org/report.asp?ReportID=55446).

at least 119 women and the trial was the result of MONUC's investigation on alleged mass rape in the region which was conducted in 2004.

### **Zimbabwe: Domestic violence bill to be opposed because women 'inferior' says MP**

The statement by a Member of Parliament (MP) for the opposition Movement for Democratic Change (MDC), caused outrage amongst women's organisations of all parties when he made his comments during a debate on the Domestic Violence bill. Timothy Mubhawu stated:

*'I stand here representing God the Almighty. Women are not equal to men. This is a dangerous bill, and let it be known in Zimbabwe that the rights, privileges and status of men are gone.'*

On a rare occasion, Zimbabwe's ZANU-PF government allowed the Women's Coalition, an umbrella body for 35 women's organisations, to demonstrate outside parliament in the presence of police, petitioning MDC president Morgan Tsvangirai to ensure that Mubhawu apologised for his remarks. The protest was joined by ZANU-PF women's league.

Gender and Women's Affairs minister Oppah Muchinguri had just disclosed that over 60 percent of all murder cases in Zimbabwe were linked to domestic violence. According to the Integrated Regional Information Network (IRIN), *'earlier this year the Women's Coalition said it had recorded a monthly average of 700 rapes of girls aged up to 16 in 2005, or more than 8,000 cases annually, of which 93 percent were girls and 7 percent were boys.'*

Whilst accepting the women's network petition, Morgan Tsvangirai said that his party respected women's rights and their right to condemn violence and that Mubhawu's opinion was not representative of the party's. He also

pointed to the fact that the women's movement of all parties needed to condemn all violence against women, including violence against women in the opposition movement who are brutally assaulted by the police whilst in police custody:

*"...you must not be selective in your revulsion for violence. We did not see these kinds of demonstrations when other women, such as Lucia Matibenga, were brutally assaulted by the police while in police custody. Violence is violence and it must always be condemned."*

Full report:

[www.irinnews.org/report.asp?ReportID=55917](http://www.irinnews.org/report.asp?ReportID=55917)

### **Afghanistan: Honour Killings increase**

Officials from the Afghan Independent Human Rights Commission (AIHRC) stated that a frail judiciary, a lack of law enforcement and extensive prejudiced acts against women are behind the increase in honour killing in the country. The increase has also been explained by the resurgence of the Taliban in Afghanistan's southern provinces.

According to IRIN, *'the Afghan rights watchdog has registered some 704 cases of violence against women, including 89 cases of forced marriages and 50 cases of self-immolation so far in 2006, which also constitutes a significant increase over last year.'*

Honour killings, which are usually carried out by male family members, paid contractors or minors who are too young to face the law, involve the murder of women or girls who are alleged to have brought dishonour to the family by refusing their families' choice of arranged marriages, having relationships deemed *'inappropriate'* or being accused of adultery. Many women are said to be driven to suicide or flee their homes to escape honour killing. For more information see: IRIN,

'Afghanistan: Honour Killing on the rise', Kabul, 15 September 2006, at:

[www.irinnews.org/report.asp?ReportID=55574&SelectRegion=Asia&SelectCountry=AFGANIS TAN](http://www.irinnews.org/report.asp?ReportID=55574&SelectRegion=Asia&SelectCountry=AFGANIS TAN).

### Haiti: No justice for rape survivors prompts women's demonstration

Rape is rarely prosecuted in Haiti and carries such a social stigma that 150 women, wearing black dresses and masks, demonstrated for the first time in the capital Port-au-Prince to raise awareness on the issue and ask for justice.<sup>18</sup> The protest was organized by the Commission of Women Victims for Victims, which was founded by women raped during a 1991-1994 military regime. Human rights group say that a campaign of '*systematic rape, torture and killings to punish supporters of Aristide*' (who was toppled by the military) was waged during that period.

However, according to Anne Sosin, director of the Port-au-Prince-based human rights group Haiti Rights Vision, rape is still common in the country, especially within densely populated slums which are controlled by warring gangs.

But many women do not report the attack for fear of being stigmatised and ignored by the police. At the same time, perpetrators remain unaccountable for their crime. In a public statement, Haiti's minister for women's affairs, Marie Laurence Jocelyn Lassegue, recognised that there was a lack of help for women who have been raped. She said her office was trying to raise funds to support projects that protect women from violence and help rape victims.

<sup>18</sup> Source: *International Herald Tribune*, 'Rape victims march for justice in Haitian capital', 1 September 2006, [www.ihf.com/articles/ap/2006/09/01/news/CB\\_GEN\\_Haiti\\_Rape\\_Victims.php](http://www.ihf.com/articles/ap/2006/09/01/news/CB_GEN_Haiti_Rape_Victims.php).

### related information

#### Kyrgyzstan, Georgia, Liberia: Violence against women continues with impunity

This month a series of reports highlighted the plight of thousands of women who experience domestic and sexual violence but have no recourse to legal redress.

In Kyrgyzstan, Human Rights Watch says that the government is '*allowing domestic violence and the abduction of women for forced marriage to continue with impunity*'.<sup>19</sup> The 140 page report entitled ***Reconciled to Violence: State Failure to Stop Domestic Abuse and Abduction of Women in Kyrgyzstan*** is based on interviews with victims of violence but also tracks what happens when women seek help from the authorities.

It concludes that despite the country's progressive laws on violence against women, police and other authorities fail to implement them. This results in the violence continuing to be perpetrated with impunity whilst legal redress is denied to the victims. Instead, they are encouraged to be reconciled with their abusers.

A similar story of '*[t]ens of thousands of women in Georgia are hit, beaten, raped and in some cases even killed by their husbands or partners, while perpetrators usually go unpunished*' is revealed by Amnesty International in a new report released on 24 September.<sup>20</sup> Despite the recent adoption of legal provisions on domestic violence in May this year, the 28-page report ***Georgia: Thousands suffering in silence: Violence***

<sup>19</sup> Human Rights Watch, '*Despite Progressive Laws, Violence Against Women Goes Unpunished, Bishkek*', 27 September 2006, at [www.hrw.org/english/docs/2006/09/27/kyrgyz14261.htm](http://www.hrw.org/english/docs/2006/09/27/kyrgyz14261.htm).

<sup>20</sup> Amnesty International USA, Press Release, '*Tens of Thousands of Women in Georgia Suffer Domestic Violence While Perpetrators Go Unpunished, Says Amnesty International*', New York, 24 September 2006 at: [www.amnestyusa.org/news/document.do?id=ENGUSA20060925002](http://www.amnestyusa.org/news/document.do?id=ENGUSA20060925002).

*against women in the family* outlines the widespread impunity of perpetrators of domestic violence in Georgia because of insufficient measures and services provided to protect victims of domestic violence, including shelters and safe housing. There are currently only two temporary shelters in the country which are run by non-governmental organisations. In addition women who go to the police are often beaten again or their official complaints are not always followed up. As a result many women stay with their abusive partner, as they have nowhere to go.

Amnesty International also points to the lack of government will to implement these measures such as mandatory training programmes for state authorities such as the police, procurators, judges as well as for medical staff. Amnesty also calls for Georgia's allies, such as the US, to include the consideration of women's human rights in their assistance framework.

Domestic law presents a further hurdle to fighting impunity. If a woman sustains serious injuries, the state is obliged to open a criminal case. However, for crimes such as "premeditated infliction of minor damage to health" and "beatings" the state does not initiate prosecutions -- the abuse survivor has to file a complaint herself in order to obtain justice.

In Liberia, a report released on 18 October by the United Nations reveals that six months after the Rape and Amendment Act came into force, sexual and gender-based violence remains a major concern for the UN Mission in Liberia (UNMIL) which endeavours to help uphold rights of women and children in the country. The report warns that '*weaknesses in the impoverished country's judicial system, including inoperative courts and inefficient investigation, are violating the human rights of both victims and suspects.*'<sup>21</sup>

<sup>21</sup> Source: UN News Centre, 'Sexual violence against women and children remains a major concern in Liberia', New York,

The report which focuses on the challenges faced by the judicial system in providing legal redress was prepared with information collected by 25 UNMIL human rights monitors stationed in all Liberia's 15 counties. It covers the period from May to July 2006. Launching the report, UNMIL stated that some courts were not operational during the time of investigation whilst in others, only a fraction of the cases listed for trial were heard. In addition, '*inefficient investigation, prosecution and hearings led to prolonged pre-trial detention in many cases and frequently, suspects were released from detention without facing trial.*'

UNMIL stated that these shortcomings – in particular non-operational courts – constituted '*violations of the Constitutional and the human rights of both victims and suspects*'. However the organisation has worked with the Government of Liberia Rule of Law Task Force in the submission of a report to President Ellen Johnson-Sirleaf outlining a programme to strengthen the judicial sector; and a three-day workshop jointly organised by UNMIL, the Office of the High Commissioner for Human Rights (OHCHR) aimed at discussing best practices to strengthen the Rule of Law in the country.

### International actions & events

#### **Uganda: Amnesty International calls for the end of Targeting of Lesbians**

The human rights organisation highlighted the publication in the Ugandan newspaper *Red Pepper* of a list of 13 women they claim are lesbians in September this year. Amnesty International recalls that homosexuality is a criminal offence in Uganda, and thus believes

18 October 2006,  
[www.un.org/apps/news/story.asp?NewsID=20299&Cr=liberia&Cr1=](http://www.un.org/apps/news/story.asp?NewsID=20299&Cr=liberia&Cr1=).



that making such allegations against these women may put them in danger. The article called for people to name other women suspected of being lesbians in order to '*rid our motherland of the deadly vice.*' AI therefore calls on human rights activists to take action. Go to the following link for more information: <http://takeaction.amnestyusa.org/siteapps/advocacy/index.aspx?c=goJT100vEIH&b=953489&template=x.ascx&action=7498&tr=y&auid=2019078> (note: if not a US resident, you cannot take action online but will need to send a fax).

### **Iran: International support requested for Women's Campaign**

Iranian women's rights activists are initiating a wide campaign demanding an end to discriminatory laws against women in the Iranian law. The Campaign '*One Million Signatures Demanding Changes to Discriminatory Laws*' is a follow-up effort to the peaceful protest with the same aim, which took place in Haft-e Tir Square in Tehran on 12 June 2006.

The Campaign aims to gather one million signatures from international women's groups, human rights organisations and activists, university and academic centres, and social justice initiatives to help Iranian women in their effort to reform laws and achieve equal status within the Iranian legal system. For more details on the campaign and signing the petition, go online to: [www.we-change.org/spip.php?article19](http://www.we-change.org/spip.php?article19).

### **Eritrea: Women campaigning to end FGM**

The National Union of Eritrean Women (NUEW) is working with the justice ministry and lobbying throughout the country for a law to ban female genital mutilation (FGM) which, it says, 94% of women have undergone. NUEW's work is also part of a national campaign to raise awareness amongst Eritreans, many of whom believe it is '*culturally*

*correct*' for women to be subjected to it. The organisation uses materials produced by the Health Ministry in its training programmes.

### **France: Women Asylum Group meets to discuss challenges ahead**

The GRAP (acronym for 'Groupe Asile Femmes' or 'Women Asylum Group') organised a meeting in early October to discuss strategies for actions and research on issues relating to gender persecution and asylum. The meeting followed the European-wide conference organised by the TERRA network on gender persecution and asylum, which took place in Paris in September 2006. The Group aims to collaborate with partner organisations in the sector in France and at the European Level. For further information on GRAP's work and publications to date, go to <http://cfda.rezo.net> or contact directly Asile Femmes by email at: [asilefemmes@club-internet.fr](mailto:asilefemmes@club-internet.fr).

### **new publications**

#### **international**

### **Central African Republic: Rape used as a weapon of war as part of wider violence with impunity**

The International Federation of Human Rights known as FIDH (French acronym) released its investigative mission report on the '*compelling evidence of the extent of impunity*' that is happening in the North of the Central African Republic (CAR) where a conflict is taking place between the army and rebel forces since the end of 2005. FIDH states that the main victim of the conflict is the civilian population, which is subjected to continuous attacks from both sides of the conflict. It highlights in particular that rape is systematically used as a weapon of war against women and that all victims of these attacks, some of whom HIV positive, suffer stigmatisation and indifference to their

'extreme physical, social and economic distress.'

Failed by the country's justice system, they have organised themselves to request the International Criminal Court to open an investigation on CAR. FIDH says the ICC Prosecutor has yet to respond to their request. For more, see: FIDH, *'Forgotten, stigmatised: double suffering of victims of international crimes'*, 12 October 2006 at [www.fidh.org/article.php3?id\\_article=3721](http://www.fidh.org/article.php3?id_article=3721).

### **Iraq: The status of women in Iraq: an assessment of Iraq's *de jure* and *de facto* compliance with international legal standards**

(American Bar Association - Iraq Legal Development Project)

This study is not new but was brought to our attention by Women Living Under Muslim Laws. It was published by the Iraq Legal Development Project of the American Bar Association in July 2005. The Assessment covers thematic categories: political participation, civil society and women in decision making; violence against women and the right to personal security; labor and economic rights; family and marriage; nationality; health; and education. It can be found in English at: [www.wluml.org/english/news/status-of-women-in-iraq-ABA-ILDP-2005-EN.pdf](http://www.wluml.org/english/news/status-of-women-in-iraq-ABA-ILDP-2005-EN.pdf)

### **All forms of violence against women a human rights violation, UN reports say**

The 140-page study issued by the United Nations highlights the generational consequences of violence against women, which it describes as *'a form of discrimination and a violation of human rights.'* The report also states that all forms of violence, whether perpetrated by an individual or the state, constitute a human rights violation. It

contends that governments are responsible for the implementation of laws and programs to ensure women's protection against violence; and that a failure to do so constitutes a violation of international human rights law. Highlighting the consequences of abuses against women for victims and the communities they are living it, the UN Secretary General states:

*'All of humanity would benefit from an end to this violence, and there has been considerable progress in creating the international framework for achieving this. However, new forms of violence have emerged and in some countries, advances towards equality and freedom from violence previously made by women have been eroded or are under threat. The continued prevalence of violence against women is testimony to the fact that States have yet to tackle it with the necessary political commitment, visibility and resources.'*

The UN Secretary General's study identifies ways to close the gap between states' obligations under international norms and laws and their inadequate and inconsistent implementation at the national level. At the same time, it calls for efforts to eradicate violence against women to become a higher priority at the local, national and international level. Recommendations include the implementation of measures to ensure better access to justice and redress for victims/survivors and a better use of the United Nations world body in assisting countries to collect data on violence against women so as to better combat it.

A full copy of the study and the Executive Summary can be found online at: [www.un.org/womenwatch/daw/vaw/](http://www.un.org/womenwatch/daw/vaw/).

### **related publications**

The *Report of the Secretary-General on Women, Peace and Security (S/2006/770)* published on 27 September 2006, is now available online at: [www.un.org/Docs/sc/sgrep06.htm](http://www.un.org/Docs/sc/sgrep06.htm).

## Human Rights violations: Report exposes worst offenders

Turkmenistan and Uzbekistan are among the worst human rights offenders in the world, according to a new report released on 6 September 2006.<sup>22</sup> *The Worst of the Worst: The World's Most Repressive Societies 2006* is an annual compilation of the most dictatorial regimes in the world by Freedom House that has called on the UN Human Rights Council to address abuses in eight countries, including Burma, Cuba, Libya, North Korea, Sudan, Syria, Turkmenistan and Uzbekistan. Find the report online at:

[www.freedomhouse.org/template.cfm?page=138&report=40](http://www.freedomhouse.org/template.cfm?page=138&report=40).

## new publications

UK

### 'Accommodate' now available online

Accomodate is discovering new ways of improving housing for refugees by testing local multi-agency partnerships and using their experiences to change policy and practice. Issue 5 of the Accommodate newsletter showcases an innovative approach to enable partnerships involving diverse agencies to overcome common challenges, stretch their thinking and be inspired. It is now available at the following link:

[www.hact.org.uk/uploads/Accommodate\\_newsletter\\_issue\\_5\\_FINAL\\_website.pdf](http://www.hact.org.uk/uploads/Accommodate_newsletter_issue_5_FINAL_website.pdf)

<sup>22</sup> Source: Integrated Regional Information Network (IRIN), 'Central Asia, Weekly news wrap', Ankara, 8 September 2006, online at: [www.irinnews.org/report.asp?ReportID=55469&SelectRegion=Asia&SelectCountry=CENTRAL\\_ASIA](http://www.irinnews.org/report.asp?ReportID=55469&SelectRegion=Asia&SelectCountry=CENTRAL_ASIA).

## online resources

international

### New toolkit launched to help in fight against human trafficking

A new toolkit has been launched by the United Nations' Office on Drugs and Crime in order to assist governments, law-enforcement agencies, policy-makers and civil society groups in the fight of human trafficking more effectively.<sup>23</sup> Countries all over the world are affected by this crime. The resource contains a mixture of practical tools for police officers – such as a checklist on how to identify trafficking victims and tips on how to interview and protect them – and broader, more theoretical guidance, such as suggestions on how to increase international cooperation and harmonise national laws on trafficking related crimes. It also includes information on medical, legal and psychological protection for victims, as well as material on how to deal with the immigration status of victims and their possible repatriation and resettlement. Available online from:

[www.unodc.org/pdf/Trafficking\\_toolkit\\_Oct06.pdf](http://www.unodc.org/pdf/Trafficking_toolkit_Oct06.pdf).

## online resources

UK

### Right to work - Social exclusion, integration, and right to Work for asylum seekers

This policy paper outlines the current context as it relates to the work concession for asylum seekers. It provides a response to each policy before making a set of recommendations.

[www.refugeecouncil.org.uk/policy/briefings/2006/righttowork.htm](http://www.refugeecouncil.org.uk/policy/briefings/2006/righttowork.htm).

<sup>23</sup> Source: United Nations Office on Drug and Crimes (UNOC), 'UNODC unveils new toolkit aimed at combating human trafficking', New York, 5 October 2006, at [www.unodc.org/unodc/press\\_release\\_2006\\_10\\_05\\_2.html](http://www.unodc.org/unodc/press_release_2006_10_05_2.html).

# 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.**

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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

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

## 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, FREEPOST LON18836, London, E1 6BR (using a stamp will save us money)**