

Women's Asylum News

Refugee Women's Resource Project

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To subscribe send your details to:
Claireb@asylumaid.org.uk

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Claireb@asylumaid.org.uk

Every single woman

Before her asylum interview a woman should be asked whether she would prefer a male or female interviewer. But even if she requests a female interviewer, she may be given a male interpreter. In the *Women Asylum Charter's* new film, Rani, who experienced rape by soldiers in Sri Lanka, says *"I was happy with a lady interviewer but not a male translator ... I felt it funny to tell him ... because he was a man I felt ashamed. If it was a woman I would have said more."*

This is just one example that demonstrates that the UK Border Agency (UKBA) staff really do not understand gender issues. For particular systems to be effective, staff need to understand why they are implementing them. One-off improvements in practice, whilst welcome, are not enough. The UKBA needs to do more than just make operational progress. A whole overlying gender-sensitive strategy needs to be developed so that there can be a complete culture change. For this, there needs to be proactive leadership at a senior level.

The interesting thing is that such culture change has already taken place in other sectors. In fact the Government published "Together we can end Violence against Women and Girls" strategy on 25th November. This focuses on the progress that has been made in the criminal justice system on working with female victims of violence such as rape, sexual violence, domestic violence, forced marriage, female genital mutilation and "honour" crimes. Yet there is little evidence of similar progress in the asylum system despite women asylum seekers often having experienced

exactly these forms of persecution. The following two stories (based on policies currently in place) demonstrate this:

Story One:

When Malaika suffered domestic violence abroad she sought asylum in the UK. She had to explain what had happened to her to three different people (through a screen in a public room at the Asylum Screening Unit, at the First Reporting Event and to her Case Owner – the only time she could elect to see a female member of staff). After a few weeks she felt confident enough to tell her lawyer that she had also been raped by her husband. By then a negative decision had been made on her asylum claim. At the Appeals Tribunal the Immigration Judge said he didn't believe her story because she had disclosed the rape late.

Story Two:

When Angela suffered domestic violence in the UK she was considered to be a vulnerable victim who should receive an enhanced service from all the agencies in the criminal justice system. Consequently, she asked for and was given a female police officer when she made her statement. After a few weeks she felt confident enough to tell the police officer that she had also been raped by her husband. She was then given a specially trained officer who supported her throughout the criminal justice process until the trial. At the trial the defence said Angela must be lying because she had reported the rape late. Because of this, the judge explained to the jury that delay in reporting can also be due to the traumatic feelings that follow a rape.

The difference in the treatment of women like Malaika and Angela forms the basis of the latest campaign under the *Charter of rights of women seeking asylum*. With the help of many organisations that have endorsed the *Charter*, a campaign briefing and a short film have been produced. The briefing provides a comparison focused on the three topics in the *Charter*: the asylum determination system, welfare and accommodation and detention and removals. The briefing covers:

- women victims of crime in the criminal justice system compared with women in the asylum determination system
- women in prison compared with women in immigration detention
- and women who are pregnant.

This comparison shows a marked disparity in how women asylum seekers are treated compared with women settled in the UK. The briefing includes the following examples:

- A woman who has gone to the police because she has been raped or experienced domestic violence in the UK can expect to be dealt with by female staff sensitive to her particular needs. A woman who has claimed asylum because she was raped or experienced domestic violence in her home country can only expect limited understanding of her needs. The example of Malaika and Angela (above) demonstrates this and the briefing provides their full stories.
- Women's prisons have a much higher ratio of female to male staff than women's immigration removal centres.
- Tinsley House detention centre has the capacity to hold 116 men and five women. The single women have separate bedrooms but share other facilities with the men. With such a disproportionate number of females to males, women feel intimidated, scared and isolated. In comparison, there are no male prisons which take female residents.

- A homeless woman expecting a baby gets benefits including housing and maternity grants whereas a woman who has been refused asylum gets nothing until six weeks before her baby is due.

The briefing concludes with the following key demands:

Women who are seeking protection from human rights abuses abroad have a right to a comparable standard of treatment to women settled in the UK in similar situations. In particular this means:

- Women asylum seekers who have experienced rape or domestic violence etc in their country of origin should receive a comparable standard of treatment throughout the UK asylum system to women victims of rape or domestic violence in the UK in the criminal justice system
- Women asylum seekers detained in Immigration Removal Centres should receive, at a minimum, a comparable standard of treatment and facilities to women in prisons in the UK
- Women asylum seekers who are pregnant should receive a comparable standard of ante- and post- natal provision and benefits to women settled in the UK

A culture change in the asylum system is urgently needed to ensure that women asylum seekers receive a comparable standard of treatment to women settled in the UK in similar situations.

If organisations like the police can change and become more gender-sensitive, we believe that the UKBA can. To promote the need for this change, this campaign targets the Immigration Minister and the UKBA. But such change requires a commitment from within the UKBA. It will be through the active campaigning of the many people who have endorsed the *Charter* that we will persuade the UKBA that women seeking asylum in the UK have a right to a gender-sensitive culture.

Every single woman - actions to take

To promote this campaign, the following materials are available on Asylum Aid's website www.asylumaid.org.uk/Charter

- a sample letter to send to the Immigration Minister
- the campaign film
- campaign briefing
- campaign briefing - extended version
- the *Charter of rights of women seeking asylum*
- current list of *Charter* endorsers
- instructions on how to join the *Charter* google group to keep in touch with others working on issues affecting women seeking asylum

For a printed copy of the campaign briefing, email Charter@asylumaid.org.uk with your postal address

To endorse the *Charter*, email Charter@asylumaid.org.uk with the name of your organisation

For more information read Samira Shackle in the *New Statesman*

<http://www.newstatesman.com/society/2009/11/women-asylum-woman-persecution>

Progress since the *Charter* was published in June 2008 includes:

- The Immigration Minister, Phil Woolas, recognising (during a meeting of the National Asylum Stakeholders Forum) that lack of understanding of gender was an issue in UKBA
- The UKBA Chief Inspector stating (at Asylum Aid's AGM) that gender will be a golden thread running through his inspections
- Creation of a Gender Lead in the Cardiff UK Border Agency Office
- Childcare being provided during asylum interviews in Glasgow and Leeds (in addition to Cardiff)
- Revision of the UKBA gender guidelines commencing
- The Independent Asylum Commission's report *Deserving Dignity* taking its recommendations regarding women asylum seekers directly from the *Charter*
- Sustained engagement with UKBA nationally on operational issues including trafficking
- The *Charter* being launched publicly in England, Wales and Scotland
- A series of workshops resulting in 60 discrete action points of work being undertaken under the auspices of the *Charter*
- Over 180 organisations endorsing the *Charter* including, Amnesty, Liberty, and Rape Crisis

Sector Update

New legal handbook for asylum-seeking women

On the 26th November 2009, Rights of Women launched the latest in a series of legal handbooks for women, ***Seeking Refuge? A handbook for asylum-seeking women***. With nearly 35 years experience of providing women with specialist legal advice and information, Rights of Women have produced a practical and accessible guide to asylum law and procedure.

Emma Scott, Director of Rights of Women, says *"We understand how important it is for women to know and understand the law, and their legal rights, so that they can protect themselves and their families from violence. We have written this book for asylum-seeking women because we recognise that they are particularly vulnerable. They often find it hard to find reliable and accessible legal information on asylum law and the process of claiming asylum in the UK. We hope that this book will help asylum-seeking women, and those that support them, understand the law that determines who is entitled to protection in the UK and how decisions are made. We hope that in this way we can help more women live lives free from violence here in the UK"*.

Divided into ten clearly laid out chapters the handbook explains the different stages of the asylum process in the UK including: who is entitled to protection in the UK; the key provisions of the Refugee Convention and the European Convention on Human Rights; the ways that different types of cases are decided, under both the New Asylum Model and the Case Resolution Directorate; appealing against negative decisions; refusal and removal; making fresh claim; financial support and access to education and health care; and signposting information about other organisations.

The handbook is funded by Comic Relief as part of a three year project to provide asylum-seeking women affected by sexual violence with legal advice and information. Nalini Varma, Trustee of Comic Relief and Chair of the UK Grants Committee, said *"Traumatic experiences,*

*such as rape or torture, are extremely hard to deal with or even talk about, particularly with a stranger, such as a male interpreter, or in an unfamiliar environment, such as through a screen in a public office of the UK Border Agency. Yet this is what asylum-seeking women have to do, just days after arriving in the UK. Many asylum-seeking women do not understand how decisions about their cases are made and why, or what their rights are. **Seeking Refuge? A handbook for asylum-seeking women** is a fantastic resource. It is essential reading for asylum-seeking women and all those who support them in their struggle to live lives free from violence and abuse."*

Talking to Rights of Women about the handbook, two asylum-seeking women from Iran and Pakistan said *"Women need to know what their rights are. We need good information and advice. In this book there is everything you need to know. When you read it, you will understand what your rights are and who to contact for help."*

Seeking Refuge? A handbook for asylum-seeking women is available free to individual asylum-seeking women and to Refugee Community Organisations

For more information about **Seeking Refuge? A handbook for asylum-seeking women** Visit: www.rightsofwomen.org.uk or telephone 020 7251 6575.

Significant Legal Issues

Article 15(c) of the EC Qualification Directive applied to Afghanistan: GS (Afghanistan) v Secretary of State for the Home Department CG [2009] UKAIT 00044

In previous editions of WAN we have reported on decisions of the European Court of Justice (WAN 81) and the Court of Appeal of England and Wales (WAN 85) which have clarified the scope of Article 15(c)¹ of the Qualification Directive; a provision that provides for the grant subsidiary protection for civilians fleeing armed conflict in certain circumstances. In this edition, we can report on a decision of the Asylum and Immigration Tribunal that gives guidance on how that provision ought to be applied in the cases of civilians fleeing the armed conflict in Afghanistan.

In **GS (Afghanistan) v Secretary of State for the Home Department**, the Asylum and Immigration Tribunal considered the case of 20 year old Afghan man from Jalalabad, in the province of Nagarhar. The Tribunal found that the appellant was not able to establish the required level of risk to be entitled to protection and that its conclusion would apply to all Afghan civilians who could not establish that they were at a particular risk from indiscriminate violence. In coming to this conclusion the Tribunal identified and resolved a number of questions of interpretation that it concluded had not been resolved by the Courts to date. These are contained in Part 7 of the decision. Importantly the Tribunal held that the question of whether the risks to life or person in Afghanistan arising from the consequences of indiscriminate violence (such as the destruction of the infrastructure as a result of years of war meaning that there was a risk of starvation) was a question of fact, but on the evidence the necessary causal link cannot be established in this case.

¹ Article 15(c) provides that an applicant may be eligible for subsidiary protection if they establish a real risk of "a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict".

Although the appellant in the case was not a woman, the Tribunal made relevant comment on whether it would be possible for individual applicants, as a result of their profile or membership of a category (which WAN notes could include their gender), to show that they were at enhanced risk and establish that they are therefore entitled to protection under this provision. It noted, however, that it had not heard evidence about whether any such categories existed in Afghanistan.

The Tribunal noted that the Secretary of State accepted that perceived collaborators with the Western Forces operating in Afghanistan could form such a group. However, there was a difficulty in establishing that such enhanced risk categories because of the requirement that the risk came from "indiscriminate violence" as opposed to targeted or "discriminate violence". On the evidence before it, the Tribunal could not form a conclusion about whether such categories existed in Afghanistan.

Consequently, the Tribunal left open the question of whether women in Afghanistan would have a claim for protection under Article 15(c) as a result of additional risks as a result of their gender. However it noted that those at enhanced risk of ill treatment, rather than simply indiscriminate violence, may be entitled to refugee status rather subsidiary protection.

For full determination details for this case see: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&docid=4adf2def2&skip=0&query=gs>

UK News:

Children trafficked to the UK still vulnerable

A recent study by the Children's Society illustrates that hundreds of children trafficked into the UK each year are failed by teachers, social workers and doctors. The report highlights the vulnerability children face, particularly girls, in being returned to domestic servitude or sexual exploitation in brothels. The article outlines how one girl who managed to escape her traffickers in the UK continued to be groomed and sexually exploited whilst in the care of children's services.

The report expressed grave concern regarding the care and protection of children who are considered 'at risk' and consequently placed into the care of children's services across the UK. The research reveals these children continue to be targeted and kidnapped by their traffickers. Earlier in 2009 a report revealed that 77 children who were suspected at being trafficked had 'gone missing' from a single children's care home near Heathrow since March 2006.

The report also reveals a lack of awareness and understanding from front line workers. Some children who have been trafficked attend schools and when they reported abuse many professionals did not know how to help or where to refer the children. Cases of front-line workers not believing the children were also reported.

Lisa Nandy, policy adviser for the Children's Society, said: "*Whilst sexual exploitation may be the most high-profile form of trafficking, young people can be, and have been, exploited in a number of different ways, including forced labour and domestic servitude. All of these children are extremely vulnerable, and the agencies need to work together to identify and support these victims.*"

For full article see: <http://www.independent.co.uk/news/uk/crime/revealed-hidden-misery-of-children-trafficked-to-britain-1813634.html>

International News:

Guinea: The aftermath of rape

Recent military attacks on demonstrators in Guinea resulted in high levels of rape and sexual violence. Local NGOs and civil society organisations are trying to collect evidence in order to appeal for justice for the women. Organisations are visiting neighbourhoods to talk about rape and sexual violence however they are finding many women staying in their homes. In Guinea, women who have been raped face stigma and rejection. In addition, fear is rife as doctors are recording military soldiers entering hospitals and taking women who report rape. One doctor recalled: *"What I know for sure is that soldiers came into a health centre and took the women who were there with rape injuries."*

Human rights workers in Conakry are concerned the escalating climate of fear is preventing people talking about and reporting crimes against women. Mamadi Kaba, president of the Guinea office of the human rights group RADDHO said *"They are afraid to talk ...Whether or not they have received specific instructions from the junta, they are afraid to give any information [about the events of 28 September]."*

On the 7th October Junta leader Moussa Dadis Camara announced the creation of a national commission of inquiry into the events of 28 September. However, a coalition of political parties and civil society organizations has rejected a national commission and are calling for an international investigation. Political party UFR's Aïssata Daffe believes moving past the fear and repression is essential to help repair a crushed collective morale. She said: *"We must get past this; we must catch people before they get so discouraged that they stop contributing to the fight...We need them for the fight."*

For full article see: <http://www.irinnews.org/Report.aspx?ReportId=86527>

Uganda: Anti homosexuality bill

Local NGOs and international human rights organisations are calling for the 'anti homosexuality Bill' introduced on October 14th 2009 to be immediately withdrawn. David Kato of Sexual Minorities Uganda said *"this bill is a blow to the progress of democracy in Uganda... It goes against the inclusive spirit necessary for our economic as well as political development. Its spirit is profoundly undemocratic and un-African"*

The Bill imposes a complete ban on the "promotion of homosexuality" which includes the publishing of information or the provision of funds or other activities. Person's found guilty could face up to seven years imprisonment. Recent campaigning against gay and lesbian people has escalated largely led by churches and the media in Uganda. Individuals have been publically accused of being gay or lesbian and consequently targeted with violent attacks, received death threats and dismissed from employment.

Under existing laws the police can arbitrarily arrest and detain people accused of consensual sex with someone of the same sex and incidence of torture have been documented. Under the old

Bill people found guilty of homosexual acts face prison sentences of up to 14 years, the new Bill however increases this to 'life' imprisonment. An additional provision has also been included in the new Bill for acts of 'aggravated homosexuality' which will result in the death penalty.

Moreover, the new Bill adds to the ongoing discrimination of lesbian, gay, bisexual and transgender people by adding a new provision that includes anyone (including heterosexual people) who fail to report lesbian, gay, bisexual or transsexual people within 24 hours could also face imprisonment of up to three years.

Kate Sheill from Amnesty International said: "*Certain provisions in this bill are illegal; they are also immoral... They criminalize a sector of society for being who they are, when what the government should be doing instead is protecting them from discrimination and abuse.*"

For full article see:

<http://www.hrw.org/en/news/2009/10/15/uganda-anti-homosexuality-bill-threatens-liberties-and-human-rights-defenders>

Europe: Women's lives are for sale

The United Nations Office for Drugs and Crime (UNODC) report of worryingly low conviction levels for human trafficking in Europe. They believe more people are convicted of less common crimes such as kidnapping than of widespread human trafficking. The UNODC state that in 2006 only 9000 people were reported as being victims of human trafficking despite beliefs the 'real' figure is 30 times higher. UNODC Executive Director Antonio Maria Costa states: "*Perhaps police are not finding the traffickers and victims because they are not looking for them.*"

In February 2009 UNODC release a 'Global Report on Trafficking in Persons' which illustrated large numbers of people, predominantly women being trafficked in the European Union both regionally and domestically. The report states most women trafficked into Europe are from Eastern Europe, China and other Asian countries and are trafficked for the purpose of sexual exploitation. Approximately 10 per cent are believed to be children.

Alongside this report, the UNODC have also released a training video 'Affected for Life' for criminal justice officials, including judges, prosecutors and law enforcement officers. The video highlights differences between human trafficking and smuggling of migrants.

For full article see: <http://www.unodc.org/unodc/en/frontpage/2009/October/lives-are-for-sale-in-europe-warns-unodc.html>

For the 'Affected for Life' video see:

[http://www.unodc.org/unodc/en/multimedia.html?vf=/documents/video/2009/Affected for Life - Short.flv](http://www.unodc.org/unodc/en/multimedia.html?vf=/documents/video/2009/Affected%20for%20Life%20-%20Short.flv)

India: Village 'witches' beaten

Five women who were branded as 'witches' were paraded naked, beaten and forced to eat human excrement by villagers in Jharkhand state, India. Deputy inspector general of police Murari Lal Meena stated: *"the victims were taken to a playground where hundreds had assembled to watch the ghastly incident..... No one in the mob came forward to rescue the victims as they were being stripped and beaten up."*

The women were accused of practicing 'witchcraft' and causing 'misery' in the area. Immediately after they were named, angry mobs invaded their huts and started physically abusing them.

Film footage released of the incident has however caused outrage across India. It is estimated 100s of women in India are abused and often killed over allegations of witchcraft. Experts believe widows are especially vulnerable to accusations as they are deliberately targeted for their land and property.

For full article and film footage see: http://news.bbc.co.uk/1/hi/world/south_asia/8315980.stm

Iran: Women at risk of being stoned to death after being forced into prostitution

A couple have been charged with 'adultery whilst being married' after turning to prostitution after prolonged periods of unemployment and faced with financial difficulties. On the 5th October 2009 the husband was hanged for 'sodomy' and the wife faces a sentence of death by stoning.

Amnesty International UK Campaigns Director Tim Hancock said: *"Stoning people to death is an inhumane punishment, specifically designed to increase the suffering of the victim... Women and men inside Iran are fighting for an end to this horrendous practice and in some cases they have met with success. But we must show them international support...The Iranian authorities should abolish stoning immediately, and should abandon the practice of executing people for committing adultery."*

Five other women in Iran are also at risk of execution by stoning after being found guilty of 'adultery while being married.'

Women are disproportionately sentenced to stoning to death largely due to the unequal treatment of women within the judiciary. A woman's testimony is worth only half of a man's and the criminal age of responsibility is lower for women. In addition, women are more likely to be illiterate and unknowingly sign confessions for crimes they did not commit.

Execution by stoning is outlined in Iran's Penal Code. Article 102 states that men should be buried up to their waists and women up to their breasts for the purpose of execution by stoning. Article 104 states, with reference to the penalty for adultery, that the stones used should *"not be large enough to kill the person by one or two strikes; nor should they be so small that they could not be defined as stones"*.

In June 2009, the Legal and Judicial Affairs Committee of Iran's parliament (Majles) recommended the removal of a clause permitting stoning from a new version of the Penal Code currently under discussion in the parliament. The law has yet to be passed by the whole Majles, after which it will be passed to the Council of Guardians for approval. The clause which allows for the use of stoning could however be reinstated at either stage.

For full article see: http://www.amnesty.org.uk/news_details.asp?NewsID=18472

UK Events

Film - *The Greatest silence*

Amnesty International
Human Rights Action Centre, London, EC2A
Thursday 3 December 2009

In the past decade, hundreds of thousands of women and girls have been raped during the conflict in the Democratic Republic of Congo, in what has chillingly been called 'a war on women'. The perpetrators come from differing sides of the conflict - the Congo army, the Mai Mai traditional militia, renegade Tutsi soldiers or deserters from an array of armed groups - but are united by the impunity with which their actions are largely treated by the Congolese government and the international community.

Film maker Lisa Jackson used her own experience of being gang raped 30 years ago to build trust with the rape victims, allowing their moving testimonials to be heard alongside the voices of the chillingly indifferent perpetrators.

Followed by discussion and Question and Answer session.

This event is being presented by the Womens Action Network. Entry is free but a £5 donation is requested on the door

For further information see:
http://www.amnesty.org.uk/events_booking.asp?ID=1458#booking

Photography Exhibition - *Human Rights in the Frame: Collateral Damage* By Jenny Matthews

Amnesty International, Human Rights Action Centre, London, EC2A

Monday – Friday 9-6 until 11th December 2009

'Unintentional or incidental injury or damage to persons or objects that would not be lawful military targets in the circumstances ruling at the time. Such damage is not unlawful as long as it is not excessive in light of the overall military advantage anticipated from the attack.'
- US State Department for Defense.

Long after the peace has been brokered, conflicts continue to exact a disproportionate impact on women. These images, taken in different conflicts around the world, not only demonstrate the lasting legacy of conflict, but highlight the consistent trend of inequality and discrimination that feeds conflict and undermines our responses to it.

For further information see: http://www.amnesty.org.uk/events_details.asp?ID=1323

New UK Publication:**Update to the UK Action Plan on Tackling Human Trafficking
The Home Office and the Scottish Government**

This Action plan outlines the UK government's commitment to 'ensuring the UK becomes a hostile territory for traffickers and where victims are protected'. The document covers new actions and key areas the government has prioritised. Annex A to this document details the actions, responsible parties and deadlines, where applicable for each action point.

The Action Plan prioritises key areas such as:

- Prevention - highlighting the nature and scale of trafficking, reducing supply by preventing trafficking at source and reducing demand at home.
- Investigation –commitment to keep trafficking legislation under review
- Protection - ensuring new mechanism are embedded and effective at helping victims
- Child victims - actions to improve efforts to better identify and protect trafficked children.

For full report see: <http://www.crimereduction.homeoffice.gov.uk/humantrafficking004b.pdf>

International Research:***The Identification and Referral of Trafficked Persons to Procedures for Determining International Protection Needs***

**Jacqueline Bhabha and Christina Alfirev
UNHCR**

The Division of International Protection Services, Protection Operations and Legal Advice Section, United Nations High Commissioner for Refugees (UNHCR), commissioned this paper to identify current gaps in protection mechanisms for trafficked persons. The paper includes an extensive literature review on three key areas:

- the protection challenges that arise out of existing state mechanisms for identifying trafficked persons;
- the establishment of a national referral system that guarantees assessment of the needs for international protection of persons identified as trafficked (including their entitlement to protection against *refoulement* under international refugee and/or human rights law); and
- procedures adopted to address the special protection needs of trafficked children.

The paper includes an exploration of: 'Existing Modalities of Identification and Referral of Trafficked Persons to the Asylum Procedure – The Good Practice Example of Norway' and a chapter illustrating key findings from other countries surveyed. The research concludes with a series of recommendations including specific legal measures, institutional innovations and administrative changes necessary for reliable referral of trafficked persons to the asylum procedure.

For full research paper see: <http://www.unhcr.org/refworld/pdfid/4ad317bc2.pdf>

Selected Documents Relating to Sexual Orientation and Gender Identity Relevant to International Refugee Protection
Division of International Protection Service (DIPS)
UNHCR

This paper provides weblinks to recent documents relating to sexual orientation and gender identity. Documents listed include: *International instruments – Refugee Law – Human Rights Law and Non-binding Documents* and *Jurisprudence and Doctrine*. Links to selected academic literature and other relevant country of origin reports are also included.

For full paper see: <http://www.unhcr.org/refworld/docid/4ae99c582.html>

'No place for us here': Violence against refugee women in Eastern Chad
Amnesty International
AFR 20/008/2009

This research documents the prevalence, risks and specific vulnerabilities women refugees face both inside and around refugee camps in Eastern Chad. Over 142,000 women and children have fled the troubled Darfur region in Sudan and sought safety in Eastern Chad. However this research reveals women's safety still remains elusive as women experience rape and high levels of violence on a daily basis.

The report also discusses the lack of justice and support available for women and girls who have experienced and report rape and sexual violence. The report illustrates how Chadian local authorities often fail to follow up many cases with insufficient processes in place. The research highlights a weak legal system, a lack of judicial personnel and an absence of political will. The report also documents the international response and ends with a series of recommendations.

This document is also available in French and Arabic. For full research report see:
<http://www.amnesty.org/en/library/asset/AFR20/008/2009/en/a6cc4610-016f-439b-987d-4cb128679751/afr200082009eng.pdf>

'Whose justice?': The women of Bosnia and Herzegovina are still waiting
Amnesty International
EU/63/006/2009

This report documents how the Bosnian and Herzegovinian authorities have neglected and failed to recognise and bring justice to women who experienced rape and sexual violence during the 1992-1995 war. The research highlights the continuing failure to prosecute sexual crimes against women at a national and international level. The report reveals in the 13 years since the war ended, perpetrators continue to enjoy impunity and often live in the same communities as the women they assaulted. The research also explores the devastating effect this has had on the women years later, with high levels of post traumatic stress disorder and other physical problems and psychological problems. Many of the women are unemployed and living in poverty, unable to afford medical assistance. In addition, rape continues to be a taboo subject in Bosnia Herzegovina and the women face stigmatisation and social rejection.

The report documents how rape as a crime under international law is defined and explores how the international criminal tribunal for the former Yugoslavia has dealt with the prosecution of

crimes of sexual violence, including the lack of support for women. The report also explores prosecutions of war crimes at the War Crimes Chamber and the obligation and failure to provide reparations to women survivors including restitution and rehabilitation. The report concludes with a series of recommendation to ensure women can access justice.

The document is also available in Bosnian. For full research report see:

<http://www.amnesty.org/en/library/asset/EUR63/006/2009/en/6330934f-d46e-4943-b32b-b3962095173a/eur630062009en.pdf>

The Girl Child

United Nations General Assembly

Report of the Secretary General - Sixty Fourth Session

This paper was submitted to explore the implementation and assess the impact of the resolution on the 'well-being of the girl child'. The paper outlines the legal and normative frameworks and global commitments alongside persisting discrimination and efforts made to improve the situation for the girl child.

The report specifically looks at preventing abuse, exploitation and violence in a context where the UN estimate 150 million girls under 18 have experienced forced sexual intercourse or other forms of sexual violence. In addition, girls are predominantly trafficked for purposes of commercial sexual exploitation and domestic servitude. The paper illustrates a level of social acceptance regarding abuse and exploitation of girls, fuelling impunity and the continued low status of girls within society. The report also highlights several key issues including: the protection of girls during humanitarian conflict situations, promoting girls' education, combating HIV/AIDS and improving the health status of the girl child. Moreover, the report also highlights specific measures to ensure the abandonment of female genital mutilation/cutting.

For full report see: <http://www.crin.org/docs/GIRLREPORT.pdf>

Charter of rights of women seeking asylum



Total Endorsements: 186
Google Group Membership: 101

As the Charter campaign enters a new stage, we asked **Welsh Women's Aid** and **Greater Manchester Immigration Aid Unit** why they have chosen to endorse the *Charter of Rights of Women Seeking Asylum*:

Welsh Women's Aid is the leading domestic abuse charity in Wales. We are an umbrella organisation representing 34 autonomous member groups spread right across the country. Our groups provide refuge, outreach and other specialist support to women and children fleeing abuse. The structure of refuge funding leaves women seeking asylum and others of unsecure immigration status at a disadvantage if they are trying to flee an abusive relationship. Welsh Women's Aid supports the Charter of rights of women seeking asylum because we believe that women trapped in the asylum system can be particularly vulnerable and that the UKBA has little true understanding of the complexity of needs of women seeking asylum.

Amy Kitcher, Welsh Women's Aid

Greater Manchester Immigration Aid Unit provides immigration and asylum advice and representation to people in the North West region. We see, on a daily basis, the injustices of the UK immigration system and particularly how it affects women. We see the culture of disbelief that makes invisible the experiences of women and seeks to deny the reality of why many women seek and claim asylum. We see the judgements that disbelieve that a woman has been raped, that she faces or is escaping a forced marriage or female genital mutilation for herself or her daughters, or those that claim that she can move to another area to escape the violence, knowing full well that there is no likelihood of this being true. We see an asylum system that expects a woman to travel many miles with her children to be interviewed, often by male immigration officers, and to talk about her experiences in front of her children. We know women who are detained with their children when they are of no threat to anyone. We support the Charter because it raises awareness of the issues that many women face and makes visible what would otherwise remain invisible. Women seeking asylum should be entitled to the same respect, dignity, and equality as all women, based on a recognition of our human rights and rights to protection from persecution.

Denise McDowell, Greater Manchester Immigration Aid Unit

For more information on the campaign, go to www.asylumaid.org.uk/charter

If your organization would like to endorse the *Charter*, email charter@asylumaid.org.uk

Donations to Asylum Aid

Asylum Aid provides free legal advice and representation to asylum-seekers and refugees, and campaigns for their rights. We rely on the generosity of individuals to help us continue our work. Your support would be greatly appreciated. A gift of just £5 each month could support our free legal advice line.

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[FOR OFFICIAL USE ONLY]

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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.

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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

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(for more information on this issue, please contact: Claire Bennett)

Asylum Aid
Club Union House
253-254 Upper Street
London N1 1RY

Tel: 020 7354 9631
Fax: 020 7354 5620
Email: Claireb@asylumaid.org.uk

www.asylumaid.org.uk

