

women's asylum news

refugee women's resource project @ asylumaid

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Please send any information that you would like to see published in our next edition by 6 September 2005 (see email or postal address on back cover).

UK Court of Appeal deplorable decision on asylum claim re FGM and MPSG

Many amongst us in the field of gender-related persecution were shocked to read the determination by Auld LJ and Chadwick LJ¹ regarding the question of whether a woman who fears being subjected to female genital mutilation (FGM) in her country of origin and claims asylum on the ground of membership of a particular social group (MPSG) under the Refugee Convention should be granted refugee status.

The initial decision

15 year-old Zainab Fornah claimed asylum on arrival in March 2003 on the basis of her fear that as a member of a particular social group defined as '*young Sierra Leonean women*' she would be subjected against her will to female genital mutilation if she returned to her country of origin. One month later, her claim for asylum was refused for two main reasons: a) the practice did not come within the definition of persecution under the Refugee Convention because girls at risk of circumcision in Sierra Leone did not form a '*particular social group*' under Article 1 (2) of the Convention; b) The Sierra Leone State was willing to challenge the practice if

¹ Fornah v SSHD [2005] EWCA Civ 680 (09 June 2005)

approached. Despite refusing to grant her refugee status, the Secretary of State recognised that returning Ms Fornah to Sierra Leone against her will when she would be at risk of being subjected to FGM would breach Article 3 of the European Convention on Human Rights. Ms Fornah was thus granted leave to remain until her 18th birthday on 22 May 2005 and it was said that this is likely to be extended for a further three years on humanitarian grounds.²

Adjudicator says fundamental rights denied means persecution for Convention reason

Ms Fornah appealed against the Secretary of State's decision on 6 October 2003. The Adjudicator found that the practice of FGM amounted to persecution and that the applicant had a well-founded fear of it. He also found that the persecution was for a Convention reason because of her MPSG defined as '*one of "young, single Sierra Leonean women, who are clearly at considerable risk of enforced [female genital mutilation]" and in respect of which the State provided them with no protection*' (par. 5). The Adjudicator's findings referred to *R v IAT, ex parte Shah and Islam* [1999] AC 629, implicitly³ based on the majority's decision that Pakistani women were denied fundamental human rights in Pakistan, thus being discriminated against, and having no protection offered from the Pakistani State.

² see Chadwick LJ, par. 46.

³ According to Auld LJ, see par. 5.

Tribunal rejects definition of PSG used in case

In August 2005, the Immigration Appeal Tribunal (IAT) granted leave to appeal to the Secretary of State and quashed the Adjudicator's decision. Then the IAT – who also said that it is not because Ms Fornah is a woman that she fears persecution (sic) – considered the PSG in this case to be '*young Sierra Leonean women who [had] not undergone female genital mutilation*'. The IAT contended that such a group could not be recognised because a particular social group under the Refugee Convention as persecution (i.e. FGM here) cannot define a particular social group, a point that was made in law in *R v IAT, ex parte Shah and Islam* [1999] AC 629.

Court of Appeal says widespread practice not discriminatory

Ms Fornah sought permission to appeal to the Court of Appeal against the Tribunal's decision. The Court of Appeal ruled in favour of the Tribunal. At the heart of the Court of Appeal determination were the questions: What was, in that particular case, the '*particular social group*' and did the persecution feared by the applicant result from her membership of that particular social group.

Like the Tribunal, and based on previous appeal determinations, the Court of Appeal clearly rejects the definition of MPSG used in this case because the Court said that the reason for seeking asylum under the Convention must exist independently of the persecution (referring to *Shah & Islam* [1999] 2 AC 629). It also said the group does not have immutable characteristics as young

women who submit to FGM are not at risk of further FGM:

'Female genital mutilation of young, single and uncircumcised Sierra Leonean women [does not constitute] persecution "for reasons of" their membership of a "particular social group" [because inter alia]:

- 1) *The practice, however repulsive to most societies outside Sierra Leone, is (...) clearly accepted and/or regarded by the majority of the population of that country, both women and men, as traditional and part of the cultural life of its society as a whole.*
- 2) *(...) The persecution here would result in a full acceptance by Sierra Leonean society of those young women who undergo the practice into adulthood, fit for marriage and to take a full part as women in the life of their communities.*
- 3) *It follows that (...) it is not, in the circumstances in which it is practised in Sierra Leone, discriminatory in such a way as to set those who undergo it apart from society.*
- 4) *Considered on its own, a critical common characteristic of the claimed "particular social group" is that its members have not been circumcised. But as soon as they have undergone the practice, they cease to be members of the group (...).' (par. 44)*

The statements above are disconcerting and based on premises that undermine recent progress made in gender awareness in assessing asylum claims in the UK. In its own gender guidance

published in March 2004 the Home Office writes:

*'Women who may be subject to FGM have been found by the IAT [Immigration Appeal Tribunal] to constitute a particular social group for the purposes of the 1951 Convention in some circumstances. Whether a PSG exists will depend on the conditions in the society from which the applicant came. If there is a well-founded fear, which includes evidence that FGM is knowingly tolerated by the authorities or they are unable to offer effective protection, and there is no possibility of an internal flight option, an applicant who claims that she would on return to her home country suffer FGM may qualify for refugee status.'*⁴

Now we are told by the Court of Appeal that people cannot seek asylum on the ground of MPSG for refusing to being subjected to a cultural practice against their will because that practice is *'accepted and/or regarded as traditional and part of one's cultural life'* and is non-discriminatory. Thus there is no social group discriminated against. Furthermore, because some readily accept the practice, that social group cannot be cohesive.

As pointed by Arden LJ, the only female judge in the case, the fact that men and some women in Pakistan accepted domestic violence did not mean that women denied of rights to protection against domestic violence did not

⁴ Home Office, *'Gender issues in the asylum claim'*, available online at: www.ind.homeoffice.gov.uk/content/ind/en/home/laws_policy/policy_instructions/apis/gender_issues_in_the.html.

constitute a social group.⁵ Arden LJ and before her the Adjudicator at the IAT rightly indicated that in *Shah & Islam* the social group 'Pakistani women in Pakistan' was recognised under the Convention by the House of Lords 'on account of the discrimination that they suffered as a group in matters of fundamental human rights' (par. 14) and the lack of the protection by the state when under threat.

Issue of protection available needs to be considered

Yet, in Ms Fornah's case, the Court of Appeal does not take into consideration whether or not the authorities in Sierra Leone are able to protect women from FGM if they do not wish to submit to it, a key issue raised in two other cases based on MPSG.

In 2004, a Tribunal rejected a claim from a Kenyan woman on the basis of membership of a particular social group of women at risk of FGM as, it said, she was not at greater risk of undergoing FGM than other women in Kenya.⁶ The case was subsequently overturned by the Court of Appeal which stated that if the state's failure to provide protection is because the victim is a member of the particular social group identified, then the persecution will be for reason of membership of that social group, at least where the individual responsible for the persecution knows that the persecution will be tolerated by the authorities (*EWCACiv1640[2004]*, see WAN No. 48, December/January 2005). In this case,

the Tribunal was found to have failed to consider whether women constituted a social group in Kenya because their risk of FGM arose from discriminatory treatment of women by the authorities in the form of lack of protection against FGM.

Likewise in another High Court case - *JO (Nigeria) UKIAT 00251*, par.18 - the court stresses that the core issues of societal and legal discrimination and lack of protection needs to be present when defining a particular social group: '*The fact that since Shah and Islam women have not been found by the IAT or the courts to be a particular social group in more than one or two countries suggests to us that too little regard has been paid to the fact that all that was required in Shah and Islam (per Lord Hoffman) was the existence of legal and social conditions which were discriminatory against women.*'

Secondly, Ms Fornah was told that her claim based on MPSG could not be accepted as it was in *Shah & Islam* because '*society's attitude to young women in Sierra Leone is more complex than that of society in Pakistan*'. This is irrelevant to the case but anyway one is at a loss to understand why such complexity should be held against the applicant, not used in her favour, as it would make her position in that society even more difficult to sustain. And if a comparison needs to be made, in fact social attitudes towards domestic violence are no less complex in many countries around the world. Both in the case of FGM and domestic violence, women are expected to submit to such practices, not to challenge them. If they do not submit to them, they will be at

⁵ Referring to Lord Hoffman in the *Islam*, 653G to 654

⁶ Appeal No. [2004] UKIAT 00022 M (Kenya) 20 January 2004.

risk and they might in fact have a case for asylum on the ground of political opinion (a ground which was not put forward in this case).

Minority opinion challenges rejection of claim on basis of MSPG

Crucially, Arden LJ rejects the majority opinion that the claim cannot be considered under the Refugee Convention on the basis of MSPG. Referring to the Tribunal finding (that around 80% of women have undergone FGM), Arden LJ points to that fact that in Sierra Leone, *'the effect of FGM is to identify a social group (...), namely women accepted by Sierra Leonean society as full adult women members.'*

It follows, she says, that women outside this group have a common characteristic by which they can be identified as a group and thus *'must logically be capable of being a social group too.'* Their common characteristic is the fact that they are *'intact'* women, thus they are not solely identified by the persecution. As highlighted previously by Ms Fornah's representative, she adds: *'They are also perceived by Sierra Leonean society as separate and distinct from other women because they are not recognised as full adult members of society.'* In other words, they are still *'marked out for persecution'* (par. 63, 65-66) because they are discriminated against by society and not protected by law.

Arden LJ would have allowed Ms Fornah's appeal against the Tribunal but the majority prevailed against her. Yet again, women's rights remain in the realm of a minority opinion and that this minority opinion is a female one seems

no coincidence. As a result, a woman has been denied a fundamental human right to permanent protection under the Refugee Convention. The majority decision is all the more bewildering in that the practice of FGM is unlawful if committed in England and Wales or by a UK national anywhere in the world. One can only refer here to the words of Roger Haines, QC, according to whom: *'the refugee definition requires the adoption of an integrative perspective of human rights generally and this includes women's rights. By interpreting forms of human rights violations against women within mainstream human rights norms, it is possible to avoid marginalising women's rights in refugee law.'*⁷

The divergence in opinion in this case and other cases quoted above clearly indicate that women's rights continue to be marginalised by means of legalistic and semantic technicalities that are not consistently applied especially in decisions relating to claims based on MSPG. This needs to be urgently addressed.

related information On 22 June 2005, the *San Francisco Daily Journal* reported Judge Alex Kozinski of the 9th US Circuit Court in the USA asking whether FGM in some African countries could be considered persecution when it is *'done for the good of the child'*. The Court of Appeals Judge was part of a panel debating whether a family with a 9-year-old girl born qualifies for asylum for fear of their daughter being subjected to the practice or the family treated as

⁷ Rodger Haines, QC, *'The importance of mainstreaming refugee claims by women'*, in *UNHCR Discussion paper*, No. 1/2005, p.8-10.

social outcasts if she refused. According to the newspaper, the Judge suggested it was not fair for outsiders to criticize the practice as it is considered '*the right thing to do*' in these countries.⁸

According to the Scotsman, Lord Justice Auld said the Court of Appeal wanted the issue of what constitutes a PSG to be scrutinised by the Law Lords but would refuse permission to appeal to the House of Lords until the best test case had been identified.⁹

Other UK News

Gay Muslim wins right to appeal

The new Asylum and Immigration Tribunal granted a Muslim homosexual the right to a fresh decision on his case which had been refused. The man fled his home in a refugee camp in Lebanon after being targeted because he was gay and was told it was against Islam.¹⁰ His claim for asylum was refused in 2003 and although the facts of his case were accepted at appeal level, it was dismissed by an adjudicator. Lord Justice Keene quashed the adjudicator's determination on the basis that he had not looked at the '*substantial*' evidence. An expert submitted evidence of serious

⁸ The story '*Judge wonders when genital mutilation might be OK*', in *San Francisco Daily Journal*, 22 June 2005, was circulated by the Centre of Gender and Refugee Studies, USA.

⁹ *The Scotsman*, 'Asylum Blow for Girl Facing Enforced Circumcision' 9 June 2005, online at <http://news.scotsman.com/>.

¹⁰ Source: Story circulated by www.asylumpolicy.info, original story: *Manchester Evening News*, 'Gay Muslim wins asylum appeal', 31 July 2005, available online at www.manchesteronline.co.uk/men/news/s/166/166595_gay_muslim_wins_asylum_appeal.html

abuse of homosexuals in Palestinian and Lebanese society.

The decision comes at a time when another gay Palestinian is awaiting an appeal hearing in Glasgow this month to overcome a decision rejecting his asylum claim.¹¹ Omar el Kotob was imprisoned and tortured by Lebanese officials when his homosexuality was uncovered. He was also taken to court and found guilty but escaped to the UK before starting his sentence.

Inquest into woman's death says she died of 'natural causes'

The inquest into the death of Elmas Ozmico at Dover detention centre heard how repeated calls for medical attention and signs of Ms Ozmico being unwell were ignored by immigration officers.¹² Despite this, the inquest concluded that the 40-year-old Turkish mother died of '*natural* causes'. According to the Institute of Race Relations, a Home Office unpublished report of an internal inquiry also found '*missed opportunities*' in providing medical help to the woman asylum seeker. The findings were not submitted to the inquest.

Elmas Ozmico had travelled in the back of a lorry with her two children and nephew to the UK to join her husband who had been granted indefinite leave to remain. It emerged however that minutes after being taken to custody where they claimed asylum, Elmas' nephew had made several requests to

¹¹ Source: Vivienne Nicoll, 'I fled torture in Lebanon... now I've been told to quit UK', *Evening Times online*, at www.eveningtimes.co.uk. Story circulated by www.asylumpolicy.info.

¹² Source: Harmit Athwal, '*Asylum seeker death in Dover from 'natural causes'*', 7 July 2005 at <http://www.irr.org.uk/2005/july/ha000006.html>.

call a doctor and an interpreter, which were all ignored. Elmas collapsed more than a day after their arrival and had to be taken to hospital where she died of septicæmia four days later.

Women on hunger strike against return to Uganda and Zimbabwe

In the last few weeks nearly a hundred Zimbabwean men and women have been on hunger strike to protest against deportation to Zimbabwe where evidence of gross abuse and indiscriminate killing by Zimbabwean authorities and militant groups supporting the government continue to be reported by the media.¹³ One such hunger striker, 26 year-old Patricia Mukandara was saved at the last minute from being deported back by a High Court injunction which led the Home Office to suspend all deportations to Zimbabwe until her case is heard by the High Court on 4 August.

Now a group of Ugandan women held in Yarl's Wood Detention centre, some with young children, and other Ugandan nationals in other detention centres, have joined another mass hunger strike to protest against their deportation to Uganda.¹⁴ According to Legal Action for Women, women declared:

'Despite Uganda being cited as one of the safer and more stable African

countries, we were raped, beaten, imprisoned and then forced to flee for our lives. If we are returned, our lives will be in great danger. (...) Many people are being killed by the government secretly and there is no investigation into these deaths. (...) People who have been deported to Uganda have been taken into detention and disappeared.'

In their statement, Ugandan women also highlighted the continuing atrocities committed by the Lord's Resistance Army, including the kidnapping and rape of children, and the lack of adequate medication for people living with HIV/AIDS. But Ugandan women also protest against the conditions at Yarl's Wood and the way they are been treated by staff including: inadequate medical facilities and care, mediocre food, prevalent racism, and the use of force and abuse during removal attempts.

The women's complaints echo the findings of a report produced by RWRP and BID last year *'They took me away: women's experience of immigration detention in the UK'* (August 2004, available at www.asylumaid.org.uk or www.bid.org.uk). For more information and if you would like to support the Ugandan women's hunger strike, please contact Legal Action for Women, Crossroads Women's Centre, PO box 287, London NW6 5QU, Tel: 020 7482 2496 minicom/voice, Fax: 020 7209 4761; 07958 152 171; or email: law@crossroadswomen.net.

¹³ See Bill Doult, 'Edneth's hunger protest' in Evening Gazette, 28 June 2005 and David Pallister and Eric Allison, 'Zimbabwean deportation halted at last minute', in *The Guardian*, 4 July 2005 at www.guardian.co.uk/print/0,3858,5230454-115620,00.html.

¹⁴ Source: www.asylumpolicy.info and BBC news, 'Yarl's Wood women "hunger strike"', 27 July 2005 at <http://news.bbc.co.uk/go/pr/fr/-/1/hi/england/beds/bucks/herts/4721079.stm>.

Use of Section 9 means asylum seeking children split from their parents

WAN reported on the consequences of the use of Section 9 of the 2004 Asylum and Immigration Act when Community Care wrote an article entitled '*Children taken into care due to asylum policy*'.¹⁵ Under the powers of Section 9 of the Act, currently piloted in Greater Manchester, Leeds and Bradford, failed asylum seekers can be left destitute although local authorities have an obligation to provide accommodation for any child in need under Section 20 of the Children Act 1989. This means effectively that dependent children are at risk of being separated from their asylum-seeking parents and put into foster care as a result of an inhumane and degrading immigration law. Now six children from an asylum seeking Congolese family, the youngest one being seven months old, face separation from their parents after the Home Office withdrew the family support and accommodation.¹⁶

The Institute of Race Relations reports that Ms Ngiedi Lusukumu, who was refused asylum and is living in Bolton, received a letter from the Home Office announcing her eviction from the family accommodation on 5 August. The letter further reads that she may be separated from her [five of her six] children '*if, as a consequence of you being destitute, you are unable to look after them and Bolton Social Services is obliged to provide them with accommodation and care*'.

¹⁵ Dated 31 March 2005, at www.communitycare.co.uk. Alternatively see WAN issue no. 50, April/May 2005.

¹⁶ See Arun Kundnani, '*Asylum-seeking children face being separated from their parents and placed in care under new powers*', Institute of Race Relation, 28 July 2005 at www.irr.org.uk/2005/july/ak000015.html.

An appeal against the national asylum support service (NASS) decision is to be heard on 4 August, although Ms Lusukumu who suffers from depression and is on medication, may not be represented as she is not entitled to legal aid. *The Guardian* says that over 100 families may be affected by Section 9.¹⁷

British women told to follow asylum seeker husbands in '*oppressive*' countries

Three British women who have married asylum seekers who were denied protection in the UK are faced with the dire choice of following their husbands back to their country of origin if they do not want to be separated from them.¹⁸ The failed asylum seekers, from Iran and Afghanistan, who face deportation, were told that they need to obtain entry clearance from a UK Embassy in their country of origin to be legally admitted in the UK. Yet they fear torture or even death if returned to their country.

In addition to the risks faced by her husband, the Home Office's suggestion that Heather could follow her husband Shah to Afghanistan - and therefore '*there shall be no interference with his right to family life under Article 8*' - goes against Foreign Office advice against British citizens travelling to Afghanistan due to the high risk of terrorism. The advice also flies in the face of

¹⁷ David Ward, 'New law "to split" family denied refugee status', in *The Guardian*, 3 August 2005.

¹⁸ Story circulated by www.asylumpolicy.info. Original source: Indymedia, 'British Women that Marry Asylum Seekers', July 2005 at www.indymedia.org.uk/en/2005/07/319917.html

widespread evidence of women's rights abuses in the country. In addition there is no British official representative in Afghanistan that can issue entry visas. Indymedia also reports that according to information released by the British Embassy '*Westerners have been a target of kidnappers in Iran*'.

Hossein fled Iran in 2000 awaiting sentencing after having spent months in prison where he was interrogated and tortured. He claimed asylum immediately upon arrival but was refused asylum despite ample evidence of atrocities committed by the oppressive Islamic regime. He was told by the Home Office that his wife Jessica, whom he married in 2003, could accompany him at public expense but she would need to provide a conversion certificate to Islam in order to register her marriage with the Iranian authorities.

Heather and Shah were granted leave to appeal to the Tribunal on 9 August in a bid to obtain permission for Shah to remain in the United Kingdom on the grounds of their marriage.¹⁹

RWRP Project and other news

Gender persecution & monitoring Project

The Refugee Women's Resource Project (RWRP) at Asylum Aid would like to ask for your help in preparing a new resource for legal practitioners in the UK. RWRP works to obtain protection and

security for women seeking asylum in the UK. We do this by providing free, specialist legal advice and representation, backed up by advice, research and resources on asylum issues for women.

RWRP is currently working on a project to provide practitioners nationwide with a practical guide to making out persuasive Refugee Convention arguments in cases where women have experienced gender-related persecution (for example domestic violence, FGM, forced marriage etc.). The guide will include examples of materials that can be used to argue not only membership of a particular group, but all relevant Convention grounds.

The guide will be available online and in CD-Rom format and will be regularly updated. It will provide links to specialist gender-based country of origin information as well as more general background information and legal sources. In order to make the guide as useful as possible, we need your help in collecting as many examples as we can of the kinds of arguments and materials practitioners have used - successfully or otherwise - in representing gender-based claims at all stages of the asylum process. These might include, for example:

- Initial/post-interview; representations;
- Grounds of appeal to the IAA/IAT/AIT;
- Skeleton arguments;
- Excerpts from determinations;
- Caselaw you have found useful and/or persuasive.

¹⁹ Note that since February 2005 new Home Office regulations force all non European Nationals to ask '*permission*' before getting married.

All materials we use will be anonymised to protect clients' confidentiality. However, you may prefer to anonymise cases yourselves before forwarding materials to us. It would also be useful, but not essential, to indicate whether and to what extent the arguments used have been accepted by decision-makers.

The project outline is reproduced on Asylum Aid and EIN's websites (www.asylumaid.org.uk and www.ein.org.uk/ respectively), along with a brief questionnaire which we hope you might be able to find time to complete and return. This also includes some questions about your experience of the use of gender guidelines in gender-related claims, to help us monitor the implementation of the Home Office gender guidance since it was introduced into the Home Office Asylum Policy Instructions last year.

If you have any material you think might be relevant to this project and would be willing to contribute, please forward asap to: Mel Steel / Ezinda Franklin-Houtzager, RWRP, Asylum Aid, 28 Commercial Street, London E1 6LS. Email to: mels@asylumaid.org.uk. Please also feel free to pass this information on to anyone else in your own or other organisations that you think might be able to help.

'Why Women Flee: Persecution against Women' Seminar

The theme for this year's Refugee Week was persecution and so a seminar to highlight the persecution specifically faced by women in their country of origin and the difficulties they experience in the UK was held in this context on Thursday 23rd June 2005 at AMICUS office in central London.

The seminar was run by a partnership of organisations: the Refugee Council, the Refugee Women's Resource Project at Asylum Aid, the Refugee Women's Association, Refugee Action and Action for Refugee Women. It was attended by about 70 people and chaired by Simin Azimi, Director of the Refugee Women's Association.

The event started with a film '*Women's rights are human rights and women's rights are universal*' introduced by Gona Saeid on behalf of the Kurdistan Refugee Women's Organisation. This shocked the audience through its showing of the horrific domestic violence women experience (often in the form of being burnt) in Iraq. This was followed by a presentation by Claudia Hasanbegovic, Domestic Violence Coordinator for the Latin American Women's Rights Service who spoke more broadly about the types of persecution which women face. Gloria Ajok then read a moving poem entitled '*My Long Journey*' written by a group from African Women's Care.

In one of her first public appearances in the UK, Bemma Donkoh, the new UNHCR Representative to the UK, spoke about the vulnerability of women who flee persecution and the international

protection available to them. Jeremy Oppenheim, Acting Senior Director, Asylum Support Casework and Appeals, at the Home Office referred to the Gender Guidelines adopted by the Home Office in March 2004 but said there is still a gap between what is published and what is done. He stressed the importance of sensitivity to women's needs and their situation. Debora Singer, Coordinator of the Refugee Women's Resource Project at Asylum Aid continued this theme of women's experience once they reached the UK by talking about the difficulties with the new asylum legislation and procedures such as the fast track which now included women and the lack of legal advice available. Finally, Anna Reisenberger, Director of Development and Policy at the Refugee Council spoke of the need for country of origin information to reflect women's experiences. There followed a lively discussion and the seminar finished with a dance performance by a Rwandan Women's Group.



above: Bemma Donkoh, new UNHCR Representative speaks of the vulnerability of women fleeing

persecution in one of her first public appearances.

The partnership were very pleased that as a result of the seminar Jeremy Oppenheim agreed to host two meetings at the Home Office, one regarding female genital mutilation (FGM) and asylum (coordinated by FORWARD) and the other (coordinated by RWRP) regarding a wider range of asylum issues relevant to women, to take further the points raised at the seminar.

A full report of the seminar will be available on Asylum Aid's website (www.asylumaid.org.uk) later in September.

UK projects & events

New domestic violence project in Tower Hamlets

The Sanctuary Project is a new service to support victims of domestic violence in Tower Hamlets. It is designed to help people who are at risk of becoming homeless due to violence from a current or former spouse, partner or close family member. It is a partnership between the Council, the Police and other support services working together to increase the safety of victims of domestic violence, making it possible for them to feel safe and secure in their own homes.

Every 'Sanctuary' is tailored to accommodate the needs and circumstances of the individual and property involved. Police Crime Prevention Officers come to the

individual's home and recommend appropriate security measures. The work is then completed by a Specialist Contractor. For more information, please contact: Tower Hamlets domestic violence team, 4th floor, Mulberry Place, 5 Clove Crescent, London, E14 2BG, Fax no: 020 7364 4299.

related information **Women's Trust training on Domestic Violence**

Several training sessions on Domestic violence are planned for this autumn: Legal and Housing Options for Women experiencing Domestic Violence on Wed 14 September 2005; Domestic Violence Awareness training on Tues 29 September and Children and Domestic Violence, Tues 5 October 2005 both aimed at staff working in agencies working with women and children experiencing domestic violence. For more information, please contact Heidi Sabrautzky, Women's Trust, Tel: 0207 7795 6444 or email: administrator@wtrust.entadsl.com.

Conceptualising women's human rights in the African context

This conference organised by Akina Mama wa Afrika will be addressing issues such as: Tradition & Culture, FGM, Domestic Violence, Violence in war and conflict situations, Trafficking in women, Sexual Trauma. Date: 28 August 2004. Venue: Methodist International Centre, 81 - 103 Euston Street, London EC1V 7LQ. For booking and further details please contact Gloria Ogunbadejo, Mental Health Programme Officer, 0207 713 5166, gloria@akinamama.org.

Human Rights Advocacy Training Courses for refugees and asylum seekers

Education Action is hosting a number of intensive training courses to increase individual refugees and asylum seekers' human rights advocacy knowledge and essential skills; enabling them to develop their own advocacy work with the benefit of support, advice and guidance on an individual basis. Graduates will have opportunities for ongoing peer support and information sharing. The courses will be held in London with accommodation provided for participants from outside London and travel costs reimbursed for all participants.

The closing date for applications for the first course is 7th October. The course will begin on 7th November 2005. If you are a refugee or asylum seeker and are interested in participating in this training please contact Sonia on 020 7426 5814 or by email sonia.omar@education-action.org or visit www.education-action.org/retas_reap.htm.

Certificate in counselling for refugees

The programme (30 weeks from Oct 2005 - Jul 2006) is designed for refugees who wish to work with counselling skills or to train as bilingual counsellors within their own communities. Topics include psychological development from birth to death, a psychodynamic approach to counselling based on the work of Freud, Klein, Winnicott and others. Topics important to exploring refugee experience will include: Upheaval and

transition, loss, change, and uncertainty, cultural loss and adaptation, refugee families, racism and prejudice, survivor guilt and suicide, the impact of torture, etc.

The course will run at the Tavistock and Portman NHS Trust, Academic Services, Tavistock Centre, 120 Belsize Lane, London NW3 5BA, on Thursdays from 10am to 3pm with a fortnightly study and language skills class from 3.15 to 4.15pm. The fee is £1600 but help is provided for fundraising to cover course fees. In some cases bursaries may be available. For more information please contact Patrick Gallagher, Course Administrator, on 020 7447 3837, email: pgallagher@tavi-port.org or visit the website at www.tavi-port.org.

Introductory course on counselling refugees

This course run by the Refugee Therapy Centre is designed for refugees and asylum seekers who are interested in developing the resources of their own communities, as well as for professionals who provide support to refugees in refugee and other community organizations. Applications are now due by 10 August 2005. The course is free for unemployed refugees, and offers students an opportunity for their own personal and professional development, as well as to learn how to use their experiences to help others. The course runs from Oct 2005 to Jul 2006 and on Friday afternoons, 1:30 to 6:00 pm. For more information and to book, call Miriam Philip on 020 7272 2565. Refugee Therapy Centre, 40 St John's Way, London N19 3RR.

Free courses for asylum seekers with no recourse to public funds

The Limegrove Resource Centre runs a number of roll-on courses on workshops until 23 September including:

- ESOL English classes from beginners to advanced, including a course on the history of London, citizenship, etc.
- Information and computer technology:
- Cooking for beginners and baking:
- Job ready – Workshop for those in search of employment.

These courses and workshops are FREE of charge to everyone who is an asylum seeker with no recourse to public funds. For more information, please contact the Limegrove Centre, 47 Lime Grove, Shepherd's Bush, London, W12 8EE, Tel: 020 8740 9182, Fax: 020 8749 859 or email: limegroverc@stchris.org.uk. Bus Service: 72, 94, 207, 237, 283, 295 & 607. London Underground: Goldhawk Road or Shepherds Bush - Hammersmith and City Line

Free English language courses for asylum seekers and refugees

From 1 August 2005 for 10 weeks, 3 hours a day, Monday-Friday from 9am to 12:15pm; 12:15pm to 3:30pm or 3:30pm to 6:45pm. Venue: Leicester Square School of English, 22 Leicester Square, London, WC2H 7LE, (next to the Odeon Cinema). Beginners to Advanced Levels (Students must be 16 and over). To enrol on a course simply come to the school in Leicester Square with: Your IND Card or document confirming your status; evidence that you are in receipt of state benefits or support from NASS,

e.g. a letter from social services or NASS, income support cheque book, or a letter from the job centre. Please note that some students may be entitled to FREE TRAVEL. For more information, contact the school on 020 7839 7772, or email INFO@LSSE.AC.UK.

Introducing Liberty's Voluntary Sector Advice Service - Helping you help others

Liberty has recently launched a new human rights advice service dedicated to the voluntary sector. The service, funded by Comic Relief, provides high quality human rights advice on matters arising in England and Wales. Liberty is also developing an online human rights resource to promote good practice and encourage charities and community groups to share their experiences.

The service will help those working in the voluntary sector to better understand the implications of the Human Rights Act 1998 for their service users. The service can be accessed via the helpline 0845 122 8621 or queries can be submitted online at www.yourrights.org.uk/vas. Liberty will help you or help your clients and service users to enforce and protect their fundamental rights.

Free stunning sculpture by Zimbabwean women artists

The exhibition is taking place at the Oxo Tower from 21 July - 29 August 2005 from 11am-6pm daily. For more check www.oxotower.co.uk or telephone 020 7372 2694. On show are large and small scale contemporary stone sculpture celebrating the female form and

women's role in African society with over 55 artists represented including work by international renowned female and male artists.

Exhibition of asylum seekers' artwork

Detainees from Campsfield house, Kidlington have produced prints and other forms of art based on memories of homelands and childhood which is currently on show at Oxfordshire Museum, Woodstock until 4 September.

Source:

<http://news.bbc.co.uk/1/hi/england/oxfordshire/4718039.stm>.

International news

Six in ten women sexually assaulted in largest IDP camp, Northern Uganda

Research conducted over nine months jointly by the government and the UN Children's Fund (UNICEF) has found that *'six out of ten women in Pabbo Camp are physically and sexually assaulted, threatened and humiliated by men'*.²⁰ The report entitled *'Suffering in Silence'* was launched in June this year and says that the victims are mainly girls, some of whom are no older than four. It also says that rape in the camp - which hosts more than 64,000 internally displaced

²⁰ UN Integrated Regional Network Information, 'Uganda: Rape rampant in largest norther IDP camp', Gulu, 17 June 2005 at www.irinnews.org/print.asp?ReportID=47689, and Daniel Wallis, 'Fear, graft and silence shroud Uganda sex attacks', Reuters, 23 June 2005.

people (IDP), 70% of whom are women – is rampant. Many factors were found to be contributing to sexual violence against women, including poverty, alcohol, idleness, and traditional practices such as wife inheritance. Young women are also forced to turn to prostitution to survive.

The study underscores the silence surrounding sexual assaults: IRIN reports that many victims are seen as '*losers deserving of abuse*' by other IDP in the camp. Stigmatisation leads many of them to report rape as a simple assault and many are unaware that it is a crime, resulting in low police records of such violence. In any case there are only six policemen in the camp to ensure protection and order (soon to be joined by a female officer) and no facilities to interview women separately. The court is located 20 km away with no transport.

The study also highlights another example of women being abused after having fled an area of conflict or persecution when they thought they had found some form of sanctuary. In this case, UNICEF and its partners say they will alter their priorities to include the facilitation of the reporting of sexual and gender-based violence in the camp and help improve the response and referral system of police and health staff. They will also implement the use of an interagency guide on responding to sexual crimes across the region.

related news

Uganda:

Homosexuals intimidated - Amnesty International issued a news release on 2 August drawing attention to the

intimidation of lesbian and gay activists in Uganda. AI says incidents of intimidation follow the adoption by Ugandan parliament of a constitutional amendment to criminalize marriage between persons of the same sex on 5 July this year. In an earlier statement Human Rights Watch wrote that the constitutional change had followed '*months of state-promoted controversy about homosexuality in Uganda*'.²¹ For full text of AI's public statement, go to: <http://web.amnesty.org/library/Index/ENGAFR590032005>.

Refugee female majority committee elected to run camp

Jesuit Refugee Services (JRS) reported on the election by Liberian refugees in the Lainé camp, southern Guinea, of a new camp committee with a female-majority.²² According to the refugee agency, the former committee had been running for two and a half years but many refugees were discontent with the way services and food were distributed with allegations that '*only those who paid enough money received assistance from the committee*'. After the former committee failed to respond to demands for better management accountability, elections were called which JRS staff said were the only way the refugees could voice their dissatisfaction without fearing individual retribution. In the process, refugee women are said to have

²¹ For more see: HRW, '*Uganda: Same-sex marriage ban deepens repression*', New York, 12 July 2005 at <http://hrw.org/english/docs/2005/07/12/uganda11307.txt.htm>.

²² Source: JRS Special Reports, '*Guinea: Refugees elect majority women committee to manage camp*', in *Dispatches* 174 –30 June 2005, at www.jesref.org/dispatch/disp.php?lang=en&dispId=dp0506174en#01.

encouraged other women to run as candidates in the various zones of the camp which hosts 22,000 registered refugees including 12,000 women. Despite some attempts to deter the women to run as candidates, telling them it was a '*man's position*', 6 out of the 27 zones in the camps supported the women candidates.

Guatemala: Authorities fail to protect women from murder

Hundreds of Guatemalan women met a violent death in 2004 according to a new report by Amnesty International published on 9 June.²³ At least 1,188 women and girls were reported brutally murdered between 2001 and 2004, many raped or sexually assaulted. The human rights organisation contends that the number of killings of women continues to rise, especially amongst the poor and the migrants. The Human Rights Ombudsman office says that only 9 % of these cases were investigated, a figure that highlights the lack of prevention measures and protection provided by Guatemalan authorities to women in the country. Some women's groups and victim's relatives attempt to raise awareness of the issue but they face a '*culture of silence*' and they too are targeted: in May this year, 12 separate offices of such groups were ransacked according to a women's rights activist interviewed by the BBC.²⁴

²³ AI, News release, '*Guatemala: Hundreds of women murdered while authorities fail to act*', 9 June 2005.

²⁴ Adam Blenford, '*Guatemala's epidemic of killing*', *BBC News*, 9 June 2005, at <http://news.bbc.co.uk/1/hi/world/americas/4074880.stm>

Russia: Domestic violence kills 24 women a day – thousands more suffer

Based on calls to their hotlines, the Russian Association of Crisis Centres estimate that only 5 to 10% of women victims report domestic violence to the police whilst many complaints are rejected.²⁵ The association also estimates that more than 50,000 Russian women are beaten by their husbands or partners every hour and one woman is killed on average every hour as a result of domestic violence. Poverty and alcohol abuse are quoted as contributing factors. State protection against domestic violence is non-existent in Russia – it is not considered a crime – as are shelters for the safety of women. Many women do not report the crime in the knowledge or belief that the police will do nothing about it: it is still seen very much as a private matter.

Pakistan: Supreme Court rejects gang-rape acquittals

Five men previously acquitted of gang rape by the Lahore High Court in March 2005 were sent to custody following an appeal to the Supreme Court that ordered them to be detained pending appeal hearings.²⁶

Ms Mai had been gang-raped by the men allegedly on a village council's order because her younger brother was seen with a woman from a more influential clan (see WAN issue no 50, april/may

²⁵ Source: Sexism & women's rights Bulletin, 2005 – 4.

²⁶ Source: BBC News, '*Pakistan rape acquittals rejected*', 28 June 2005, at http://news.bbc.co.uk/2/hi/south_asia/4629457.stm.

2005). Ms Mai and her brother said that the allegations were made to cover up a sexual assault on the boy by men of the powerful Mastoi clan. She said that she had chosen to '*challenge the cruel feudal and tribal system and harsh attitudes of society*' but as a result she is now leaving under police protection.

News of the suspension of the acquittal came only days before Pakistani police arrested seven men on charges of kidnapping and gang raping a woman in retaliation for her young relative's affair with a sister of one of the suspects.²⁷ Both incidents occurred in Pakistan's Punjab province.

Iraqi women fear for their constitutional rights

As the deadline for the completion of the draft Iraqi constitution looms ahead (it is the 15 August), Iraqi women have publicly expressed their extreme concerns at the prospect of their rights being curtailed by the national assembly committee.²⁸ The concerns stem from the introduction in the new constitution of a chapter on duties and rights which now refers to *Shari'a* (Islamic law) as the '*main source*' for legislation. IRIN reports that previously, in an earlier interim constitution, Islamic law was referred to as an important source of legislation but not the main source. In addition, a copy of the draft constitution

²⁷ Randeep Ramesh, 'Seven arrested in Pakistan for "honour crime" rape', in *The Guardian*, 7 July 2005 at www.guardian.co.uk/pakistan/Story/0,2763,1522921,00.html.

²⁸ Caroline Hawley, 'Iraqi women fear for their rights', BBC News online, www.bbc.co.uk/ and IRIN, 'Iraq: Fears grow for women's rights as deadline looms for constitution draft', www.irinnews.org/print/asp?ReportID=48334

reveals '*weaker provisions on women's representation in decision-making bodies, on men and women's equality under the law and international treaties.*' Lastly according to the draft constitution, issues of marriage, divorce and inheritance would be dealt '*according to the law as practised by a family's own sect or religion*' and not by what is considered a progressive legal provision, the Personal Status Law which currently governs family matters.

These changes are feared at a time when women in Iraq are targeted and threatened with death threats if they do not comply with specific dress codes or choose to wear make-up. The Institute of War and Peace Reporting recently mentioned the case of a Christian lawyer who was physically attacked and acid thrown on her clothes because she was unveiled.²⁹ The attack occurred in Mosul, North of Baghdad where three female professors at the University of Mosul were also killed by insurgents. Women said the security has worsened and they are increasingly restricted and deprived of their rights and freedom.

Japan: trafficking legislation revised

Japan has revised its criminal law so that human trafficking is legally a crime and traffickers can now be punished. Activists are however concerned by foreign-staffed sex parlors which have made the country a haven for traffickers. For more details, see:

www.womensenews.org/article.cfm?aid=2378

²⁹ Sahar al_Haideri and Wa'ad Ibraheem, '*Insurgents impose curbs on women*', IWPR, Mosul, 5 July 2005.

International events & projects

*'Role of Women in Diaspora in
Peacebuilding and Conflict
Resolution'*

This Conference organised by the Multicultural Women Peacemakers Network (MWPN) will take place on the 3 September in the Hague, the Netherlands (14h00 – 18h00). The Multicultural Women Peacemakers Network (MWPN) in the Netherlands is a forum for diverse groups of women from different backgrounds, nationalities, religions and cultures but all working for the common cause of peace building, gender justice and conflict resolution. These women want to unite their forces in mobilising their strengths and impacting civil society and in making a difference in the world. The conference will highlight trips made by women from Burundi and the Moluccas in their hometowns and the political, economical and social impact they made there. It will also report on measures undertaken with politicians on the situation and human rights of women in prisons and in society at large.³⁰

Venue: 'De Octopus,' Delftselaan 12, 2512 RE Den Haag, Telephone: 070 3807102. For more information contact UNOY Peacebuilders by email at info@unoy.org or Tel: +31 70-3647799; Fax: +31 70-3622633.

³⁰ Information circulated by Neww Polska Newsletter at www.neww.org.pl/en.php/news/news/1.html?&nw=1395&re=2.

Due Diligence

**The responsibility of the state for
the human rights of women**

This is an International Symposium organised by Amnesty International (Swiss section), Human Rights Switzerland, World Organisation Against Torture and the Centre for Interdisciplinary Gender and Women's Studies at the University of Bern (21-23 September 2005). It will cover questions in relation to the role of the state in preventing and fighting violence against women; whether or not other forces can play a role; and who should implement the principle of *due diligence* – according to which under international law states bear responsibility to prevent, investigate and punish violence against women – in the absence of state structures? These questions will be discussed in relation to four specific topics, domestic violence, trafficking in women, violence in armed conflict and violence legitimised with arguments of culture, throughout the event at workshops.

The Symposium is for academics, students, representatives from governmental and non-governmental organisations and politicians. Yain Ertük, UN Special Rapporteur on Violence Against Women will be one of two speakers at the opening session, talking about the effectiveness of the concept of *due diligence* against violence. For detailed information on the programme and speakers, and registration, go to www.izfg.unibe.ch/duediligence or contact *Due Diligence*, Secretariat, Sabrina Büchler, Falkenplatz 3, CH - 3012 Bern, Tel: + 41 (0)31 307 22 42 or email duediligence@humanrights.ch.

New European Institute for Gender Equality to be set up

In March 2005, Vladimír Špidla, the EU Commissioner for Employment, Social Affairs and Equal Opportunities, proposed the establishment of a new European Institute for Gender Equality. The proposal was that the European Gender Institute (EGI) would be an independent centre of excellence at European level that collects, analyses and diffuses reliable and comparable data. Its objectives, according to Article 2 of the draft Regulation, are to *'assist the Community institutions, in particular the Commission and the authorities of the Member States in the fight against discrimination based on sex and the promotion of gender equality'*. The European Women's Lobby, in its position paper on the setting up of the EGI, recommends in particular that *'all activities of the Gender Institute must, from the outset incorporate the specific needs and situation of the many women who face double or multiple discrimination.'* This it further says will *'ensure that the real experience of groups such as migrant or ethnic minority women, disabled women, younger or older women or lesbians will be fully recognised and analysed in all the work of the Institute'*. EWL also states that the EGI should not replace existing European mechanisms for gender equality such as the Women's Rights Committee in the European Parliament, but rather complement them.

For full EWL's position paper, see online: www.womenlobby.org/document.asp?DocID=889.

Internet project to combat trafficking

A new website has been launched to help connect different agencies trying to provide protection and support to victims of trafficking (into labour or prostitution) and prosecute traffickers. The site 'TipinAsia' at www.tipinasia.info provides quick links to country-specific information on trafficking in persons in Thai, Khmer, and English, as well as anti-trafficking news and information about Cambodia, Thailand and East Timor. A directory of organisations or individuals working in the field in Asia can also be found.

new publications

international

Decisions Denied Women's Access to Contraceptives and Abortion in Argentina

This report by Human Rights Watch (HRW) highlights the current legal and social restrictions and obstacles Argentine women face when wanting to make a free informed choice on contraception with consequences for their fertility and health. The result is indicative with more than 40 percent of all pregnancies ending in illegal abortions whilst unsafe abortion is the leading cause of maternal mortality in Argentina today, according to HRW.

The report is based on field research in Argentina in September and October 2004, as well as prior and subsequent research, including in-depth interviews with more than forty women and one girl who had experienced problems in

accessing contraceptives or who had undergone illegal and unsafe abortions. In addition HRW interviewed more than seventy representatives various organisations and institutions, governmental or independent.

HRW says that the current government's efforts to help women make independent decisions about reproduction continue in some cases to be undermined by public health officials *'opposed to reform, or who fear retribution if they implement the needed reforms.'* Thus women are first restricted in their decisions by *'doctors and spouses [who] continue to exercise control over women's reproductive health through laws and policies that subject female decision-making to arbitrary extraneous interference.'*

In addition to domestic and sexual violence by husbands on women being left unchallenged, another barrier is that public health officials are charging for contraceptives despite the fact that these should be free under the law.

But women's access to the contraceptive method of their choice is also subject to legal restrictions: Voluntary access to sterilization is severely limited under Argentine law. HRW writes that in violation of international human rights standards of privacy, *'many public hospitals require that women obtain their husband's consent for the operation, have at least three children, and be older than thirty-five to be eligible for the surgery. (...) Some physicians and hospitals, moreover, require women to seek judicial authorization for sterilization even when they fulfil all of the requirements.'* Restricted access to

voluntary tubal ligation and abortion is reinforced by requiring medical doctors to report to national authorities when women seek life-saving post-abortion care. But in such instance, HRW also found that women *'received inhumane and sometimes grossly inadequate treatment when they sought medical assistance for incomplete abortions or infections due to unsafe abortions'*.

Under pressure from civil societies, health ministries at national and regional level have committed to reduce maternal mortality in the country and an information campaign to inform the general public about the reproductive health services available through the national program has been launched this year. In May 2005, the national government was planning to publish a guide on how to provide humane post-abortion care and distribute it to heads of maternity wards in public hospitals. HRW says that there is urgent need for such reforms, as well as further government action in the area of reproductive rights. For more see:

<http://hrw.org/reports/2005/argentina0605/>

related information **Colombian women face imprisonment for abortion** At the end of June, Human Rights Watch submitted a brief to Colombia's Constitutional Court saying that current penal sanctions for abortion in Colombia – up to four and a half years even in cases of rape or when women's lives are endangered – are *'inconsistent with international human rights obligations and should be declared*

*unconstitutional.*³¹ The organisation also reported on an incident in which the office of a Colombian lawyer, Mónica del Pilar Roa López, project director at Women's Link Worldwide, was broken into and confidential files stolen. The incident followed a request by the lawyer for the court to review the abortion law in Colombia. HRW says that 450,000 abortions are estimated to take place in the country each year.

Russia: Mothers With HIV and Their Children Face Stigma and Discrimination

This is another report by Human Rights Watch published in July this year highlighting a culture of fear surrounding HIV/AIDS in Russia leaving many women and children affected to '*virtual isolation*' segregation or abandonment. HRW states that '*thousands of HIV-positive mothers and their children face pervasive discrimination and abuse*' by health care and child care providers alike. Despite legislation to ban such abuse and discrimination, the Russian government remains unable to protect them and unwilling to dispel misinformation and stigma affecting an increasing number of HIV/AIDS patients. Many children are abandoned and left to the care of the state resulting in children being placed in specialized orphanages for HIV-positive children or, even worse, isolated indefinitely in hospital wards, a policy recognised as illegal by the Russian Ministry of Health as it '*enforces*

the stigma society attaches to the disease'.

It is estimated that since figures were first recorded in 1997 nearly 10,000 HIV-positive women have given birth, the vast majority of whom had their children since 2002. Many choose to conceal their diagnosis from family or colleagues for fear of the consequences. Lois Whitman, Children's Rights director at HRW said that '*the stigma of HIV/AIDS is with them everywhere: in the workplace, at school, at the neighbourhood clinic, even in their own homes.*' They also face discrimination at local gynaecological clinics said to be ignorant about treatment and '*even belligerent*': women interviewed by HRW reported being verbally abused by doctors and nurses, or being denied treatment altogether.

But according to HRW, despite blatant discrimination the government refuses to enforce existing legislation against HIV-discrimination and little has been invested to conduct a public education campaign. Human Rights Watch called on President Vladimir Putin and the Russian government to address the problem publicly and end discriminatory practices against people living with HIV/AIDS in Russia that violate both Russian and international law.

The 41-page report, '*Positively Abandoned: Stigma and Discrimination Against HIV-Positive Mothers and Their Children in Russia*' can be found at:

<http://hrw.org/english/docs/2005/07/15/russia11320.txt.htm>

³¹ See: HRW, 'Colombia: Women face prison for abortion', New York, 27 June 2005, at <http://hrw.org/english/docs/2005/06/22/colomb11202.txt.htm>.

Clinical management of survivors of rape - Developing protocols for use with refugees and IDPs

This revised edition has just been published and follows a first version which was produced after the UN High Commissioner for Refugees organised a conference in 2001 to gather experiences and lessons from an array of stakeholders (representatives of refugee, NGOs, intergovernmental organisations).

The first edition was distributed around the world and field-tested at several sites. Feedback from these field-tests has been included in the 2005 revised version, which is the result of collaboration between the International Committee of the Red Cross (Health Unit); the United Nations High Commissioner for Refugees (Technical Support Unit); the United Nations Population Fund (Humanitarian Response Unit); and the World Health Organization (Department of Reproductive Health and Research, Department of Injury and Violence Prevention, and Department of Gender and Women's Health). This version has also been updated to include the most recent technical information on the various aspects of care for people who have been raped.

This document is also available in PDF at the following weblink:

www.who.int/reproductive-health/publications/rhr_02_8_clinical_management_survivors_of_rape/clinical_mgmt_survivors_of_rape.pdf.

HRW reports on torture in Nigeria

In this latest report entitled '*Rest in Pieces, Police Torture and Deaths in Custody in Nigeria*' (July 2005) Human Rights Watch (HRW) documents the results of an investigation in Nigeria in March 2005 which found that torture and other cruel, inhuman, and degrading treatment by the Nigerian Police Force were widespread and routine. HRW interviewed some fifty victims and witnesses including women in the cities of Enugu, Lagos and Kano.

The brutal acts of torture described in the report, and which sometimes result in death, include rape and other sexual violence against female and male detainees. According to HRW, these violations were perpetrated by and with the knowledge of senior police officers some of whom are known within police stations by the nickname '*Officer in Charge Torture*.' Witnesses and victims alike said interrogation rooms in local and state police stations '*appeared to be especially equipped for the purpose*'. For a full report, visit online:

http://hrw.org/reports/2005/nigeria0705/1.htm#_Toc109621445.

Data and Research on Human Trafficking: A Global Survey

This special issue just published by the International Organization for Migration (IOM) provides a synthesis and analysis of the main types of research on human trafficking in different parts of the world, which have considerably grown in the last decade. Yet this publication shows that few studies are based on extensive or empirical research whilst the number

of people trafficked worldwide remains unknown. Along with regional chapters, the book focuses on methodological challenges in researching human trafficking and suggests a number of ways in which to improve the collection of data and research on the subject. It includes papers from more than a dozen experts first discussed at an international conference in Rome in 2004 and is edited by Dr. Frank Laczko, Head of Research, IOM Geneva, and Dr. Elzbieta Gozdzik, Research Director, Institute for the Study of International Migration, Washington.

For more information, please visit online www.iom.int. Orders may also be sent directly to International Organization for Migration, Publications Unit, 17 route des Morillons, 1211 Geneva, E-mail: publications@iom.int (ISBN: 978-92-9068-240-X, Year: 2005).

Sudan: Gang rapes by armed forces continue with impunity in Darfur, report will say

Louise Arbour, the Geneva-based high commissioner for human rights, is to publish a report on access to justice for victims of gang rapes in Sudan's Darfur region. She said that *'rape and gang rapes continue to be perpetrated by armed elements in Darfur, some of whom are members of law enforcement agencies and the armed forces.'* In her account to the U.N. Security Council she said that complaints of rape committed by state armed forces such as soldiers and police were delayed indefinitely or dismissed outright. Worse, she added that *'when rape is not established by the courts, rape victims risk facing criminal*

charges themselves'. The government is unable or unwilling to secure justice for the victims who instead face arrest for *'providing false information'*. The aim of Arbour's report is to evaluate an agreement reached last year with the UN in which the Sudanese authorities pledged to investigate abuses in Darfur. It will be published on Friday 5 August.³²

Damning reports on detention and return in the UK, Italy and Spain

Amnesty International published three reports released on 20 June, World Refugee Day in which it describes how European Union countries are increasingly violating their international obligations on asylum in the context of an extensive use of detention and expulsion policies. The reports highlight the *'the terrible human cost of "Fortress Europe"'*. For more details and a copy of the reports see: www.amnesty-eu.org/static/html/pressrelease.asp?cfid=12&id=233&cat=4&l=1.

new publications

UK

Two forthcoming publications by the Poppy project

"Prosecution" The best form of prevention and protection' represents the findings of a study of trafficking cases. It contains a comprehensive analysis of the groundbreaking Plakici case whose sentence was increased from

³² Source: Evelyn Leopold for Reuters, *'UN official: Darfur authorities bully rape victims'*, 28 July 2005, online at: www.alertnet.org/thenews/newsdesk/N28381871.htm.

10 to 23 years by the Court of Appeal in April 2004. The case is used to build a best practice model and the report looks at more recent cases which were influenced by Plakici's. The report also looks at the changing legislation.

'*No Escape?*' *An investigation into London service provision for women involved in the commercial sex industry* is a survey report mapping the support available (either statutory or voluntary) to women involved in both on and off-street prostitution in London. The report lists any perceived gaps in service provision and they form the basis of the conclusion and recommendations. A directory of available services is included, which contains full contact details and description of the services provided. Both reports will be soon available in PDF format on the POPPY project website at www.poppo.yk.com (Source: The Poppy project newsletter, May 2005, p. 6).

Clandestine Confessions

We are aware that many women asylum seekers or refugees fall victim of sexual exploitation by an '*acquaintance*', during their flight or in the country they seek safety, as a means of survival. In this book, Nina Holden describes the devastating effects of acquaintance rape and sexual abuse from a survivor's point of view, in an attempt to help other victims and in the hope that friends, relatives, partners and others might more easily understand the traumatic consequences of these crimes. This work will appeal mainly to young women as they most often become victims at a time when they have limited or — like

the protagonist — no sexual experience. However, all age groups can benefit from reading this book as sexual assault and abuse can affect anyone's life so dramatically. (Publisher: Bertrams Print on demand, ISBN: 9090194223, £9.99)

online resources

international

Global Migration and Gender Network (GMGN) set up

The aim of this network is to provide a means for practitioners and researchers with an interest in gender and international migration to share information and ideas on a regular basis. The GMGN was established as a result of a two-day workshop on the issue held in March 2005 by the Global Commission on International Migration (GCIM). The co-ordination will initially be assumed by the GCIM Secretariat.

The network will be issuing a regular newsletter to all network subscribers, incorporating links to relevant documents, news of forthcoming conferences and publications, book reviews and opinion pieces. The success of the network and its newsletter will depend on the input provided by subscribers. Please inform your colleagues of this initiative and provide the GMGN with items that you would like to feature in the newsletter. News and newsletters are already available on its website at <http://gender.gcim.org/en/> where you can also find information about its current members.

The **2005 World Refugee Survey** is available since June. The online statistical summaries and key findings can be found at: <http://www.refugees.org/article.aspx?id=1343>

online resources

UK

Refugee Action's online leaflets on Refugee women and their rights

Refugee Action has produced four leaflets in the series 'Refugee women: know your rights' for refugee women and women asylum seekers. The leaflets available in five languages – Arabic, English, Farsi, French and Somali – cover four separate issues: safety in the community, the rights of parents in relation to children, women's legal rights in marriage or relationship, women's legal rights in case of divorce or separation, and women's rights in relation to domestic violence:

'You have the right to be safe while living in the UK. You have the right to be safe in your home, when you go out, within your community, at places you visit and where you work. Women in the UK, including refugees and asylum seekers have rights when they are married or in relationships and if that relationship or marriage ends. You also have rights regarding your children. Women do not have to suffer domestic violence, which is any type of abuse in your home. Your rights are upheld by the laws of the UK. The leaflets (...) contain information about these rights. The leaflets can also

tell you what to do if you think your rights are not being respected.'

The leaflets are available in PDF at the following weblink: www.refugee-action.org.uk/information/downloads.aspx#refugeewomen.

related information

In 1997 Refugee Action and the Bristol Maternity Health Links jointly commissioned a 49 minute video providing information and advice on pregnancy and childbirth for refugees and asylum seekers in Arabic, Bangla, Bosnian, Cantonese, English, Farsi, Gujarati, Hindi, Punjabi, Somali, Urdu and Vietnamese. Refugee Action would like organisations and people to make more use of it. The cost is £20 (incl. post and packaging) but unfunded refugee women's groups can obtain the video for free. For more information or to place an order please contact Sophie Wainwright on: 0207 840 6510 or email: SophieW@refugee-action.org.uk.

Self-help guide for asylum seekers facing detention & removal

This guide was produced by Legal Action for Women, Black Women's Rape Action Project (BWRAP) and Women Against Rape, all based at the Crossroads Women's Centre, 230a Kentish Town Road, London NW5 2AH. For more information, contact: 020 7482 2496 minicom/voice or email: law@crossroadswomen.net.

related publication

BID's (Bail for Immigration Detainees) new bulletins to help detainees representing themselves in bail applications and

covering specific nationalities or problems: Iraqi Nationals (Bulletin 2), DRC nationals (Bull. 4), Liberian nationals (Bull. 6), Zimbabwean nationals (check site for more) and Accommodation from NASS (Bulletin 3). See full text at:
www.biduk.org/obtaining/notebook.htm.

Prohibition of Female Genital Mutilation (Scotland) Act 2005

The full text of Prohibition of Female Genital Mutilation (Scotland) Act 2005, 12 July 2005 – which we mentioned in WAN issue number 51, June 2005 – is available at:
www.opsi.gov.uk/legislation/scotland/acts2005/20050008.htm.

notice board

Company stage manager (CSM) sought for a play on refugee experience

Iceandfire Theatre Company, based in Tower Hamlets, are looking for someone to collaborate with us on a project we are undertaking this Autumn. Crocodile Seeking Refuge is Iceandfire's next production and will be running at the Lyric, Hammersmith from the 20 Sep to the 8 Oct. The play tells the story of five individuals who have sought asylum in the UK and is drawn from the real life experiences of the five refugees and asylum seekers who were involved in the research and development stage of the project. The CSM will be responsible for

some of the propping and some stage cues, will coordinate the cast and crew, and be the main liaison for the production manager during the rehearsal period. To apply, please send your CV and a brief covering letter to Sara Masters by either e-mail or post. For more information, call 0207 377 5299, email info@iceandfire.co.uk or visit www.iceandfire.co.uk. (Source: RWA Info Service)

Vacancies at the refugee therapy centre

The Refugee Therapy Centre offers psychotherapy, counselling and associated treatments to refugees and asylum seekers in 17 languages. The Centre also runs training programmes for professionals and through voluntary work offers young refugees the opportunity to gain experience in office skills, interpreting, and basic counselling and support skills. It is currently seeking to recruit a Personal Assistant, Administrator, Bilingual Counsellor and Child Psychotherapist/clinical or Educational Psychologist. For more information, call RTC on 020 7272 2565 or visit RTC'S website at: www.refugeetherapy.org.uk. For an application pack, please send an A4 SAE with 60p postage stamp to the address below: Refugee Therapy Centre, 40 St John's Way, London N19 3RR.

Does your organisation need volunteers? Refugees and asylum seekers needing placements

One World Foundation Africa is a Newham based charity that offers employment preparation and support

activities and arranges voluntary work placements for refugees, asylum seekers and people from black and ethnic minority communities. The organisation offers a free volunteer brokerage service that endeavours to best match your organisation's volunteer needs with the skills, interests and experience of the programme participants. Currently volunteering opportunities are sought in a range of areas, including: Information technology; community development; financial management; project support; general office work; events; elderly people and children. One World Foundation Africa is particularly keen to hear from organisations based in the boroughs of Barking and Dagenham, Hackney, Newham, Redbridge and Tower Hamlets. For details please contact Lianne Parrett on 020 8352 1732 or email lianne@oneworldfoundation.co.uk. Further information is available on: www.oneworldfoundation.co.uk.

UNHCR's new address

From the 1 August 2005 the United Nations High Commissioner for Refugees – London Office has a new address:

United Nations High Commissioner for Refugees
Strand Bridge House
138-142 Strand
London WC2R 1HH

Tel.: 020 7759 8090, Fax: 020 7759 8119. Website and e-mail addresses remain the same. (www.unhcr.org.uk and gbrlo@unhcr.ch respectively).

Lloyds TSB Foundation's England and Wales-wide funding priorities

For the second half of 2005 the Foundation's priority areas are capacity building and Refugees and Asylum Seekers-Supporting Diversity and Inclusion for charities working with people from black and minority ethnic (BME) communities. Also, the Foundation continues to have an interest in supporting charities working in the fields of family support; challenging disadvantage and discrimination; and helping to make the voluntary sector more effective.

Note that there are ten regional priorities. Funding priorities for Greater London in 2005 include supporting work which assists refugees and asylum seekers and enabling socially excluded groups, disabled people, those with mental health problems, those struggling with addiction, and ex-offenders to access education and employment training. For more go to: www.lloydstsbfoundations.org.uk. The deadline for the December England and Wales-wide grants meeting is in October.

If you are you currently receiving Women's Asylum News by post but can receive it by email instead, you could help use save crucial financial resources.

Please send your email details to Malak at malakb@asylumaid.org.uk.

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

Membership Form

Name _____

Address _____

Tel _____

Email _____

I would like to become a **MEMBER** of Asylum Aid

STANDARD

UNWAGED

£4 / month = £48 / year

£20 / year

Benefits

- Receive a copy of our annual report free of charge
- An invitation to attend Asylum Aid's AGM
- Opportunity to stand for election to the board of trustees
- Right to vote at the AGM election
- Free subscription to our quarterly newsletter
- Access to member- only section of website
- Up to date campaigning information emailed directly
- Invitations to Asylum Aid events, eg. open evenings
- Buy copies of Asylum Aid's reports at a reduced price

I would like to become a **FRIEND** of Asylum Aid

STANDARD

UNWAGED

£2 / month = £24 / year

£10 / year

Benefits

- Receive a copy of our annual report free of charge
- Free subscription to our quarterly newsletter
- Invitations to Asylum Aid events, eg. open evenings

I wish to make a gift of £ _____

Asylum Aid - STANDING ORDER FORM

To: The Manager, _____ Bank,
(Address of Bank) _____

Please pay **ASYLUM AID** the sum of £ _____ each

month/quarter/year (delete as appropriate) until further notice

and debit my account no. _____

sort code: _____ starting on (date) _____

Name: _____

Address: _____

Postcode: _____

Signature: _____ Date: _____

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

Gift Aid Declaration

Asylum Aid
Registered Charity no. 328729

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

Name _____

Address _____

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

Signature _____ Date _____

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