

THE WORLD'S BIGGEST MINORITY? Refugee Women and Girls in the Global Compact on Refugees

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(NB This is a Summary Document. The full referenced version is available at www.unhcr.org/writtencontributions)



The International Protection system is failing refugee women and girls

There are strong commitments related to gender equality and rights of refugee women and girls in the New York Declaration for Refugees and Migrants. It is critically important that these be reflected in the four pillars of the Comprehensive Refugee Response Framework. Sadly, these commitments reflect the reality that law and policy developed over the past 30 years to address the protection needs of refugee women and girls are not working. They still suffer endemic rape and sexual abuse and lack access to many of the protection measures and durable solutions which should be available to all refugees. Their voices are often silenced and their capacity ignored. While women's and girls' capabilities and social capital are devalued, 50% of the refugee population's contributions to solutions remain unrecognized. Major obstacles to the provision of adequate responses to women and girls is the way in which they are designated in law and policy. The most common labels are those of "minority" and "vulnerable" groups. These reflect both the political and ideological positions of much policy and law and have an extremely detrimental impact on the protection of women and girls.

Women and girls as minorities

At least half of the total number of refugees in the world are women and girls. However, they are most often classified as a minority group, along with people with a disability, youth and children, members of the LGBTI community, the elderly and people from small ethnic groups or religions. **It is important to note that women and girls constitute 50% of all of these minority groups.** However, the word minority is not used here to refer to numbers. Groups labeled as "minority groups" are those known to suffer from discrimination and subordination because of their status, are differentiated from those who hold positions of social power, have unequal access to decision-making, infrastructure and resources, and have their personal capacities ignored. This is the experience of refugee women and girls.

Women and girls as "vulnerable groups"

Women and girls are also categorized as a "vulnerable group" with an emphasis on personal vulnerability. However, they are not inherently vulnerable, but the refugee experience places them in situations which create vulnerability. Multiple levels of discrimination are inherent in the labels "minority" and "vulnerable" and compound the difficulties faced by women and girls. The experience and potential vulnerabilities of women and girls, men and boys are significantly different. Cultural differences often give women lower social status, and place them in a position of dependency to men. Lack of educational opportunities make it more difficult for them to access decision-making positions and safe livelihoods opportunities. They also face multiple additional barriers accessing services including legal protection, reproductive and other health services. The most important difference is that of endemic sexual and gender based violence.

Sexual and Gender Based Violence

A major protection issue for the majority of refugee women and girls is that of sexual and gender-based violence. This includes systematic rape in conflict and post-conflict situations, rape as a method of control of community and family destruction, rape of women as a punishment for men in a community, sexual assault, sexual torture, sexual slavery, trafficking, corrective rape of LGBTI identifying women, early and forced marriage, female genital mutilation, and domestic violence. SGBV exists in all refugee situations and is a cause of flight, risk en route, in countries of first asylum and often continues during resettlement. This constant threat, and the physical, emotional and psychological effects

of this is the major pillar of their vulnerability. Men and boys also suffer from sexual violence. This abuse has severe consequences for both groups. They include severe psychological impacts, physical damage, and sexually transmitted diseases. Women additionally face bearing children of rape, young girls frequently die from pregnancy when they are too young to bear a child, women and girls are often marginalized from families or communities and bear a huge burden of shame. Disabled women and young girls are often targeted for rape, and many face forced marriage. Lesbian and transgender women are sometimes killed. Many women are forced to engage in survival sex to feed themselves and their families, and they face the additional stigma of being branded as a prostitute. Men are shamed because they cannot protect their women and girls, and whole communities suffer collective guilt. There is little or no legal redress and perpetrators function with impunity.

Strengths and self-representation

Despite the layers of discrimination faced by refugee women and girls, they are not just passive victims. In many camps and refugee sites, women run crèches for children, arrange care for orphaned or lost children, provide safe spaces for women who have experienced sexual and gender based violence, manage scarce rations to ensure that families are fed, run small businesses to provide some meagre additional support their families, run basic schools, and provide protection such as the building of thorn fences to protect themselves. Much of this work is done without funding or external support. In the absence of men, women take on all roles in the family and community. These activities are undertaken by women who hold both formal, but also a wide range of informal skills and have a huge capacity. They also have a keen analysis of the problems experienced in camps and potential solutions. However, because of their minority status, and discourses of vulnerability, their capacities, skills and abilities often go unrecognized. Women are silenced by limited access to representation at every level, little access to education, culture, tokenism, gender stereotypes and lack of funding for targeted programs. Recent moves to include women of all ages, sexual orientation, disabilities and age groups and minority groups, in all aspects of decision making, from within peace building to planning for durable solutions is to be applauded and is a positive step towards harnessing their enormous potential and capacity to be part of the solution rather than part of the problem. However, to focus solely on the strengths and abilities of refugee women and girls without recognizing the barriers that create minority status and vulnerability is equally dangerous. It can instead reinforce vulnerability. Women need support to participate effectively in new and potentially discriminatory forums and to avoid tokenism. It is a complex problem which requires complex solutions.

Why is current excellent policy on the protection of refugee women and girls not implemented?

To understand why these solutions so often fail we need to explore how problems and needs are defined and by whom, and who shapes the allocation of resources and implementation of programs. Why is there so little political will to address the issue? A major influence is the discourse used to discuss refugee women and girls, which is usually embedded in the cultural, religious and ideological framework of patriarchal societies, both in the country of origin and receiving countries. These often view women as either passive victims, beneficiaries not contributors, or mothers/child bearing machines, unable to take control of their own lives and dependent on and subservient to men. The impacts of minority status and of vulnerabilities are best understood using the concept of 'Intersectionality'. For example, without registration, women cannot access ID cards and, by extension, food, shelter, health and education. Lack of access to income and self-sustainable activities forces many women to engage in survival sex to feed themselves and their families. Inadequate reproductive health services and poor nutrition lead to complications with pregnancies and deaths of mothers and children. Lack of adequate sanitary materials force girls to miss schooling and women cannot seek work or attend meetings when menstruating. Each protection problem increases the vulnerability of refugee women and girls, leaving them open to further abuse. Lack of access to decision-making processes, lack of autonomy and self-determination, lack of recognition of knowledge and capabilities effectively traps women into minority status.

Questions to be answered in the Global Compact on Refugees and the Program for Action must include:

- How can we change the discourse about refugee women from “minority and vulnerable”, to “equal and capable”?
- How can we effectively and systematically protect refugee women and girls from sexual and gender based violence?
- How can we generate political will to address the needs of refugee women and girls and to unlock the contribution they can make to providing solutions?
- How can we address the vulnerabilities and barriers which prevent the full protection and inclusion of refugee women and girls?
- How can we maximize strengths and capacity of refugee women and girls and ensure their self-representation and meaningful participation in all discussions and decision-making process about themselves, their families and communities, short term and long-term solutions at every level from the local to the international?