



# **Falling Through the Cracks: Refugee Women and Girls in Germany and Sweden**



WOMEN'S  
REFUGEE  
COMMISSION

## Research. Rethink. Resolve.

The Women's Refugee Commission improves the lives and protects the rights of women, children, and youth displaced by conflict and crisis. We research their needs, identify solutions, and advocate for programs and policies to strengthen their resilience and drive change in humanitarian practice.

### Acknowledgements

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Cover photo: A mother and daughter at a registration center for migrants at a facility of the German Federal Police (Bundespolizei) in Rosenheim, Germany. © Sean Gallup/Getty Images

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## Acronyms & Abbreviations

EU	European Union
GBV	Gender-based violence
NGO	Nongovernmental organization
SMA	Swedish Migration Agency
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
WRC	Women's Refugee Commission

## Executive Summary

Germany and Sweden have welcomed unprecedented numbers of refugees in the face of ambivalence or outright objections from other European countries. The magnitude and speed of the migration led to short-term solutions that do not address, and in some cases perpetuate, the risks of violence women and girls experience along the route.

The needs of women and girls often go unaddressed in accommodation centers in Germany and Sweden, where asylum seekers must live while their claims are processed. Often there are no separate living spaces for women and families and no sex-separated latrines or shower facilities. Women and girls are vulnerable to rape, assault, and other violence in these facilities.

There are no standard processes to identify and support GBV survivors. While asylum-seeking women and girls can access emergency health care in both Germany and Sweden, whether post-rape care is considered as such is at the discretion of the individual doctor. Psychosocial support and access to safe shelters is even more complex, particularly in Sweden, where there are not always social workers in accommodation centers.

Current policies and asylum procedures also exacerbate the risks to women and girls. While Germany and Sweden recognize gender-based persecution as grounds for asylum, women and girls must navigate increasingly complicated legal and bureaucratic processes without sufficient support.

Finally, restrictions to family reunification, and the absence of a coordinated EU response, either continue to leave women and their children stranded in conflict zones or encourage the dangerous journey across the Aegean and through Europe to reunite with husbands, fathers, and brothers who went ahead in 2015.

## Recommendations

Germany and Sweden should

- improve their procedures to identify vulnerable populations upon arrival in country, including by training staff and asylum adjudicators to recognize survivors of gender-based violence and other vulnerable individuals;
- ensure that basic measures that protect vulnerable women and girls and mitigate risks of gender-based violence are implemented in all accommodation centers;
- create standard operating procedures to identify and support survivors of gender-based violence — experienced in the home country, along the route, or in the destination country — with access to health care, psychosocial support, and safe shelter;
- ensure that claims based on gender-based violence are sensitively and fairly adjudicated and that all asylum-seekers have an individualized, timely, and fair review of their asylum claims;
- to protect women and children separated from male family members, roll back proposals that would delay or restrict access to family reunification for asylum-seekers and implement fair and timely family reunification policies, enabling family members to join their relatives safely rather being stranded along the route or making the life-threatening journey.

European Union member states and other European countries should:

- to protect women and girls, recognize the need for an equitable regional response by implementing fair, humane, gender-sensitive access to asylum, and fair access to legal protection and family reunification processes, throughout Europe;
- increase timely and safe resettlement to European countries from countries of first asylum or other immigration pathways for vulnerable refugee women and girls.

## Introduction

In the first two months of 2016, more than 130,000 individuals fleeing conflict in Syria, Afghanistan, Iraq, and other nations have arrived in Europe, more than 13 times the number who arrived during the same period in 2015.<sup>1</sup> More than 55 percent of those now traveling are women and children.<sup>2</sup> Refugees are striving to reach destinations where they hope to find safety and asylum before borders close.

As part of a multi-stage assessment, the Women's Refugee Commission (WRC) traveled to Germany and Sweden in February 2016 to assess the reception and protection of asylum-seeking women and girls. Both countries have seen arrivals of hundreds of thousands of asylum-seekers. In 2015, 1.1 million asylum-seekers arrived in Germany and 163,000 in Sweden.

During the migration, women and girls are exposed to gender-based violence (GBV), including transactional sex and other forms of sexual violence.<sup>3</sup> Their reception in Germany and Sweden offers a chance of safe haven, but this opportunity is compromised by reception, accommodation, and asylum policies that are not sufficiently gender sensitive and do not consider GBV adequately.

At a time when most EU member states and other European nations have focused on deterring refugees, Germany and Sweden have welcomed unprecedented numbers of asylum-seekers. As a result, both countries, both at national and local levels, are currently under immense strain to support the welfare and social support afforded to the large number of arrivals. This has resulted in dangerous conditions inside overcrowded accommodation centers and insufficient support, especially for the most vulnerable among the refugees, including single women, female-headed households, and unaccompanied girls. Recognizing the existing burdens on both countries, there remains an urgent need to increase personnel and the quality and availability of services for asylum-seeking women and girls to ensure that they are protected from the moment they arrive, until they access asylum.

Women and girls face critical obstacles in accessing asylum, and many will be prevented from finding safety through family reunification, given new restrictions proposed in Sweden and Germany.

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1 UNHCR Data Portal. <http://data.unhcr.org/mediterranean/regional.php>

2 UNHCR, UNFPA, and WRC, *Report warns refugee women on the move in Europe are at risk of sexual and gender-based violence* (20 January 2016). [http://wrc.ms/Eur\\_Statement](http://wrc.ms/Eur_Statement)

3 WRC, *No Safety for Women and Girls on the European Route: Report from the Balkans* (2015). [http://wrc.ms/Balkan\\_rpt](http://wrc.ms/Balkan_rpt); UNHCR, UNFPA, and WRC, *Protection Risks for Women and Girls in the European Refugee and Migrant Crisis: An Initial Assessment* (2015). [http://wrc.ms/Prot\\_risks\\_Eur](http://wrc.ms/Prot_risks_Eur)

Both countries are concerned at the rise of far-right political movements and an anti-refugee backlash, combined with an absence of political will by most EU member states to find meaningful, long-term solutions. Rhetoric among many European countries since the increase in refugee arrivals has largely focused on how to secure borders, not how to offer meaningful access to protection. More must be done regionally and globally to ensure that refugee women and girls fleeing violence and persecution can find safety. Rather than roll back protections for asylum-seekers, or focus on deterring or preventing asylum-seekers from arriving, all European countries must demonstrate leadership in the EU and at home by strengthening services, access to asylum, and integration for asylum-seeking women and girls.

## Methodology

The WRC is undertaking a series of assessments to understand women's and girls' access to humanitarian and legal protection throughout the European migration route. Following a joint mission with the UN High Commissioner for Refugees (UNHCR) and the UN Population Fund (UNFPA) in November 2015 to Greece and Macedonia,<sup>4</sup> the WRC completed an independent mission in December 2015 to Serbia and Slovenia.<sup>5</sup> In February 2016, WRC carried out a third mission, this time to two destination countries: Germany and Sweden. A small assessment team, including a female Arabic interpreter, traveled to Berlin and Cologne in Germany, and to Stockholm, Sweden. In both countries, the WRC interviewed refugee women in accommodation centers. The team also met with numerous relevant stakeholders in both countries, including: local and national government officials; nongovernmental organizations dedicated to promoting women's rights, human rights, and migrant rights; and accommodation center staff and volunteers.<sup>6</sup>

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4 UNHCR, UNFPA, and WRC, *Protection Risks for Women and Girls in the European Refugee and Migrant Crisis* (2016). [http://wrc.ms/Prot\\_risks\\_Eur](http://wrc.ms/Prot_risks_Eur)

5 WRC, *No Safety for Women and Girls on the European Route: Report from the Balkans* (2015). [http://wrc.ms/Balkan\\_rpt](http://wrc.ms/Balkan_rpt)

6 It is important to note that while the WRC interviewed a number of key stakeholders across civil society and government, we also recognize that the refugee response in both countries is dynamic and complex, especially given that the response is often specific to highly varied municipal, city, state, and national levels. In addition, many federal ministries have jurisdiction over various aspects of the response. The WRC was unable to reach or interview all relevant stakeholders and authorities.

## Findings

### Vulnerable women and girls are hidden, unsupported

When female asylum-seekers first arrive in Germany and Sweden, they should benefit from uniform procedures that identify vulnerable individuals and grant them specific protection, accommodation, and support.

It is clear that in both countries, vulnerable women and girls are falling through the cracks and are not receiving the care and support they need and deserve. At the time of WRC's assessment, key EU directives had not been implemented in Germany that recognize the specific situation of vulnerable persons, who include, among others, minors/unaccompanied minors; pregnant women; single parents with minor children; victims of human trafficking; and survivors of rape, sexual/physical violence, or psychological violence.<sup>7</sup> Currently, there is no standardized process implemented in Germany to ensure that women and girls who are GBV survivors are identified or supported. Some NGOs shared with the WRC that vulnerabilities are identified and assistance is offered based only on subjective assessments by volunteers, not by standardized practice among all individuals interacting with refugees. Women and girls who have experienced GBV along the route are likely to be overlooked in the absence of a confidential and private space to share their stories.

In Sweden, there are important gaps that deny vulnerable individuals much needed support. Numerous stakeholders the WRC interviewed in Stockholm explained that the Swedish Migration Agency (SMA) currently has insufficient capacity to implement these EU directives and identify vulnerable women and girls. Indeed, WRC interviewed refugee women in accommodation shelters near Stockholm who explained that since entering Sweden, they had not been asked to tell their story, including their experiences of violence in their home country or along the migration route. This means that vulnerable women and girls cannot be easily identified by SMA authorities or offered assistance.

### *Recommendation to support hidden women and girls*

Germany and Sweden should improve their methods for identifying vulnerable people by harnessing increased human resources to work with newly arrived asylum-seekers. To that end, both countries must ensure that all staff who work directly with asylum-seekers have been trained to identify GBV survivors and other traumatized people.

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7 Recast directive on common procedures 2013/32/EU. <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32013L0032>

## Unsafe accommodation for women and girls

Both Germany and Sweden have ratified the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence (the Istanbul Convention), which outlines specific support services that must be in place to protect refugee women.<sup>8</sup> Despite this intention, WRC found gaps in accommodation centers that leave female asylum-seekers and their children unprotected and unsupported.

### *Procedures in Germany and Sweden*

Although there are variations, in both Germany and Sweden asylum-seekers are eventually transferred to long-term accommodation after some period in initial reception centers. For example, in Berlin, after a stay in an initial reception center (many in buildings not intended for housing, like Tempelhof Airport, a historic Berlin airport, which now houses more than 3,000 people), asylum-seekers are moved into accommodation centers where they live for the duration of their asylum application procedure, awaiting a decision on their application.<sup>9</sup> Given the current backlog of asylum applications, the entire process could take up to several months, or even years.

Reception and accommodation centers are managed by NGOs and private contractors. A number of stakeholders that the WRC met in Stockholm claimed that the private sector companies lack expertise running such centers and are involved for the sake of generating a profit.<sup>10</sup> The SMA's minimum standards for managing these accommodation centers offer no specific guidelines on women's protection.<sup>11</sup>

### *Problems in accommodation centers*

The Istanbul Convention also calls for the establishment of appropriate shelters in sufficient numbers to provide safe accommodation, especially for women and their children.<sup>12</sup> However, the reception and accommodation centers in both Germany and Sweden have severe problems related to overcrowding. Often there is a lack of any private spaces for individuals or families, leaving women and girls unable to change their clothes in private or remove their hijabs. The WRC also noted that not all accom-

8 Istanbul Convention. See articles 18-28. <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168046031c>

9 Accommodation, staffing, and the procedures and resources underlying accommodation can vary greatly between different states, cities, and municipalities, impacting the ability to implement standardized systems across the country.

10 See also: <http://www.theguardian.com/world/2015/oct/18/swedish-private-housing-sector-refugees>

11 For more information on Sweden's procurement and rental of accommodation for asylum-seekers, see <http://www.migrationsverket.se/Andra-aktorer/Fastighetsagare-och-uthyrare.html> (in Swedish)

12 Istanbul Convention. See note 8.

modation centers offer sex-separated toilets and shower facilities with locking doors to ensure privacy and safety for women and girls. One female asylum-seeker in Stockholm described living for a month in a large hall with many other asylum-seekers, with only pieces of cardboard between beds. The WRC was told of other centers where there are no walls or dividers of any kind.

While families generally reside together, single women or women with their children, and unaccompanied girls are sometimes placed together with men they do not know. In one case, WRC learned about a center in Stockholm housing unaccompanied boys and one unaccompanied girl.

This overcrowding and lack of privacy can easily lead to violence and discrimination against women asylum-seekers and other vulnerable groups. It can also be difficult for staff to identify and protect vulnerable people in such spaces. Thirty-seven sex crimes (rape, sexual molestation, sexual coercion, and sexual assault) were reported to the Swedish police from within asylum accommodations centers from November 11, 2015 to January 31, 2016.<sup>13</sup>

These reception centers are not meant to house asylum-seekers for long periods, but the large influx has led to lengthy stays, with little for people to do but wait. The boredom and the stress of uncertainty has a number of dangerous consequences, including increased domestic violence. The WRC found that women, in particular, face barriers to accessing courses and activities, in part because as primary caretakers they are often unable to leave their children in order to take a language class or access other opportunities.

Perhaps the most distressing concern in the accommodation centers, as described by multiple NGOs the WRC interviewed, is the risk for sexual violence and abuse of women and children by staff, including guards or volunteers. The WRC was in Cologne in mid-February when nine security guards at an accommodation center near the city center were accused of sexual misconduct, including assault and rape, in an open letter by asylum-seekers living there, some of whom were minors.<sup>14</sup> An investigation into the situation is ongoing.

### *Recommendations to improve accommodation centers*

It is clear that the conditions in these accommodation centers need to be improved to protect female asylum-seekers. Sweden and Germany should implement the

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<sup>13</sup> [https://polisen.se/PageFiles/6151116/Antal\\_handelserapporter\\_och\\_brottsanmalningar.pdf](https://polisen.se/PageFiles/6151116/Antal_handelserapporter_och_brottsanmalningar.pdf) (In )

<sup>14</sup> BuzzFeed News, "Security Guards At German Refugee Camp Accused Of Sexual Assault" (19 February 2016) <http://www.buzzfeed.com/jinamoore/security-guards-at-german-refugee-camp-accused-of-sexual-ass#.obYWn9ZOnQ>

EU Reception Directive standards for housing,<sup>15</sup> the guidance of the Istanbul Convention,<sup>16</sup> as well as the Inter-Agency Standing Committee *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action*,<sup>17</sup> to ensure that basic measures that protect vulnerable women and girls and mitigate risks of GBV are in place. This should include providing asylum-seeking families and single women with private rooms with locking doors and mandating sex-separated toilets and showers.

Both countries should also designate accommodation centers to house only women and girls, which can include unaccompanied girls, GBV survivors, and other vulnerable women and girls who would benefit. Both countries should implement a policy of “zero tolerance” on sexual exploitation and abuse by staff, including clear communication about the consequences for personnel who violate this policy.

A promising practice that the WRC saw in both countries is the establishment of dedicated women-only spaces inside some accommodation centers. Where they existed, these were spaces where women and girls could gather for organized activities, including language classes, or meet among themselves. This should be standardized within accommodation centers wherever possible.

Although still in early stages, some new proposals in Germany are a promising start to addressing some of these concerns. A new collaboration between the German government, UNICEF, and German NGOs seeks to identify children at risk, improve access to services and counseling, train staff to spot incidents of GBV, and generally boost protection systems inside reception and accommodation centers.<sup>18</sup> Germany intends to support states to implement protection measures for women and children across the country, including GBV survivors and torture survivors.<sup>19</sup> It is the hope of the WRC that these initiatives will meaningfully address the needs of women and girls and that they are widely implemented.

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15 Recast directive on common Procedures. See Note 7.

16 Istanbul Convention. See note 8.

17 Inter-Agency Standing Committee, *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action* (2015). <http://gbvguidelines.org/>

18 UNICEF press Release, “Government of Germany and UNICEF join forces for refugee and migrant children in Germany,” 14 December 2015. [http://www.unicef.org/media/media\\_86509.html](http://www.unicef.org/media/media_86509.html)

19 Reuters, “Germany launches plan to protect migrant women, children from attacks.” <http://www.reuters.com/article/us-europe-migrants-germany-children-idUSKBN0TX24920151214>

## Limited access to GBV services

Asylum-seekers' lack of information about their rights, the language and procedural barriers, and the overwhelmed systems in both Germany and Sweden make it unlikely that survivors of GBV will access essential services.

The WRC noted in previous assessments in Greece and the Balkans that refugee women and girls who experience GBV along the migration route are unlikely to secure GBV-specific services while they are on the move. It is therefore the intent of many refugee women and girls to seek out GBV services once they arrive in their destination countries. Unfortunately, Germany and Sweden are ill-prepared to support newly arrived GBV survivors with multisectoral services, including medical and psychosocial services and safe spaces.

## Identifying GBV cases

There are currently no formal national mechanisms in place in Germany or Sweden to identify GBV cases when asylum-seekers arrive in country.<sup>20</sup> Given the large number of asylum-seekers and the complications posed by language barriers, it is highly unlikely that asylum-seeking women and girls will secure a meeting and be able to communicate with a government authority. Even once asylum-seekers are transferred from a reception center to an accommodation center, there is no guarantee that they will find a female staffer equipped to get them the support they desire. In cases where the staff, guards, or volunteers working in accommodation centers are themselves perpetrators of GBV against asylum-seekers, it is even more complicated for survivors to seek out support.

From the WRC's interviews in accommodation centers and with NGOs, it is clear that there is limited reporting of GBV cases among asylum-seekers. Numerous local NGOs told the WRC that it is likely that many female asylum-seekers are unaware that sexual assault, sexual violence, domestic violence, and violence against children are criminal offenses in Germany and Sweden. In addition, for asylum-seeking women and girls, alone in a foreign country, and with uncertain immigration status, it can be a daunting prospect to leave a partner, even if he is abusive. Lastly, asylum-seeking women, like all women, are sometimes ashamed to admit and report an experience of violence.

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20 A number of reports have been written on the situation in Germany, documenting gaps in protection and access to asylum for asylum seeking women and girls and/or recommending steps authorities and service providers should take. See, for example, Heike Rabe, *Effektiver Schutz vor geschlechtsspezifischer Gewalt - auch in Fluechtlingsunterkuenften* (German Institute for Human Rights) and Franziska Pabst, *Empfehlungen an ein Gewaltschutzkonzept zum Schutz von Frauen und Kindern vor geschlechtsspezifischer Gewalt in Gemeinschaftsunterkuenften* (Der Paritaetische Gesamtverband).

### *Accessing medical and psychosocial support services*

All GBV survivors should be able to request and access, at a minimum, lifesaving medical care and psychosocial support. Indeed, under both the Istanbul Convention and the EU directives, survivors of GBV are entitled to specific aid, including a separate living space, psychosocial support, and medical care.<sup>21, 22</sup>

Asylum-seeking women and girls can access health care in Germany and Sweden, but in both countries, it is limited to emergency services for acute diseases or pain.<sup>23, 24, 25</sup> As a result, it is unclear whether emergency post-rape care, including post-exposure prophylaxis, antibiotics, and emergency contraception, will be made available to asylum-seekers who have experienced sexual violence. Numerous stakeholders the WRC interviewed in both countries explained that the provision of such services is at the discretion of individual hospitals.

Psychosocial support is even more complex for asylum-seekers to access. In Germany, the WRC saw and heard about social workers in many of the accommodation centers, which is an excellent practice that should be strengthened. However, even when social workers are in each shelter, there is often an insufficient number to respond to the needs of the asylum-seekers living there.

In Sweden, it is not regular practice to have social workers in all accommodation centers, and the WRC was told that mental healthcare is not easily accessible. According to Swedish NGOs, it is common for asylum-seekers to receive prescription medications to address mental health ailments, though therapy is rarely provided.

***Case study:*** *The WRC team met a young woman who had made the journey from Syria to Germany with her children after her husband and the rest of her family were murdered. She worked for three years in Turkey, sewing clothes, to make enough money to pay for the journey to Sweden — and it was still not enough.*

*She has what she calls a “nervous condition” which only worsened*

21 Istanbul Convention. See note 8.

22 Recast directive on common procedures. See note 7.

23 Pregnant women and women who have just given birth are allowed to receive additional medical assistance and there are additional benefits that cover the specific health needs of children. Vaccinations are also provided for asylum-seekers.

24 Anne Bonewit, *Reception of female refugees and asylum-seekers in the EU - Case study Germany*. Study for the FEMM Committee. Directorate General for Internal Policies Policy Department C: Citizens' Rights and Constitutional Affairs Women's Rights and Gender Equality (2016). [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/536497/IPOL\\_STU\(2016\)536497\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/536497/IPOL_STU(2016)536497_EN.pdf)

25 Also see the SMA's rules on the right to health care: <http://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/While-you-are-waiting-for-a-decision/Health-care.html>

*on the journey, during which she was terrified for the safety of herself and her children. At times, she screams without knowing she's doing it and loses consciousness. She saw a doctor, but he only gave her medication that makes her sleep all day and leaves her unable to care for her children. She has not had any access to therapy or any form of psychosocial support.*

*The WRC team was the first group of people who had come to talk to her since she arrived in a facility in Sweden more than eight months ago, and she chose not to take her medication on the day of our visit so that she could be lucid and share her story with someone.*

In both countries, particularly Sweden, this gap in psychosocial services will make it extremely difficult for traumatized asylum-seekers, including GBV survivors, to access mental healthcare. This can also impact survivors' ability to navigate the asylum process.

### *Women's shelters*

Asylum-seeking women and girls who have experienced GBV are allowed to access women's shelters that serve the general population, but there are a number of practical challenges that serve to effectively bar women's entry.

Women's rights NGOs in Germany and Sweden explained that GBV shelters in both countries are barely sufficient for the needs of citizens and must be supported with additional resources to accept and house asylum-seeking women and girls. In addition to the lack of space for asylum-seekers, there are a number of other operational issues that present obstacles for asylum-seekers entering shelters.

In Germany, there is a federal hotline system that is available for GBV survivors in 15 languages. This is a promising practice; however, the director of an accommodation center told the WRC that women in her center rarely call the hotline because they do not understand who is on the other end of the call. Without a clearer understanding of whom they may reach or whether accessing the hotline could somehow jeopardize their asylum claim, women may not seek out this resource.

When used, the hotline will connect women in need to a women's shelter where they can stay, though there are not enough spaces in the existing shelters to always accommodate asylum-seeking women. NGOs told the WRC that most asylum-seeking women who enter women's shelters would feel pressured to leave within a few days to make way for others needing a bed.

In Sweden, NGOs report that thus far no asylum-seeking women have been received by any of the 120 women's shelters nationwide. An NGO explained that they have had limited success getting information to asylum-seekers about the existence of women's shelters. They attribute this to a lack of funds to create and distribute information in languages asylum-seekers speak. The NGO also explained that they are not allowed into the accommodation centers to meet directly with women to explain that they have the right to access women's shelters.

### *Recommendations to respond to GBV cases*

Sweden and Germany should urgently create standard operating procedures to identify and support women and girls who experienced violence in the home country, along the route, or in the destination country, with access to health care, psychosocial support, and safe shelter, as requested and in line with the Istanbul Convention. Both countries must also ensure that accommodation centers have in place complaint mechanisms to report GBV cases, which are clearly explained to asylum-seekers. Staff in accommodation centers need to be trained to share this information with asylum-seekers.

### *Asylum procedures must be fair and gender sensitive*

Asylum-seekers in Germany and Sweden must navigate a complicated legal and bureaucratic process, generally with a language barrier and without sufficient support. Obstacles to a positive asylum decision are often exacerbated for women. Moreover, while German and Swedish policies recognize gender-based persecution, and EU directives and the Istanbul Convention acknowledge gender-based persecution as a ground for asylum, and direct that specific measures be taken to ensure fair access to asylum, these claims can be exceptionally difficult to make.

Few asylum-seekers have access to clear and comprehensive information about their rights while residing in Germany and Sweden. This includes information regarding the asylum procedure, the benefits they can access while they await processing, or the circumstances under which they are able to access legal support. Service providers reported to the WRC that women receive inadequate psychosocial and legal support, feel unsure about their rights to make a claim based on gender-based persecution, and face uphill battles having their stories taken seriously.

Expediting the decision-making of asylum claims will create further obstacles to a fair asylum process. In Germany, for example, proposed laws will expand the number of countries seen as "safe" countries of origin, and anyone seeking asylum from those

countries will be sent to specific centers where their cases will be expedited.<sup>26</sup> The wholesale designation of a country as “safe” precludes an individualized assessment of whether someone should qualify for protection under international law. Moreover, a woman seeking asylum based on GBV, especially if the violence is perpetrated by a non-state actor, will now have to convince an asylum officer, in a very rushed proceeding, that she should qualify for asylum, despite being from a “safe” country.<sup>27</sup>

Sweden and Germany must ensure that all asylum-seekers, including women and girls, have an individualized, timely, and fair review of their asylum claims, and ensure that claims based on GBV are sensitively and fairly adjudicated.

### Strengthen, rather than restrict, the right to family reunification

Timely family reunification policies ensure that those who have received asylum can have close family members join them rather than be left behind in countries where they face war, persecution, or other violence.

Gaps in family reunification procedures across Europe already result in many risking the dangerous journey across the Aegean and through the Balkans, rather than navigating lengthy family reunification processes directly from Syria or elsewhere. Both Germany and Sweden have recently introduced changes to their asylum laws that limit the kind of legal protection asylum-seekers can receive, restricting or delaying reunion with their family members. Given that the majority of asylum-seekers who arrived in 2015 were men, changes to family reunification policies will likely disproportionately impact women and children who were left behind as husbands, fathers, or other male relatives sought protection in Europe. Many female relatives will either be left in danger in the family’s country of origin or will choose to attempt the perilous route across the Aegean and through the Balkans to northern Europe.

Rather than restricting access to family reunification policies by limiting the scope of legal protection that asylum-seekers are eligible for, Germany and Sweden must

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26 Under German asylum law, some countries are considered “safe countries of origin,” where the presumption is that the existing circumstances mean that persecution is not occurring. Asylum-seekers from such countries face far greater challenges in making an asylum claim. Countries that Germany has deemed “safe” are E.U. member countries, Bosnia and Herzegovina, Ghana, Senegal, Serbia, former Yugoslav Republic of Macedonia, Albania, Kosovo, and Montenegro. Germany now proposes adding Morocco, Algeria, and Tunisia. For more, see <http://www.dpa-international.com/news/international/backgroundgermany-expands-list-of-countries-of-safe-origin-a-48160640.html>; and <http://www.asylumineurope.org/reports/country/Germany/asylum-procedure/safe-country-concepts>

27 There is extensive support for this recommendation in the recently approved European Parliament resolution of 8 March 2016 on the situation of women refugees and asylum-seekers in the EU (2015/2325(INI)) <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2016-0073+0+DOC+PDF+V0//EN>

ensure that all individuals are granted full protection and are able to petition for relatives to join them in a safe and timely manner.

## Germany's and Sweden's leadership on refugee protection must stand firm

The WRC's assessment in Germany and Sweden made clear that gaps and critical work remain to ensure that the needs of asylum-seeking women and girls are met. However, it is impossible to call for more leadership from the German and Swedish response without also noting that both countries generally welcomed unprecedented numbers of asylum-seekers at a time when most European leadership prioritized deterrence over protection. Political efforts to garner support for a more equitable regional response have been rejected countless times. As noted in the WRC's previous report, even countries trying to accommodate refugees in transit are focused primarily on that: transit.<sup>28</sup> Simply put, the EU's failure to coordinate long-term solutions, such as family reunification, a fair and timely asylum system that considers women's and girls' needs, and other options to migrate to Europe, is a failure of the EU's long-term commitments and obligations to protect those fleeing persecution.<sup>29</sup>

Many stakeholders the WRC interviewed emphasized that the situation is not unmanageable for Germany and Sweden and should not cause fear. Both countries have the capacity to offer protection. Many stakeholders described the challenge as one of standing firm and maintaining protections when few other European countries are demonstrating the leadership necessary for the current situation.

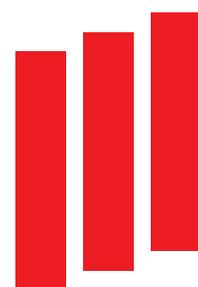
The women the WRC interviewed along the European route said fleeing violence and seeking safety in Europe was not a decision they made lightly; it was the action they took when they felt no other alternative remained. Ultimately, attempts to deter — whether through restrictive measures in German or Swedish policies or in other European countries — will not succeed in stopping those fleeing violence and persecution from making the dangerous journey to Europe. The EU must work together to find long-term solutions that uphold and respect the rights and needs of asylum-seekers and that are fair to all of the countries in the region.

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28 WRC, *No Safety for Women and Girls on the European Route: Report from the Balkans*. See note 5.

29 At the time of drafting this report, the EU was engaged in negotiations with Turkey to accept returned asylum seekers from Europe, and was considering a potential resettlement scheme out of Turkey, while NATO ships were being deployed to the Aegean to intercept refugee boats in Turkish waters. While not yet finalized, the WRC remains deeply concerned on the impact such plans would have on those seeking safety, on refugees wishing to reunite with families already in Europe, and on all those still stranded amid insecurity and conflict.





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