

A PUBLICATION BY THE EUROPEAN WOMEN'S LOBBY



FROM CONFLICT TO PEACE? #WOMENSVOICES

RECOMMENDATIONS ON PREVENTING & COMBATING
VIOLENCE AGAINST REFUGEE WOMEN & GIRLS ON THE MOVE



ABOUT THE PROJECT

From January to June 2016, the European Women's Lobby (EWL) has been developing, together with the Women's Refugee Commission (WRC) and the European Network of Migrant Women (ENoMW), the #womensvoices project "**From conflict to peace? Women and girls' voices on the move**".

The EWL and its members know from experience and research that European and national policies are gender blind to the reality faced by women and girls on the road, especially when it comes to the different forms of violence they face at all stages of their journey towards peace.

The recent flows of refugees to and throughout Europe have highlighted the lack of interest and understanding for the specific situation of women and girls on the move by decision-makers and the media. The vast majority of women and girls migrating throughout Europe are fleeing conflict and male violence, and are looking for a safe environment. However, they face different forms of male violence on their journey and see their human rights violated in Europe.

The #womensvoices project therefore aims to raise awareness on the situation of women and girls fleeing conflict and travelling through Europe, looking especially at the protection risks they face in terms of male violence against women both on the ground and with regards to the asylum procedures and policies.

We believe that the European Union (EU) and its member states have a responsibility to provide protection, and to prevent and respond to the violence and discrimination faced by women and girls refugees and asylum seekers. Such due diligence must materialise through action on the ground, in the setting up of facilities for refugees, and through strong policies to end violence against women. We also believe that the current asylum policies, because of their lack of gender sensitivity, have an impact on the ability of women and girls refugees to escape or denounce male violence and seek justice.

WHY THIS REPORT

This report presents our recommendations to ensure protection of women and girls refugees and asylum seekers from all forms of male violence, at all stages of their journey towards peace.

The recommendations and advocacy tools presented in this report are the outcome of a unique project methodology and a 5-month in-depth analysis and discussion between EWL members and various key stakeholders.

In order to have the broader picture on the situation of women and girls refugees in Europe, and to develop joint demands, EWL members and experts on violence against women worked together and provided their analysis on the situation in their country, through a questionnaire looking at national policies on violence against women and on asylum and at the situation on the ground for refugee women and girls. You will find the outcomes of these questionnaires throughout the following pages, as they fed into our joint assessment and recommendations.

In parallel, the EWL organised the #womensvoices Forum on 19 April in Brussels, convening its members from Central and Eastern Europe, the Balkans and Baltic States, together with key players on the issue. Representatives of UN agencies, EU member states, NGOs, the European Commission and the European Parliament, as well as foundations, gathered for a fruitful meeting and delivered collective advocacy tools that are shared in this report.

The reports produced by WRC after each of their field trips to assess the specific risks facing women and girls seeking refuge in Europe, were also providing concrete information and guidelines for the establishment of EWL advocacy tools. The work of Asylum Aid on engendering asylum policies was a key reference for our analysis and the development of our asylum check list.



On 2nd June in Brussels, the #womensvoices European Dialogue brings the voices of refugee women and girls and of women’s organisations at European level. This high-level event unveils this report and its

THREE KEY DEMANDS:

- **Comprehensive policies to end all forms of violence against women and girls** in the EU and its member states, and specific measures to ensure that women and girls refugees and asylum seekers are protected and get access to justice.
- **A humanitarian response** which succeeds in protecting women and girls from male violence and exploitation.
- **Gender-sensitive asylum policies and procedures** to help women and girls to escape or denounce male violence and access to their full human rights.

Together with our members, we hope this report will serve as advocacy and awareness raising tool and will contribute to making change for women and girls in Europe.

We would like to thank all partners and members who participated in this unique process to give a voice to women and girls refugees and asylum seekers!

Let’s shift from a culture of disbelief and conflict to an assumption of belief and a culture of protection and peace! Together, we can build real peace for women and girls!



19 April 2016 #womensvoices forum © European Women’s Lobby



IT IS IMPORTANT THAT FEMINISTS ENGAGE IN REFUGEE POLITICS IN ORDER TO CHANGE THE MALE NORM OF “WHO IS A REFUGEE.”

Swedish Women’s Lobby



ENDING ALL FORMS OF VIOLENCE AGAINST REFUGEE WOMEN AND GIRLS

WHY IS IT AN ISSUE?

Violence against women and girls is the most widespread violation of women's human rights in Europe. One in three woman aged 15 or over has experienced physical and/or sexual violence; every second woman has been confronted with one or more forms of sexual harassment. As long as women and girls face and fear male violence, we cannot say that Europe is a peaceful place to live in.

Women and girls fleeing conflicts and travelling to or settling in Europe are at higher risk of suffering from male violence. Their situation puts them in a state of higher vulnerability to male violence: on the way and in the centres, they face rape, sexual assault, sexual harassment, from different perpetrators; they have to resort to prostitution in order to get access to food, housing or transport; they face domestic violence; girls are being sold for marriage or trafficked for sexual exploitation... However, EWL members'

experience and expertise inform us that there is a clear lack of specific measures to protect women and girls' refugees from male violence.

Ending violence against refugee women and girls is a key political demand: by prioritising this goal, the EU and its member states would demonstrate their will to abide by their duty of due diligence to prevent and answer to violence against women and girls. By implementing special measures for refugee women and girls, decision-makers would ensure that no one is left behind, a universal declaration enshrined in the 2030 Agenda for Sustainable Development. **Looking at the most vulnerable demonstrates a country's or a region's ability to realise human rights. It is time to develop comprehensive policies on violence against women and girls, which protect and bring justice to refugee and asylum seeking women and girls.**



TESTIMONY - SANA

"I arrived in Finland with my husband as asylum seekers. Already in the very beginning of the process, I stated that I wanted our applications to be handled separately. Because of the political activity of my husband, I had been gang raped in my country. I did not want my husband to learn this. The marriage is a forced one and there has been all kinds of violence throughout the marriage, and also in the reception centre in Finland. I sought help from a social worker and the police has also visited our home because of domestic violence. I want a divorce, but it is very complicated because of religious reasons."



OUR DEMANDS TO THE EU AND ITS MEMBER STATES

- **The EU and all member states and acceding/candidate countries must ratify and implement**, without bias to migrant, refugee and undocumented women, and without any reserve, **the Istanbul Convention**, which guarantees the fundamental rights of every woman to be protected from gender-based violence at individual, institutional and structural level, regardless of her legal status.
- The EU and all member states and acceding/candidate countries must develop **comprehensive and coordinated policies encompassing all relevant measures to prevent and combat all forms of violence against women**, including prostitution and sex trafficking through the adoption of the Nordic model, and offer a holistic response to all women and girls, including migrant and refugee women and girls.
- **The victim should be at the centre of all measures.** The specific situation and specific vulnerabilities of migrant women, including asylum seekers, refugee and undocumented women, should be taken into account when developing strategies to prevent and combat all forms of violence that can affect migrant women. The EU Directive on victims' rights should be fully implemented in all member states.
- **Systematic and adequate data collection and research** is an essential component of effective policy making: relevant statistical data and administrative data are needed, being sure that a representative sample of migrant women and specific indicators are included to be able to understand their specific situation.
- **Appropriate financial and human resources** for the implementation of integrated policies, measures and programmes, must be deployed, including for the work of women's NGOs and civil society.
- The EU and all member states and acceding/candidate countries must develop and implement **National Action Plans on Women, Peace and Security**, and respect the UN Security Council Resolutions on this issue.



Chapter VII – Migration and asylum

Article 59 – Residence status

1. Parties shall take the necessary legislative or other measures to ensure that victims whose residence status depends on that of the spouse or partner as recognised by internal law, in the event of the dissolution of the marriage or the relationship, are granted in the event of particularly difficult circumstances, upon application, an autonomous residence permit irrespective of the duration of the marriage or the relationship. The conditions relating to the granting and duration of the autonomous residence permit are established by internal law.

2. Parties shall take the necessary legislative or other measures to ensure that victims may obtain the suspension of expulsion proceedings initiated in relation to a residence status dependent on that of the spouse or partner as recognised by internal law to enable them to apply for an autonomous residence permit.

3. Parties shall issue a renewable residence permit to victims in one of the two following situations, or in both:

- a. where the competent authority considers that their stay is necessary owing to their personal situation;
- b. where the competent authority considers that their stay is necessary for the purpose of their co-operation with the competent authorities in investigation or criminal proceedings.

4. Parties shall take the necessary legislative or other measures to ensure that victims of forced marriage brought into another country for the purpose of the marriage and who, as a result, have lost their residence status in the country where they habitually reside, may regain this status.

Article 60 – Gender-based asylum claims

1. Parties shall take the necessary legislative or other measures to ensure that gender-based violence against women may be recognised as a form of persecution within the meaning of Article 1, A (2), of the 1951 Convention relating to the Status of Refugees and as a form of serious harm giving rise to complementary/subsidiary protection.

2. Parties shall ensure that a gender-sensitive interpretation is given to each of the Convention grounds and that where it is established that the persecution feared is for one or more of these grounds, applicants shall be granted refugee status according to the applicable relevant instruments.


3. Parties shall take the necessary legislative or other measures to develop gender-sensitive reception procedures and support services for asylum-seekers as well as gender guidelines and gender-sensitive asylum procedures, including refugee status determination and application for international protection.


Article 61 – Non-refoulement

1. Parties shall take the necessary legislative or other measures to respect the principle of non-refoulement in accordance with existing obligations under international law.

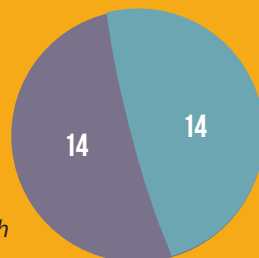
2. Parties shall take the necessary legislative or other measures to ensure that victims of violence against women who are in need of protection, regardless of their status or residence, shall not be returned under any circumstances to any country where their life would be at risk or where they might be subjected to torture or inhuman or degrading treatment or punishment.

STATUS OF THE ISTANBUL CONVENTION IN THE EU REGARDING THE NUMBER OF SIGNATURES AND RATIFICATIONS

 **EU Member States** that have signed & ratified:
AT, BE, DK, ES, FI, FR, IT, MT, NL, PL, PT, RO, SI, SE

 **EU Member States** that have signed and are to ratify:
BG, CZ, CY, DE, EE, EL, HR, HU, IE, LT, LV, LU, SK, UK

The Istanbul Convention is the first European instrument which creates a comprehensive legal framework and approach to combat violence against women.



THE 5 Ps FRAMEWORK TO END ALL FORMS OF VIOLENCE AGAINST REFUGEE WOMEN AND GIRLS

The 5 Ps framework is a policy and advocacy tool to ensure that all aspects for a comprehensive policy to end all forms of male violence are included, analysed, and implemented. Based on the establishment of a holistic policy framework, the 5 Ps refer to: partnership, prevention, service provision, prosecution and protection. Here is our advocacy tool to ensure that the rights and situation of women and girls refugees are integrated into general policies and measures on ending male violence. These demands are directed at the EU, its member states and acceding/candidate countries, and should be implemented at all levels.



PARTNERSHIP

- Support and develop effective **multi-agency cooperation** between public authorities and women's NGOs specialised in the elaboration of policies and measures, the establishment of services, and the implementation of legal provision to end violence against women and in supporting migrant women, including refugees and undocumented women.
- Provide **sustainable and adequate funding** for women's NGOs providing services for survivors, as migrant women, especially refugee and undocumented migrant women, are more likely to turn for help to services run by women's organisations.
- Foster **cooperation with other countries** on cases of violence against refugee women and girls, through collection of evidence, coordinated referral mechanisms, and coordinated case management.

SERVICE PROVISION



- Develop **all types of services needed** to protect and assist women and girls victims and survivors of male violence: helplines, shelters, rape crisis centres, counselling, legal aid, health care, trauma care, etc.
- Grant access to services to all women and girls, **regardless of their legal status**.
- Ensure that access to these services are **free**, and that support is provided in the **language** of the women and girls.
- When services are provided by NGOs, **guarantee the sustainability and quality of services** by granting adequate funds to the women's organisations and NGOs.
- Provide **appropriate and accessible shelters in adequate numbers** to reach out proactively to all women victims, including undocumented migrant women and refugees. Such shelters should comprise women's only spaces, at least for accommodation and service provision.
- Provide **telephone helplines** free of charge 24/7 and in multiple languages.

PREVENTION



- Develop **awareness raising campaigns** on violence against women and girls, in order to promote change in mentalities and attitudes and support women victims and survivors.
- Develop campaigns aimed at **ending stigmatisation and discrimination** against refugees and migrants.
- **Involve facilitators and multipliers from the migrant and refugee communities** in the design of awareness raising campaigns, educative programmes and trainings for professionals.
- Guarantee **access to** and **provide information** to migrant and refugee women and girls about **their rights**, in their language.
- Grant migrant and refugee women with access to **education, employment and social support**, as a strategy to support their independence and full participation to society.
- **Train professionals** (including social support, education and health) and law enforcement authorities (border guards, police, judiciary, etc.) on violence against women as a gendered phenomenon and on the gender aspects of migration.
- Incorporate general **human rights training**, with a specific focus on violence against women, into language training for migrants and refugees.

PROTECTION



- Take necessary coordinated measures to **protect all women and witnesses** of all forms of violence during all stages of investigation and judicial proceedings. All protection measures should take into account the needs of vulnerable women as they are less likely to defend themselves or seek prosecution of their perpetrator(s).

- **Carry out risk assessments** to evaluate the lethality risk, seriousness of the situation and the risk of repeated violence, taking into account the specific vulnerabilities faced by women, including migrant and refugee women, in order to provide adequate protection services and emergency barring orders, restraining or protection orders.

- Provide gender-sensitive and knowledgeable **free legal assistance** to victims when presenting a complaint and during the judiciary proceedings, in the language of the woman or the girl.

- Provide long-term care for **mental health and trauma recovery**.

- Develop and implement **codes of conduct** for the different law enforcement agencies to prevent any form of violence from their employees.

- Grant **individual residence permit status** to all migrant and refugee women who might be suspected to be victims of violence.

- **Suspend expulsion proceedings** when women are being identified as victims of male violence.

- Provide sufficient allocations, housing and employment leave and independent residence permit and work permits to women victims of violence in order to **help them reintegrate and be part of society**.



VIOLENCE AGAINST WOMEN BOTH VIOLATES AND IMPAIRS OR NULLIFIES THE ENJOYMENT BY WOMEN OF THEIR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

Beijing Platform for Action



PROSECUTION



- Put an **end to impunity** by implementing effective measures to ensure that investigation and judicial proceedings are carried out without delay taking into account the rights of the victims.

- Provide **gender sensitive training** for law enforcement agencies, judiciary and public prosecutors in order to end the prevailing sexist and racist behaviours and views in the justice system.

- Ensure that **protection orders are being implemented**, including measures related to the European Protection Order.

- Ensure **implementation of the Istanbul Convention and CEDAW provisions** while deciding on the asylum status in the national judicial level in the individual verdicts.



THE UNITED NATIONS CODE OF CONDUCT

"In order to further protect the most vulnerable populations, especially women and children, the following specific standards which reiterate existing general obligations under the United Nations Staff Regulations and Rules, are promulgated:

- *Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal;*

- *Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence;*

- *Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance."*

Secretary-General's Bulletin - Special measures for protection from sexual exploitation and sexual abuse.

IMPLEMENTING A GENDER-SENSITIVE HUMANITARIAN RESPONSE

WHY IS IT AN ISSUE?

According to international law, governments have the responsibility for the entire humanitarian response. Women and girls experience the refugee journey in a different way to men and boys, due to gender roles and structures. The reality on the ground in Europe however gives us clear evidence that **the specific needs of women and girls are not taken into account in refugee settings, and that women and girls are at risk of several forms of male violence on the move.**

The way that transit, reception and accommodation centres are built, organised and staffed has a direct impact on women's and girls' ability to be safe from male violence. Women's organisations and humanitarian actors have developed standards for the prevention and response to gender-based violence or violence against women and girls, and for gender-sensitive humanitarian services and procedures. The feedback of EWL members about the situation in their country comprises the same assessments throughout

Europe: a massive lack of female interpreters in the various settings, a lack of childcare and of gender segregated spaces in accommodation centres, a lack of reporting male violence (especially domestic violence) because of fear of not being believed or because of non-individualised interviews/case management, etc.

The EU and its member states and acceding/candidate countries have a duty of due diligence to prevent such violence to happen. The European Consensus on Humanitarian Aid states that "Recognising the different needs, capacities and contributions of women, girls, boys and men, the EU highlights the importance of integrating gender considerations into humanitarian aid" and commits to promote the involvement of women in humanitarian aid. It is time to walk the talk and implement gender-sensitive humanitarian responses at all levels, to prevent violations of women's and girls' human rights and make sure that humanitarian action contributes to empowering women and girls.

TESTIMONY FROM A WOMEN'S NGO IN FORMER YUGOSLAV REPUBLIC OF MACEDONIA



"A woman was physically assaulted by her father in her country of origin because she married a man from a different religion. Her father was a police officer and she could not protect herself in her own country. Therefore, she decided to leave the country. She arrived in Macedonia and asked for asylum. Her claim was refused by the authorities. Currently her case is in front of the constitutional court and she is in the asylum centre in Skopje. During this decision making process the women is being accommodated in the Vizbegovo asylum centre in Skopje. The centre is a collective facility where women are often exposed to gender based violence. The facility is not light enough, not secure for women, there is limited access to hygiene facilities, access to medical help is very also limited. Other women have complained that they were sexually accosted by police personnel and social workers in the centre. However, these claims never went into procedure due to the fact that women were scared to report for fear of this interfering with their asylum application.



OUR DEMANDS TO THE EU AND ITS MEMBER STATES

- The EU and its member states and acceding/candidate countries must ensure that **transit/accommodation sites are built and staffed in a gender-sensitive manner**, recognising women and girls need for safety, in line with the Inter-Agency Standing Committee Guidelines for Integrating GBV Interventions in Humanitarian Action (2015) which offers sector-specific guidance on reducing risk, promoting resilience and aiding recovery efforts.
- The EU and its member states and acceding/candidate countries must ensure **universal access to sexual and reproductive health and rights.**
- The EU and its member states and acceding/candidate countries must implement a **coordinated global approach to prevent and respond to violence against women in crisis contexts**, and must collaborate with humanitarian actors to ensure multi-agency cooperation.
- The EU and its member states and acceding/candidate countries, as well as humanitarian actors, must **empower women and girls as change agents**, including by increasing support for local women's groups to participate meaningfully in humanitarian action.



ENSURE THAT HUMANITARIAN
PROGRAMMING IS GENDER RESPONSIVE

World Humanitarian Summit Core Commitment



WOMEN'S
REFUGEE
COMMISSION

The Women's Refugee Commission (WRC) recently completed a series of assessments to understand women's and girls' access to humanitarian and legal protection throughout the European refugee migration route. Since November 2015, researchers have visited eight countries over four missions to speak directly with refugee women and girls, humanitarian actors, women's civil society organisations, and state authorities. The information from the assessments is being used to advocate for global and national policies to be more responsive to specific needs and rights of refugee women and girls.

The first mission last November to Greece and Macedonia was undertaken with The UN Refugee Agency and The UN Population Fund. WRC subsequently conducted assessments in Serbia and Slovenia last December and Germany and Sweden this past February. In mid-May, WRC completed its final assessment in Greece and Turkey, as part of a gender analysis of the European Union's agreement with Turkey.

WRC learned that refugee women and girls are often fleeing their countries of origin because of the fear of gender-based violence (GBV), including conflict-related sexual violence and forced marriage. GBV is also a constant threat during the migration through Europe, including the specific threats of sexual violence and transactional sex. Then, once refugee women and girls reach their destination, they still are vulnerable to violence inside hastily built accommodation centres, where domestic violence, sexual harassment and assault are common complaints.

All four missions highlighted significant gaps in protection and services for refugee women and girls at every point along the migration route and in the destination countries.

The conditions in many of the transit and reception centres we visited fail to meet minimum standards for GBV risk mitigation - for example, no separate toilets or bathing facilities for men and women; no safe spaces for women. In Samos, for example, an extremely overcrowded detention centre had no separate toilets or bathing facilities for men or women, no safe spaces for women. Iraqi women staying in the detention centre reported that they felt very unsafe going to the toilets and showers. Women WRC spoke to in Serbia said that they did not eat or drink because they didn't feel safe using the facilities.

There is insufficient access to sexual and reproductive health care and women are not aware of what services do exist. There is very little information provided and even less of it in languages the refugees understand, leaving them vulnerable to smugglers and opportunists who speak their language.

Women and girls in destination countries receive inadequate psychosocial and legal support to successfully claim asylum for gender-based persecution. For women and girls stranded in their home or country of first asylum, restrictions to family reunification can leave them in situations of grave danger.

Closing borders and returning refugees to Turkey without the ability to make asylum claims is especially dangerous for women and girls.

There are multiple changes that must be implemented in a coordinated European response to prevent violence and exploitation and provide assistance to survivors. WRC is advocating for governments to:

- **Deploy GBV experts to the field, train frontline workers and provide female interpreters.**
- **Create standard operating procedures to identify and support survivors of GBV.**
- **Establish a coordinated case management system within and across borders in conjunction with civil society organisations.**
- **Strengthen access to asylum for those with claims of gender-based persecution.**
- **Roll back policies that delay family reunification to reduce the number of women and girls left behind who attempt the perilous journey.**

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. Since our founding in 1989, we have been a leading expert on the needs of refugee women and children, and the policies that can protect and empower them.

www.womensrefugeecommission.org
[@wrccommission](https://twitter.com/wrccommission)



HUMAN RESOURCES

Both governments and humanitarian actors are accountable to gender-sensitive indicators when it comes to human resources, according to their respective roles.

- Government authorities must allow women's organisations and NGOs with expertise in gender issues to access refugee women and girls to support their specific needs.
- Governments and humanitarians must deploy women's protection/empowerment/gender-based violence experts to the field.
- Humanitarian actors must deploy trainers on VAWG in transit and accommodation centres to build capacity on women and girls' protection needs, VAWG, and case management.
- Governments must train their frontline workers, asylum and police officials, all local staff and volunteers, on VAWG, women's and girls' protection needs and case management.
- All trainings done by governments and humanitarians must also be based on the guidelines for integrating gender-based violence interventions in humanitarian action (IASC).
- Governments must hire and deploy gender-sensitive police officers who have experience working with refugees and other vulnerable people and can identify people with special needs.
- Governments must provide female interpreters in all areas and for all aspects of the humanitarian response.
- Governments and humanitarians must ensure parity between women and men in their staff.
- Governments must establish information desks with gender sensitive information in all centres and on the journey, and should deploy staff and volunteers to inform women and girls about their rights.
- Governments and humanitarians must deploy health professionals who are gender sensitive, including gynaecologists and female workers for first aid.
- Governments must ensure a sufficient ratio between the number of social workers and the number of refugees in centres, to guarantee adequate support.
- Governments must develop and implement codes of conduct for all staff and volunteers to prevent sexual exploitation and abuse (using the UN code of conduct as guideline).
- Governments and humanitarians must consult refugee women about their needs and utilise refugee women's skills to strengthen the humanitarian response.
- Governments and humanitarians must ensure that refugee women are considered as interlocutors in the exchange with officials/staff (and not only community leaders).

In Serbia, the ratio social workers/ refugees in the refugee camp in Presevo during the height of the crisis was: 4/6000.



SPACES The building and organisation of spaces resort to member states' responsibility.

In the UK accommodation centres, common rooms are mixed and women sometimes miss meals as a result of being intimidated by men.

- Build and sustain adequate hygiene facilities (WASH = emergency water, sanitation and hygiene)
- Design sex segregated toilets and showers
- Provide locks for toilets, bathrooms and rooms
- Provide women and girls with water purification tablets and soap
- Provide women-only spaces in accommodation and transit centres
- Provide separate sleeping rooms for women and children in asylum centres and accommodation centres
- Provide separate rooms for women's and girls' private activities and safety
- Provide baby care units, breast-feeding spaces, children/family friendly spaces, playgrounds for children
- Provide space for women to share their stories with researchers
- Provide separate rooms for women's and girls' discussion with officials/volunteers, safe and calm spaces for registration, screening and asylum interviews
- Guarantee good quality buildings: build new, modern building and refurbish old ones, according to minimum standards
- Provide accessible and safe transport to and from services

Hastily constructed transit, reception and accommodation centres are not designed to protect refugee and asylum-seeking women and girls from male violence or provide assistance to survivors. **This check list is an advocacy tool for EWL members and partners to put pressure on national and European authorities, as well as on humanitarian actors (agencies and organisations), and ensure concrete measures and change to prevent violence against women and girls (VAWG).** These measures are organised around the 4 main areas of action in humanitarian response: human resources, spaces, services, and the response to VAWG.

We acknowledge the different circumstances on the move, depending on the stage of the journey for the women and girls travelling (in transit, at destination, in reception or accommodation centres), but feel that the following indicators should be understood as standards to address protection risks for women and girls.



RESPONSE TO VIOLENCE AGAINST WOMEN AND GIRLS (VAWG)

Ensuring a proper response to VAWG is the responsibility of the governments.

- Create standard operating procedures (SOP) to identify and support survivors of VAWG
- Ensure that such procedures include all forms of VAWG
- Establish referral mechanisms to help women and girls to access specialised NGOs dealing with male violence
- Establish a coordinated case management system within and across borders in conjunction with civil society organisations
- Provide access to legal aid and safe reporting
- Provide access to all services related to post-rape, psycho-social support, etc.
- Provide access to women's shelters for undocumented and asylum-seeking women and girls
- Provide information to women and girls about legislation on violence against women and their rights

There is no standard referral mechanism procedure for refugee women who have faced sexual violence or domestic violence in Sweden.

While waiting for entry, refugees spend 2-5 days in the no man's land between Serbia and Hungary, without any provisions, and humanitarian actors are prohibited from communicating with them.



SERVICES

Services should be the responsibility of governments, as part of their responsibility for the humanitarian response. When humanitarian agencies or organisations provide specific services, we expect them to use this check list to ensure that their services are gender-sensitive.

- Ensure that Minimum Initial Service Package (MISP) is provided in all centres and on the journey
- Access to 24-hour medical care/assistance
- Access to reproductive health care
- Access to emergency obstetric and new-born care
- Deploy specialised officers on reproductive care
- Access to free contraception and advice
- Provision of mobile clinic for sexual and reproductive health
- Provision of services for pregnant and/or lactating women
- Deploy gender sensitive gynaecology services at the border, in mobile and clinical settings
- Access to post-rape care
- Deploy specialised officers on socio-legal advice for women experiencing violence
- Access to counselling
- Access to psycho-social support, including for cases of male violence
- Access to legal aid and safe reporting
- Provision of women/girls "dignity kits" which are culturally appropriate (including sanitary items, suitable clothing, household items, etc.), as well as non-food items such as torches/radios/whistles, firewood, etc.
- Coordinate the exchange of good practice between service providers
- Ensure sustainable funding to women's organisations
- Develop/support empowerment projects and activities for girls
- Provide integration and language skills training
- Provide information in the refugees' language and/or using pictograms and providing female-specific information
- Provide information on rights and existing services: provide transparent info on where to go & what to do

ENGENDERING THE ASYLUM SYSTEMS

WHY IS IT AN ISSUE?

Asylum is granted to people fleeing persecution or serious harm in their own country and therefore in need of international protection. **Asylum is a fundamental right**; granting it is an international obligation, first recognised in the 1951 Geneva Convention on the protection of refugees. The 1951 Convention and its 1967 Protocol gives protection to women making gender-based violence asylum claims. However, a lack of knowledge and unworkable EU asylum policies utterly fail to recognise and deliver a supportive environment where women can disclose the true nature of their situation, despite existing provisions made in various relevant directives.

Looking at the questionnaires of EWL members on asylum policies, it appears as a detrimental standard that national asylum policies and procedures are gender-blind and don't abide with the international obligations. The reality of sexual and gender-based violence should count as much as the reality of the country of origin.

The lack of a gendered interpretation and disregard for gender sensitive EU and national asylum policies is a massive breach of women's and girls' human rights. Recognising that asylum is not gender neutral is the first step towards engendering asylum policies.

"I had to leave my home in Iran because I was going to be forced into marriage. I am 21 but this man is 53. He is very respected and works in the local government. I met him once before the wedding and he violently raped me – anally – because he said I should "stay a virgin" until the wedding night. I was very scared and in a lot of pain. I spoke to my best friend about this. We knew I couldn't stay in Iran and live like this, so she helped me escape. I came to Slovenia and the authorities put me in a centre in Ljubljana. I was very frightened because I was on my own and there were some men in the centre who said bad things to me.

I didn't feel safe so I told the authorities and they moved me to another place for women and children who are like me and have suffered from violence. I felt safer there but it was still very difficult for me. I had flashbacks and was very sick. I was so scared that no-one would believe me and they would force me to return to Iran. I knew that they would kill me – either the man I was supposed to marry or my family. No-one would care and no-one would protect me. If the authorities said no to me for my asylum, then I would run away. Anything is better than going back to Iran.

I lived in this house with other women for a year. At first it was hard but then I thought that I cannot sit and do nothing, I have to be active. So I went to some psychotherapies and this was a very good step for me. It helped me feel better. I started going to the gym. Also this was good for me and I took language classes in Slovene and English. I already knew a bit of English so it was good to learn some more. I got some medication for my illness. The doctor said I had severe anxiety and PTSD. The most important thing for me was to work. I really wanted a job but it is impossible without my refugee status. I moved 6 months ago from the house into a reintegration house. It is calmer here. I now have a job but it is not legal. But what can I do? I need to earn money. I still don't know what the authorities will do about my case."



TESTIMONY - FARAH



OUR DEMANDS TO THE EU AND ITS MEMBER STATES

- The EU and its member states and acceding/candidate countries must ensure that **asylum procedures comply with the UNHCR Guidelines** on International Protection (Gender-related persecution within the context of Article 1 (2) of the 1951 Convention and /or its 1967 Protocol relating to the Status of Refugee, 7 May 2002).
- The EU asylum system, currently under discussion, must include a **gender perspective**, and all aspects related to reception conditions, procedures and qualification should be gender mainstreamed.
- All women entering the EU should be granted **independent legal status**, whatever the reason for their stay; this is a key criterion for successful integration into the host country.
- The EU must develop gender expertise in the structure of European Asylum Support Office (EASO), in particular **establish gender focal points** responsible for coordinating gender mainstreaming.



THE RIGHT TO ASYLUM SHALL BE GUARANTEED WITH DUE RESPECT FOR THE RULES OF THE GENEVA CONVENTION OF 28 JULY 1951 AND THE PROTOCOL OF 31 JANUARY 1967 RELATING TO THE STATUS OF REFUGEES AND IN ACCORDANCE WITH THE TREATY ON EUROPEAN UNION AND THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION.



Article 18 of the EU Charter of Fundamental Rights

The **European Women’s Lobby** (EWL) brings together the women’s movement in Europe to influence the general public and European Institutions in support of women’s human rights and equality between women and men. We are the largest European umbrella network of women’s associations representing a total of more than 2000 organisations in all EU Member States and Candidate Countries, as well as 19 European-wide organisations representing the diversity of women and girls in Europe. EWL envisions a society in which women’s contribution to all aspects of life is recognised, rewarded and celebrated - in leadership, in care and in production; all women have self-confidence, freedom of choice, and freedom from violence and exploitation; and no woman or girl is left behind.

The EWL has a long-standing record of advocacy work on migrant women, violence against women, peace/conflict and asylum policies. Back in 2000, the EWL ran a one-year campaign to lobby for the recognition of women’s particular experience of persecution in the asylum process. We wanted to make sure that women have equal access to the asylum system, and we successfully influenced the current asylum directives which recognise acts of sexual violence as legitimate grounds for asylum. In 2007, we issued an [advocacy guide on asylum and gender](#) (together with Asylum Aid UK) calling for gender sensitive policies at EU and national level. We monitored the EU policies on asylum by giving [our vision of the EU Asylum System](#) (2007) and delivered [recommendations for the integration of a gender perspective in the European Asylum Support Office](#) (2011).

We have also campaigned for gender-sensitive family reunion policies, through a [lobbying kit](#) produced with the European Network of Migrant Women. We have worked on women in armed conflicts and issued a [position paper in 2010 on ‘engendering peace’](#). We have a strong position on violence against women, through

our [2010 position paper calling for comprehensive policies and measures at EU and national level](#), to address all forms of male violence and to protect all women and girls.

More recently, because of the massive flows of refugees reaching Europe and travelling towards a better life, the EWL and its members have made their voices heard in order to alert on the reality for women and girls refugees and asylum seekers, which is often neglected by the media and decision-makers. In September 2015, the EWL sent an [open letter to EU decision-makers](#), and issued a [written statement on refugee women and girls](#) together with its members in light of the 60th session of the UN Commission on the Status of Women, where we organised a side-event on displaced women and girls.

Amongst EWL membership, **the European Network of Migrant Women** (ENoMW) is a diverse umbrella network of migrant-led organisations around Europe working to promote migrant women’s rights, and the concerns, needs and interests of migrant women in the European Union.

ENoMW has a relatively young, but strong background on addressing the gender perspective in migration and asylum policies. ENoMW members are united by a common understanding that migration, asylum and integration policies have to be gender sensitive and respect women’s rights. The common practice of gender neutral policies affects refugee women and refugee men in different ways, and often to the disadvantage of women, leaving them more vulnerable. This is a problem that spreads over many areas of life, and it is a setback in the overall steps towards integration and full gender equality in Europe. ENoMW has produced a [briefing paper on gender-based dangers facing migrant and refugee women](#).

www.migrantwomennetwork.org





Engendering asylum systems requires reading and applying asylum policies with a gender perspective (implementing gender mainstreaming). The following check list, addressed to the EU and its member states and acceding/candidate countries, looks at the 6 areas of action related to asylum policies: staff, interviews, reception centres, institutional mechanisms, public awareness campaigns, and the specific situation of unaccompanied girls.



STAFF

Refers to staff involved with asylum procedures and policies

- Train all staff on sexual and gender-based violence and women's empowerment and gender equality; training should ensure a culture of belief as women tend to minimise abuse rather than exaggerate it
- Train all staff on gender-sensitive interviews and gender-sensitive asylum provisions
- Train all staff on culture-specific competences
- The European Asylum Support Office training on gender must be mandatory at all levels
- Relevant women's organisations must be invited and supported to provide training
- Implement quotas for hiring staff to ensure parity between male and female presence, in all sectors of asylum procedures
- Amongst the different roles, ensure female staff for psychological support
- Wherever possible and relevant, hire refugees themselves to be part of the asylum procedures and policies



INTERVIEWS

Refers to all types of interview within the asylum process

- Develop a mandatory guideline for interviews of women and girls, which guarantees that:
 - ⇒ Women and girls are informed about their right to asylum on the grounds of gender-based violence
 - ⇒ Women are systematically granted a female interpreter and interviewer
 - ⇒ Women are interviewed separately from their partner/family
 - ⇒ Childcare is provided during the interview
 - ⇒ Interviews take place in separate rooms, providing a safe and calm environment
- Interviewers need to remain calm, neutral and compassionate and ask open ended gender-sensitive questions; interviewers must make sure that women agree with the interpreters
- Interview questionnaires must include gender-sensitive information, enquiring specifically about sexual and gender-based violence
- Interview processes should acknowledge the trauma and ensure counsellors and legal aid are on site for support for free



CENTRES

Refers to all types of reception and accommodation centres for asylum-seeking persons

- Guarantee that centres are built and organised in a way that prevent sexual and gender-based violence
- Provide separate accommodation for families / single men/ single women and children
- Provide separate facilities for women and children (sleeping rooms, hygiene, safe spaces)
- Provide decent conditions in the centres – hot running water, electricity, computers, Wi-Fi, etc.
- Deploy female staff in female areas
- Deploy specific medical assistance, gynaecological and psychological support, social workers, therapists and counsellors for women and girls, by female professionals, in proportionate numbers to ensure quality service
- Ensure centres are in close proximity to other facilities (schools, doctors, playgrounds, etc.)
- Explore alternatives to detention



INSTITUTIONAL MECHANISMS

- Ensure that gender machineries are involved in the definition and implementation of asylum policies
- Mainstream gender in all aspects of asylum policies and procedures
- Implement a coordinated approach to gender-sensitive asylum by ensuring dialogue between NGOs, governments and the EU, in order to share best practice and identify gaps
- Establish gender focal points/units in asylum departments and make them visible
- Establish transparent monitoring and accountability mechanisms on the gender perspective of asylum
- Respond to the ombudsperson's analysis of the situation for women and girls
- Collect systematic gender disaggregated data about all stages of the asylum process in order to inform the gender sensitivity of the asylum policies
- Provide information for women and girls in various languages and contact details of women's organisations
- Fund women's organisations supporting women and girl's refugees, asylum seekers and migrant women
- Allow women's organisations to work with female refugees
- Implement CEDAW provisions and answer to NGOs' shadow reports
- Agree on the establishment of an international tribunal for justice for refugee women



PUBLIC AWARENESS CAMPAIGNS

- Develop public campaigns at all levels (from local to EU) to break stereotypes on refugees and migrants and highlight the positive contribution of refugees and migrants in Europe
- Develop public campaigns about the right to asylum and to non-discrimination
- Respect the freedom of assembly and association so that civil society can mobilise and organise around the refugee situation and status of women
- Include human rights, women's rights, and asylum rights in school curriculum
- Promote research on women and girls refugees
- Fund women's organisations' initiatives to allow women to share their stories to increase awareness and initiatives to train stakeholders, including the media, on gender stereotypes about refugee women and girls
- Respect freedom of the press



UNACCOMPANIED GIRLS

- Within centres, create safe spaces, including separate accommodation, for girls with specialised culturally sensitive personnel
- In interview, ensure there is a trained appropriate adult to remind asylum officials of the rights of the child
- Systematically appoint a social worker to actively follow the case of the child
- Provide child friendly (age-appropriate) information on asylum procedures (through cartoons, leaflets...)
- Train all staff, guardians and foster families on increased risk of sex trafficking and prostitution, child marriage, sexual violence, FGM and traditional harmful practices for unaccompanied girls
- Provide girls with access to information on sexual health and reproductive rights
- Provide all minors with therapy and trauma counselling, and by female professionals for girls
- Provide girls mentors from the host communities to facilitate integration and peer support
- Establish a mechanism of foster families for unaccompanied minors
- Provide funding for UNICEF and NGOs working for the protection of children's rights



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The European Women's Lobby (EWL) would like to warmly thank the Women's Refugee Commission for the opportunity of working together on this very important project.

The EWL would like to give special thanks to the many knowledgeable women from across Europe who made valuable contributions to this report:

- The EWL members of the follow-up group for the #womensvoices project for their expertise and contributions: Borbaba Juhasz (Hungary), Biljana Nastovska (FYROM), Vanja Macanovic and Dijana Malbasa (Serbia), Elvy Svennerstal (Sweden), Katja Zabukovec Kerin (Slovenia), Anna Zobnina and Salome Mbugua (ENoMW).
- The EWL members of the task force for Central Europe, the Balkans and Baltic States (CEBBS task force) and the EWL members who attended and contributed to the #womensvoices Forum in April 2016.
- The EWL partners who attended and contributed to the #womensvoices Forum in April and with whom the EWL met as part of this project.
- The EWL Secretariat members for their support at all stages of the project, EWL President Viviane Teitelbaum and EWL Secretary General Joanna Maycock.

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The information contained in the publication does not necessarily reflect the position of the European Commission.

@ European Women's Lobby, June 2016



EUROPEAN WOMEN'S
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The #womensvoices project was possible thanks to the support of the Women's Refugee Commission and the Open Society Foundations.



This publication has been funded by the Rights, Equality and Citizenship Programme of the European Union



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