



Issues and questions for CEDAW Pre-Session Women's Asylum Charter

The following list of issues and questions emerged from workshops with refugee and asylum seeking women in two regions of the UK with significant populations of asylum seekers and refugees¹. A total of 22 women attended the workshops. This list reflects the priority issues that these women wanted to bring to the attention of the UN CEDAW Committee.

Article 9 – Nationality

Equal access to international protection

Women felt they were less able than men to engage with the complex asylum process because of the nature of the gender based persecution many of them had suffered. They felt that it was very difficult to talk about their experiences and that if or when they did, they were often not believed by asylum decision makers. They also felt they needed time to recover and 'heal' before being interviewed in order to be able to give a full account of their experiences.

"I remember going to court and just crying. I wasn't hearing what he [the judge] was saying, you know, I was busy thinking of what happened to me in Zimbabwe..."²

"A more flexible asylum system particularly for people who have gone through gender discrimination... specifically for women who have gone through these things that need trauma healing first, sexual violence, rape, you know, things that women need some counselling [for], until she's on an equal level... to start answering questions or start explaining what happened."

"In our culture it is even taboo to talk about sex, let alone talk about sexual violation."

"UKBA should believe women and not label them liars because they were not there when I was raped. They were not there... they should believe me."

The Committee may wish to ask the UK Government what it is doing to ensure that women who have fled gender based persecution have equal and fair access to international protection.

Article 11 - Employment

Multiple barriers to employment for refugee women

A report by the Refugee Women's Strategy Group in Scotland has shown that refugee women face multiple obstacles to participation in the labour market.³ UK

¹ The workshops were held in Leeds and Glasgow and were facilitated by Refugee Council and Scottish Refugee Council respectively.

² All quotes are from women participating in the workshops

Government policy prohibits those in the asylum process from accessing the labour market. Women are disproportionately affected by this as evidence shows they wait longer than men for a conclusive decision on their claim and report less confidence in English language.⁴

“The UK is not doing enough to empower women so that their diminishing self-esteem is raised so that they are involved in public life, in the wider public life. Already they are sufferers of many forms of violence, like domestic violence, trafficking.”

The Committee may wish to ask the UK Government what it and Devolved Administrations are doing to break down the multiple barriers facing refugee women accessing the labour market.

General Recommendation on Violence Against Women

High risk of destitution makes women in the asylum process vulnerable to violence and exploitation

People are at risk of destitution at many points in the asylum process for different reasons⁵. Some destitution is caused by administrative error on the part of the UK Border Agency. Those without children who have had their asylum claims refused are not entitled to support or permitted to work. This puts many women at risk of exploitation and sexual violence⁶.

“When I applied for NASS [asylum] support, they took 4 months to reply to me... I was destitute for 5 months. You don’t know how I spent those 5 months, sometimes here, sometimes there, and many people exploited me during those 5 months. Me and my kids they are mentally ruined just because we were destitute for those 4/5 months.”

“To withdraw Section 4 [asylum support] for women it pushes them into prostitution. They say they are fighting against prostitution, how do they fight prostitution when the woman is destitute... Section 4 should not be withdrawn from women... I’m not saying it’s good for a man to be destitute, but it’s even worse for women to be destitute with or without children.”

The Committee may wish to ask the UK Government how it ensures that its asylum policies do not undermine its international commitments to prevent violence against women.

³ Refugee Women’s Strategy Group (2011) The Struggle to Contribute, www.gla.ac.uk/media/media_231770_en.pdf

⁴ Scottish Refugee Council (2011) Integration Study Briefing http://www.scottishrefugeecouncil.org.uk/assets/0000/2100/Briefing_ScottishRefugeeCouncil_IntegrationStudy_May2011.pdf

⁵ Refugee Survival Trust (2012) Destitution (a short animation) <http://vimeo.com/37518796>

⁶ Refugee Council (2012) The Experiences of Refugee women in the UK (a briefing) http://www.refugeecouncil.org.uk/policy/briefings/2012/08032012experiences_of_refugee_women