

MIGRANT, REFUGEE AND ASYLUM-SEEKING WOMEN AND GIRLS IN EUROPE



January 2019

MIGRANT, REFUGEE AND ASYLUM-SEEKING WOMEN AND GIRLS IN EUROPE

REPORT

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The opinions expressed in this work, mandated by the Gender Equality Division of the Council of Europe to the students of the Institute of Political Studies – Strasbourg in the framework of MA 2 European and International Studies, are the responsibility of the authors and do not necessarily reflect the official policy of either of the partner institutions.

Cover photo: 3rpsyriacrisis.org

January 2019

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EXECUTIVE SUMMARY

The Gender Equality Division of the Council of Europe mandated a group of students from “MA 2 European and International Studies” of “the Institute of Political Studies - Strasbourg” to draft a report on protecting the human rights of migrants, refugees and asylum-seeking women and girls - categories of persons who are, particularly vulnerable to gender-based violence and discrimination before, during and after the migration process. This report analyses the current situation and offers recommendations to ensure gender-sensitive migration and asylum reception and integration policies.

The European Convention on Human Rights states in Article 14, “*The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status*”.¹ However, today, women and girls face greater barriers than men and boys regarding the protection of their rights in all countries. Gender, displacement, conflicts and other factors combined together, amplify the discrimination against migrant refugee and asylum-seeking women and girls.

Women have always been part of migratory flows since the 20th century. The feminine presence, though statistically proven and permanent, especially in Europe, has not been taken into account in migration focused research. The increase in the proportion of women in international migration remains very low; in 1960 it was 47% and in 2017, 48.2%. Indeed, the issue of gender in migration has often remained invisible. Thus, the feminisation of migratory events is not a new phenomenon but it has been growing since 2015, particularly with the passage of migrants via the Mediterranean or the Balkan route. The migratory flows have also dramatically increased the vulnerability of refugee and migrant women to trafficking, exploitation, discrimination, and abuse. Since 2000, migrant women are more numerous in developed countries (see Appendices on women's migration in Council of Europe member states).^{2 3}

Those women made the choice to migrate in order to find protection. Indeed, the critical situation of the countries in which women often find themselves and the violence, discrimination and persecutions they

¹ European Convention on Human Rights, Article 14, p. 13

² Dumitru Speranta, 2017. « Féminisation de la migration qualifiée : les raisons d’une invisibilité », *Hommes & Migrations*, (No. 1317-1318), p. 146-153.

³ Mirjana Morokvasic, 2015. « La visibilité des femmes migrantes dans l’espace public », *Hommes & migrations*, 1311, 7-13.

are confronted with leave them with no choice but to flee. In 2017, these represented around 48.4 % of the total number of people on the move.⁴

The process of migration is experienced differently by women and men because the discrimination women face has an impact on their journey. The **UNHCR executive committee** reports: *“Acknowledging that, while forcibly displaced men and boys also face protection problems, women and girls can be exposed to particular protection problems related to their gender, their cultural and socio-economic position, and their legal status, which means they may be less likely than men and boys to be able to exercise their rights and therefore that specific action in favour of women and girls may be necessary to ensure they can enjoy protection and assistance on an equal basis with men and boys”*.⁵ The multiple forms of prejudices which women endure, due to the juxtaposition of their gender and their status of migrants and refugees, place them in a specific situation of vulnerability. The migration process exacerbates the gender-based violence and gender discrimination before, during and after their migratory journey. The very restrictive migration policies present throughout Europe increase the likeliness for women and girls to endure gender-based violence perpetrated by, among others, migrants, smugglers, and law enforcement officers.

Although the proportion of women in the total number of displaced persons has increased in certain countries of Europe, so far few measures have been implemented or accompanied by means to effectively meet their specific needs. European immigration policies do not fully integrate human rights and even less women’s human rights’ dimensions. Their policies are led within the framework of security and border control and are mostly gender neutral. The reality of the mass arrivals of women raises a number of issues with regards to reception policies in Europe. Therefore, it is essential for asylum, migration and integration policies to be carried out in a gender-sensitive approach, allowing the inclusion of needs and specific situations of women and girls.

This report stresses the necessity for asylum and migration policies to integrate a gender perspective. In order to do so, we will analyse risk and factors which expose women to violence before, during and after migration process and complicate their access to adapted protection.

⁴ United Nations, Department of Economic and Social Affairs, International Migration Report 2017: Highlights, 2017

⁵ United Nations High Commissioner for Refugees, Report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, Fifty-seventh session (2-6 October 2006), p. 4

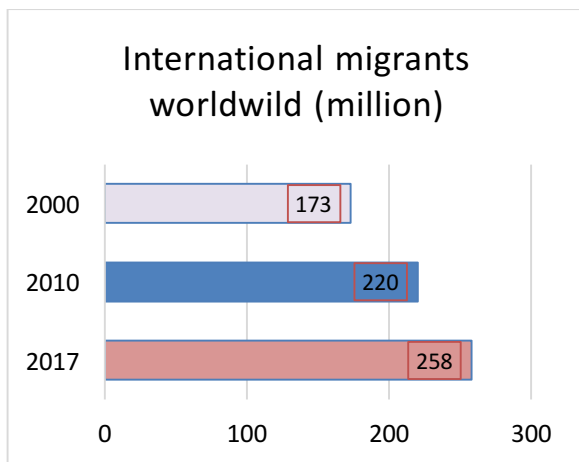
OVERVIEW

Definitions

Migrants, refugees, asylum seekers: who are we talking about?

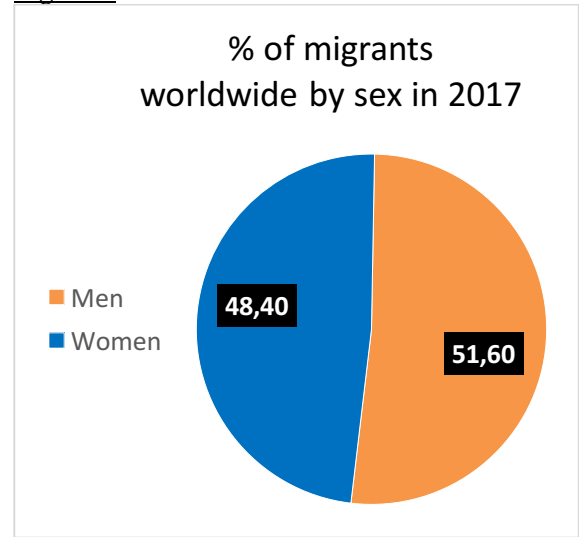
There are no universally agreed definitions at the legal and international level. According to the International Organization for Migration, the term **migrant** refers to a person “*who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person’s legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is*”⁶.

Figure 1



Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

Figure 2



Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

The term **refugee** refers to a precise legal definition that comes under international law. **Article 1 of the 1951 Refugee Convention** (the Convention Relating to the Status of Refugees - agreed in Geneva), ratified by 145 countries, defines a **refugee** as “*a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it*”.⁷ The legal definition has very concrete consequences. As a result of the

⁶ IOM, *Key Migration Terms*. URL: <https://www.iom.int/key-migration-terms>.

⁷ Text of the 1951 Convention Relating to the Status of Refugees, Article 1, page 2

Refugee Convention, a refugee cannot be returned to his/her country of origin, unlike an undocumented migrant. Denying asylum to a refugee potentially affects his/her life, integrity and freedom.

Women asylum seekers are individuals who have applied for 'refugee status' to an appropriate national authority or the UNHCR. If, after the refugee status determination process, it is decided they fulfil the criteria of the 1951 Refugee Convention definition they will be granted refugee status. Dependent family members of recognised refugees may also be granted derivative refugee status⁸.

Gender and gender-based violence: what are we talking about?

According to Article 3c of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention): "*Gender shall mean the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men*".

Gender is a means to signify power relations that are at the origin of a hierarchical division of roles between women and men, historically unfavourable to the former and at the core of many inequalities and discriminations still observable today. Gender gives an account of systematic subordination of women by

emphasising the social factors that make the subordination of women seem "**natural**". It challenges the use of biological arguments to justify the division of roles between women and men, socially constructed, institutionalised, internalised and conveyed by the family, by education and by institutions. While significant progress has been made in the last decades, women's political, economic, social, and cultural rights as well as their autonomy remain restricted in most countries and *de facto* equality between women and men has not been attained, including in Europe.

Gender often intertwines with other types of power relations, notably social class, ethnicity and also (dis)ability, sexual orientation, gender identity, and marital status. Intersectionality recognises the differences among women and their experiences and thus offers a new area of visibility for women who suffer from double or triple sexist, racist and classist discrimination.

Gender-based violence is a universal subordination tool that historically affects women around the world and perpetuates gender-based discrimination and inequality. As defined in Article 3d of the 2011 Istanbul Convention, gender-based violence against women "*shall mean violence that is directed against a woman because she is a woman or that affects women disproportionately*".

The specific definition of violence against women is detailed in Article 3a of the Istanbul

⁸ United Nations High Commissioner for Refugees, Asylum Trends 2014, 2015, page 5

Convention as "*all acts of gender-based violence that result in, or are likely to result in, physical [slap stoning, acid throwing], sexual [assault, marital rape, rape used as part of ethnic cleansing, women trafficking, genital mutilation, slavery], psychological [verbal and moral] or economic [deprived of having a job, joint account of slavery, economic exploitation, forced labour, and precocious sexuality] harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life*".

Violence against women is understood as a violation of human rights and a form of discrimination against women based on gender inequalities.

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention):

It is the first time that a binding instrument of international law has been made available to the European area to fight globally against all forms of violence against women.

The Convention is legally binding for States who ratified it and state authorities such as legislators, courts and law enforcement agencies must implement its provisions.

In order to ensure a comprehensive approach in combating violence against women, the Istanbul

Convention covers all forms of gender-based violence against women: physical, psychological and sexual, as well as criminal harassment, genital mutilation and forced marriage. A group of experts on combating violence against women and domestic violence (GREVIO), composed of 10 to 15 members, monitors the implementation of the Convention by signatory states. The GREVIO can also carry out urgent investigations on the spot in situations of serious or systematic violence against women.⁹

The importance of women in the migration process

In 2018, women made up 48.4% of international migrants. According to the United Nations, 124.8 million women in the world leave their countries of origin each year alone. However, it is sometimes difficult to analyse migration data due to fragmentation between agencies and organisations. Women are expected to outnumber men in more developed countries, especially where the aging population requires care services and agriculture.¹⁰

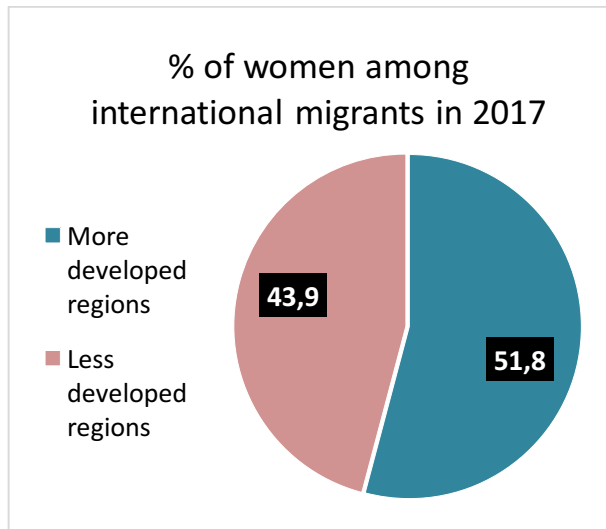
In more developed regions women constitute 51.8% and in less developed regions they are 43.9%.¹¹

⁹ Council of Europe, GREVIO, URL : <https://www.coe.int/en/web/istanbul-convention/grevio>

¹⁰ Catherine Withol de Wenden, *Atlas des migrations*, 2018, page 85.

¹¹ United Nations, Department of Economic and Social Affairs, International Migration Report 2017: Highlights, 2017.

Figure 3



Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

The consequences of women migration, apart from the care drain,¹² the equivalent of the brain drain, implying that some countries also suffer from the drain of care, include risks of family disintegration in their countries of origin.¹³ Women and girls are at risk of early and forced marriage, transactional sex, domestic violence, rape, sexual harassment and physical abuse at all stages of their journey, including in Europe.¹⁴

The share of women migrants in the world declined from 49.3% in 2000 to 48.4% in 2017, whereas the proportion of men migrants grew

¹²Devi, Uma S, Widding Isaksen, Lise, and Hochschild, Arlie Russell. "Chapitre 7/La crise mondiale du care: point de vue de la mère et de l'enfant", Jules Falquet éd., *Le sexe de la mondialisation. Genre, classe, race et nouvelle division du travail*. Presses de Sciences Po, 2010, pp. 121-136.

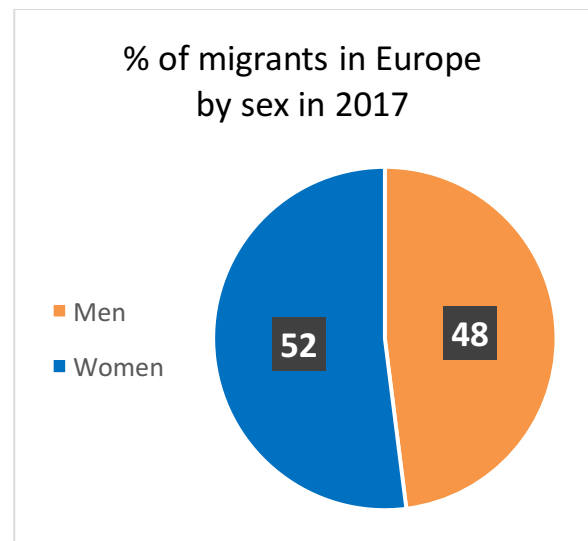
¹³ Catherine Withol de Wenden, *Atlas des migrations*, 2018, page 85.

¹⁴ United Nations High Commissioner for Refugees, SGBV Prevention and Response, Training Package, October 2016.

from 50.7% in 2000 to 51.6% in 2017.¹⁵ In 2017, there were more male international migrant workers - 96 million men and 68 million women.¹⁶

The feminisation of migration is more pronounced in Europe. But contrary to popular belief, this is an old phenomenon.¹⁷ Numbers show that the women as part of the migration process in Europe was 51.3% and 52% in 2017.¹⁸

Figure 4



Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

¹⁵ United Nations, Department of Economic and Social Affairs, *International Migration Report 2017: Highlights*, 2017.

¹⁶ International Labour Organization, Department of Statistics. *ILO Global Estimates on International Migrant Workers*, 2017.

¹⁷ See Appendices 1 until 5.

¹⁸ See Figure 5.

Women invisible in migration-focused research

While women have been the subject of research on migration in Europe since the 1970s, their representation is limited to passive roles. They are most often represented, stereotypically, as mothers, women without qualifications who have followed their husbands, who do not speak the language, are subject to the patriarchal traditions of their countries of origin, are domestic care workers or working in the sex industry.

"We abandon the hidden victim, recluse, and we pass to the victim that we will be able to exhibit. Violence against immigrant women or categorized as such, especially if it is to blame their own cultural traditions and "their men" is a subject for the media. Today, and especially since September 11, 2001, the "cultural tradition" is most often reduced to Islam, whose alleged victim is used to politicize the issue and place it in the framework of security".¹⁹

While migrant women are more visible figures in the public sphere today, the violence they experience is still not addressed and normalised and is explained as a result of some traditional cultures. This is why it is essential to remind ourselves that the objective here is not to reinforce the stereotypical model of the "victim" and "dependent" migrant woman, but rather to

¹⁹ Morokvasic, Mirjana « La visibilité des femmes migrantes dans l'espace public », *Hommes & migrations*, 1311 | 2015, 7-13.

move beyond these terms while denouncing the factors that make migrant women vulnerable and at the same time avoid any culturalisation of the problem. It is also essential to acknowledge that violence against women is a global pandemic affecting all countries²⁰ and social classes, based on the assumption that gender-based violence is structural and derives from gender inequalities.

(Re)configuration of the profiles of migrant women

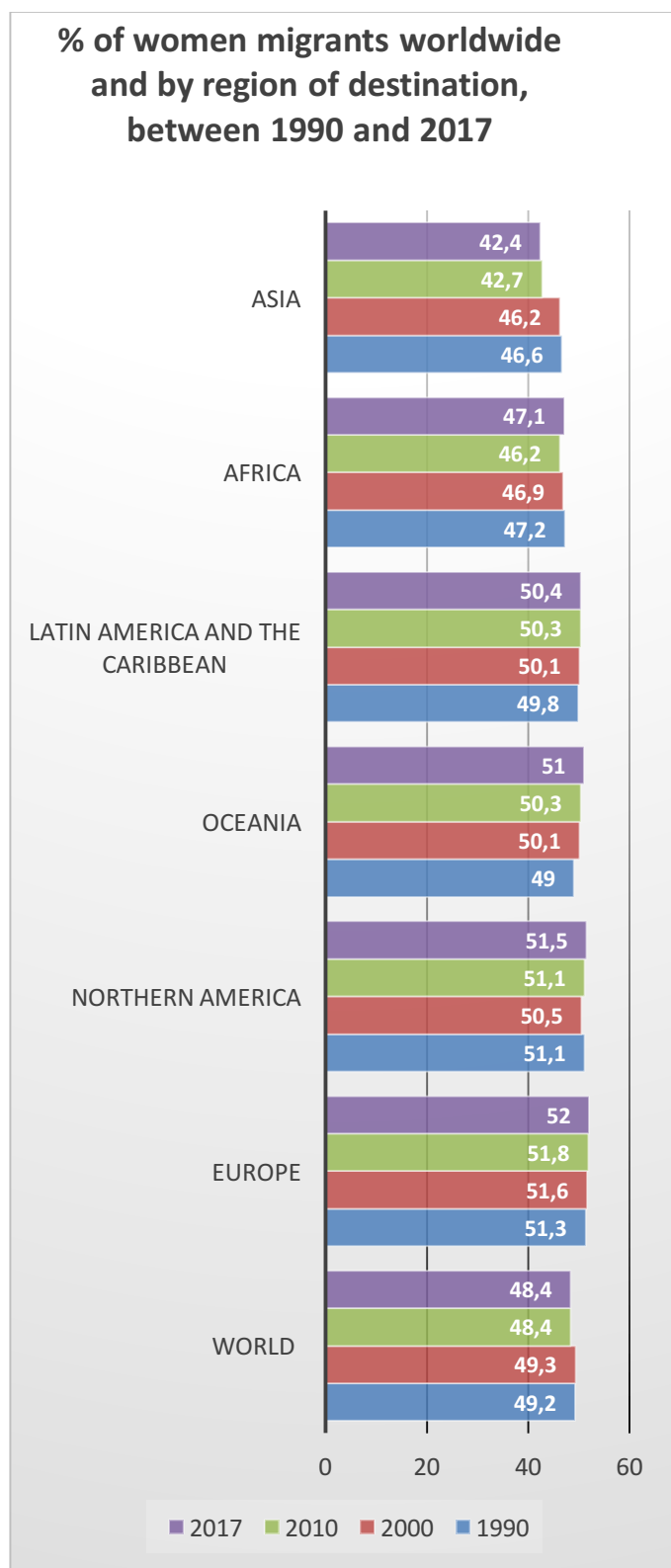
(Re)configuration of the profiles of migrant women

Since 2015, the subject of immigration has intensified in public debates from a security point of view and has become an electoral commodity that masks the realities of the lives of migrants, violates fundamental rights and ignores the issue of women and girls fleeing. Contrary to popular belief, women have migrated in equal numbers as men, but women, since the beginning of migration, have rarely made the journey alone.²¹

²⁰ UN WOMEN, Facts and figures: Ending violence against women, November 2018, URL: <http://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>. Consulted 28.1.2019

²¹ Jane Freedman, Zeynep Kivilicim, Nurcan Ozgur Bakacioglu, *A Gendered Approach to the Syrian Refugee Crisis*, London : Routledge, 2017

Figure 5



Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

However, we are witnessing a reconfiguration of women's profiles in migration, as more women decide to flee their home countries autonomously to escape conflicts and gender-based violence exacerbated in emergency situations. Because women face economic and social difficulties that are a consequence of their social, economic and political status - in addition to the responsibilities of childcare, departures are often hindered by material and financial restrictions. Thus, the choice to seek asylum is an urgency of last resort.²²

²² Thomas Spijkerboer, *Gender and Refugee Status*, Michigan University, 2000

A GENDER-BASED RIGHT TO ASYLUM

Ground for an effective recognition of gender-based persecution in obtaining asylum rights

A constitutive trait of conflict triggered migration of women and girls is the omnipresent gender-based violence they face on the way from their countries of origin to their countries of arrival. Gender-based violence and discrimination are intrinsic to womanhood itself but these phenomena are exacerbated in some of the women's countries of origin and throughout the journey. The perpetrators of those acts of violence are numerous and diverse. They attempt to wield and exert their domination over women based on unequal power relationships and access to resources.

Fear of persecution in the country of origin, is allegedly recognised as a sufficient motive for someone to have a right to international protection. The Istanbul Convention explicitly mentions the imperative of recognising gender-based violence as a ground of persecution. Reality shows that very few states in fact, sufficiently do so.²³

Gender-based persecutions experienced by migrant women and girls in the countries of origin

Gender inequality is a social construct and is thus evolving and variable. In regions characterised by instability and conflicts, unfavourable social norms towards women and poverty, women are more exposed to gender-based discrimination, violence and gender-based violence.

Gender-based violence from a very young age: girls are not only children

Practices such as forced marriages, child marriages, child labour, restricted or forbidden access to education affect girls in particular perpetuating their alienation from society, preventing them from emancipating and from actively participating in public life and decision making. The subordination of girls happens through the control of their bodies and the deprivation of liberties in all social spheres. Often, the unequal social relations between genders allow the perpetrators of this normalised gender-based violence to enjoy impunity and even legitimacy. Limited access to justice does not enable women to take actions against acts of discrimination and violence.

²³ Jane Freedman, « Introduire le genre dans le débat sur l'asile politique », *Les cahiers du CEDREF*, 12 | 2004, 61-80

64 million girls between the ages of 6 and 14 do not have access to schools and education (in Somalia, 30% of children go to primary school, of which, only 40% are girls (Plan International). According to the UN, girls are 90% less likely than boys to have access to schools in conflict zones). 64 million girls between the ages of 5 and 17 are subject to child labour, 11.5 million of which are reduced to (the position) of domestic slaves (UNESCO 2016)

700 million girls are married to older men against their will (UNICEF 2014)

70,000 adolescent girls worldwide die from complications due to early and teenage pregnancy (Plan International) and STIs (UN-Women, 2015b)

200 million girls in 30 countries suffer from female genital mutilation, a practice that may cause fatal or life-threatening infections.

120 million girls under the age of 20 have been confronted with sexual violence (Plan International).

More than 1900 young girls have been sexually exploited between 2017 and 2018.

Girls and women are disproportionately affected by armed conflicts²⁴

Girls are 14 times more at risk to die during conflicts than boys.²⁵ Also, according to the international non-governmental organisation CARE, worldwide, one adolescent girl dies every ten minutes as a victim of violence. In situations of humanitarian crisis that number is increased. Conflicts often involve mass sexual violence and assault. For example, nearly half a million women were raped in Rwanda during the

1994 genocide, 60,000 during the war in Croatia and Bosnia and Herzegovina (UN Chronicle, 2010), Daesh organised the sequestration and systematic rape of women and girls from the Yezidi minority in Northern Iraq (HRW, 2015).

In 2000, UN Security Council Resolution 1325 (UNSCR1325) recognised, for the first time, the differential impact of conflicts on women and girls, as well as the central role of prevention, conflict resolution and peace building. The text called for a gender-specific approach to conflict management to better meet the specific needs of women and girls. Despite the adoption of further UN resolutions and of national action plans in this area, implementation is still lagging behind.²⁶

However, despite the increase in aid to fragile and unstable states on gender issues, this type of funding accounts for only 6% of total aid (UN-Women, 2015a). The report also points out persistent barriers such as impunity of perpetrators of gender-based violence in situations of conflicts.

²⁴ Resolution 1325, United Nations Security Council, 2000

²⁵ Plan International, Magazine Plan Info n°55

²⁶ Since 2000, the UN Security Council has adopted seven additional resolutions and there is strong evidence suggesting that women's participation in peace processes contributes to longer, more resilient peace after conflict. Yet, despite this, women remain largely invisible to, and excluded from, peace processes and negotiations.

Lack of Legal Routes: Women and Girls, First Victims of Migration

Inequalities and persecution experienced in the home countries are exacerbated and reinforced during the migration process, which put women at risks.

Border closures and the expansion of smuggler networks

Since the enforcement and strengthening of the European borders closures in 2015 for developing country nationals, migrants have been forced to take illegal paths, making the journey even more insecure. The closures have also exposed more women to gender-based violence. Smugglers are targeted by European leaders as engines of the refugee “crisis”. However, human smugglers are not the cause of this “crisis”, but rather the product of border closures that forces migrants to use smugglers to flee their countries.

Exacerbated gender-based violence in the migration process

According to Smāin Laacher, the sociologist, women, whether accompanied or not, are considered as inferior on clandestine migration routes; gender-based violence is carried out with impunity. The UNHCR Executive Committee notes that sexual and gender-based violence remains the most widespread and serious protection problem faced by migrant women and girls. Womanhood itself is a threat to the lives of women. The testimonies collected by Amnesty

International from a sample of 40 refugee women in 2016 were unanimous with regards to this issue.²⁷ All of those women reported feeling threatened by men during the journey and experiencing physical violence, financial exploitation, displaced behaviour, rape by smugglers, security personnel²⁸ or other refugees.

A bargaining chip

Women in the migration process represent bargaining chips in their own journey as well as in the crossing of others (family members, husbands, accompanied men,...), according to Pierre Henry, Director of France Terre d'Asile. Sex is used as a bargaining chip in exchange for passage, when money is not available. This type of blackmail can also be used by male staff in transit camps, in exchange for food or documents.²⁹

Mass rape

Rape has become a regular part of forced migration. The predominance of rape is so severe that women are often given contraceptives at the starts of their journeys.³⁰ The use of contraceptives is often a condition for smugglers, before they agree to transport

²⁷ Amnesty International, Press release, “ Female refugees face physical assault, exploitation and sexual harassment on their journey through Europe”, 2016

²⁸ <https://www.cncd.be/migrations-genre-femmes-violences-sexuelles-exploitation-passeurs-asile>

²⁹ “As though we are not human beings”: Police brutality against migrants and asylum seekers in Macedonia, New York: Human Rights Watch, 2015

³⁰ Refugees are in urgent need of protection from sexual and gender-based violence, Amnesty International, 02.11.2016

women,³¹ because rape systematically occurs and is normalised throughout the journey.

The risk of sexually transmitted diseases increases drastically with forced sexual intercourse.³² For instance, for women from sub-Saharan Africa, this risk quadruples during the migration journey according to a survey from ANRS Parcours.

The silenced voices of women

Gender-based violence is a risk for all women but it is exacerbated for single women and non-accompanied girls. To avoid the dangers of the road, single women sometimes choose to join groups of migrants, or to find a man with whom to travel. In support facilities, placed along migration routes, these groups are often considered as “families”. Power relationships, inequalities or violence within groups are not taken into account by the respective facilities. The spokespersons of groups are most often the men, perceived as group leaders. In cases of violence, such power relations prevent women from reporting abuse and violence. The same problem arises in cases in which families migrate together.

Disappearance of women and girls

According to the European Network of Migrant Women, women and girls disappear on the migration journey and this has largely been ignored. This problem must be taken into account and solved. Indeed, while data are

scarce existing figures show a great disparity between the number of girls in transit countries and those in countries of arrival. Relevant state agencies and associations which receive unaccompanied minors claim that most of the demands are submitted by boys rather than girls.³³ Interviews conducted with the CNCDDH and the association Foyer Notre-Dame confirm this trend. This issue needs to be researched and addressed.

As women account for 49% of victims of human trafficking and girls 23%,³⁴ it is possible to establish a causal link between their disappearance and exploitation by human trafficking networks. Sexual trafficking continues to be the most common form of trafficking and predominantly targets women.³⁵

³¹ As though we are not human beings”: Police brutality against migrants and asylum seekers in Macedonia, New York : Human Rights Watch, 2015

³² <http://www.unwomen.org/fr/news/in-focus/women-refugees-and-migrants>

³³ Giordano, Carlo. « L'accueil des Mineurs Isolés Étrangers en Italie : entre régularisation et “clandestinisation”. L'exemple de la ville de Parme », Migrations Société, vol. 129-130, no. 3, 2010, pp. 147-160

³⁴ UNODOC - United Nations Office on Drugs and Crime, Global Report on Trafficking in persons, 2018.

³⁵ See Appendix 6.

Recommendations

The stated factors should in practice justify the obtaining of asylum rights for women, on the basis of gender violence.

The recognition of the situation of migrant women and girls in order to develop a concrete respond to their needs

1. **Migrant and refugee girls need to be recognised as a specific social group.** Migrant girls face unique challenges and risks. Considering girls as part of the "children" group in the migration process risks making the gender-based persecution of which girls are victim invisible.
2. **Gender and age disaggregated data** and information must be available for policy makers to be able to develop evidence-based responses and policies.
3. **Migrant women and girls have to be involved in policy making** regarding asylum, migration and integration policies and their organisations supported and consulted.
4. Relevant policies and practices regarding migrant women and girls need to be supported by **sufficient technical and financial means**. Objectives cannot be attained without sufficient means.
5. A **gender equality perspective** must be integrated in development and humanitarian aid policies in order to mainstream gender equality in home countries and societies.

The necessity of gender-sensitive asylum procedures

1. **A gender based approach to the Geneva Convention and asylum policy.** Following adoption by the UNHCR of the non-binding Guidelines on International Protection on Gender-Related Persecution³⁶ within the context of Article 1A (2) of the 1951 Convention in 2002, as well as subsequent adoption of related interpretative UNHCR guidelines and doctrine, It is now recognised that a correct interpretation of the refugee definition should take into account the particular harm or persecution women may experience including violence against women including domestic violence, rape, forced marriage, female genital mutilation (FGM) and trafficking.
2. **Threats of gender-based persecution must be defined as acts of persecution and considered as sufficient grounds for obtaining a right to asylum.**
3. **Sexual violence committed outside countries of origin and throughout the journey must be defined as a persecution and sufficient grounds for international protection. Those acts of violence should not be considered as simple acts of violence.**³⁷
4. **Personnel must also be trained on gender issues and the number of women available for interviews must always be sufficient to respect the asylum-seeker's choice.**
5. **Asylum-seeking women must be interviewed alone.**

³⁶ UNHCR, "Guidelines on international protection: Gender-Related Persecution within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees", 7.05.2002

³⁷ Smaïn Laacher, « Les femmes migrantes dans l'enfer du voyage interdit », Les Temps Modernes 2012/2 (n° 668), p. 183-201

Best practices

1. According to the Gensen study³⁸ on asylum claims in Europe, Belgium created a brochure entitled “Women, girls and asylum in Belgium: information for women and girls seeking asylum”, available in seven languages, which informs asylum-seeking women of a series of rights to which they have access: “right to ask for a female interviewer and interpreter, right to have an individual interview, right to be given “all the time required” to explain all the reasons for fearing to return in the country of origin, right to have a break during the interview, access to child care during the interview, possibility to be accompanied by a lawyer and/or a person of confidence during the interview and flexibility in fixing the date of the interview for pregnant women.”³⁹
2. The aforementioned study⁴⁰ discusses that in Malta and Montenegro interviews and administrative procedures of asylum-seeking women can be delayed, and a Humanitarian Protection status given, in cases of trauma.
3. The study also mentions⁴¹ that asylum-seeking women in Hungary, having the possibility/choice to request a same-sex interpreter during the interview leading up to administrative procedures for Asylum demand.
4. In Montenegro, “GREVIO welcomes the legal requirement to consider claims on the grounds of membership of a particular social group with due regard to features related to gender identity, including sex (Article 23, paragraph 3). Furthermore, physical, psychological and sexual violence, as well as “acts of persecution specifically related to sex” are respectively listed as “acts of persecution” under Article 24, paragraph 2 items 1 and 6. GREVIO considers that such a classification implicitly implies that women asylum-seekers subjected to certain forms of gender-based”.⁴²

³⁸ European Parliament, Directorate-General for Internal Policies, Citizens’ Rights and Constitutional Affairs “Gender related asylum claims in Europe”, 2012

³⁹ European Parliament, Directorate-General for Internal Policies, Citizens’ Rights and Constitutional Affairs “Gender related asylum claims in Europe”, 2012 - p. 88

⁴⁰ European Parliament, Directorate-General for Internal Policies, Citizens’ Rights and Constitutional Affairs “Gender related asylum claims in Europe”, 2012

⁴¹ European Parliament, Directorate-General for Internal Policies, Citizens’ Rights and Constitutional Affairs “Gender related asylum claims in Europe”, 2012

⁴² GREVIO baseline evaluation report Montenegro, 25.10.2018

GENDER-SENSITIVE RECEPTION POLICIES

Lack of Safety for Refugee Women and Girls on the European Route and the Transit Sites

No Gender Sensitivity at Transit Sites and Accommodation Centres

After fleeing the world's most dangerous places, discrimination and war zones, women and girls who make the journey towards and across Europe should be entitled to safe and humane conditions once they reach Europe. However, transit camps and accommodation centres fail to offer women and girls sufficient and appropriate basic services or protection from exploitation and gender-based violence. The risks are present at every stage of the journey.⁴³ Even after arrival the situation remains dangerous for migrant women. An absence of female interpreters and translators to help traumatised women to express and advocate for themselves, as well as a lack of accessible and adequate information about their rights are important obstacles to basic services, justice, and health centres.⁴⁴

Inexperienced personnel

The first personnel refugee women and girls encounter at transit sites are border officials,

police officers and government authorities responsible for registration and directing the refugees towards the transit sites. Most of the staff has no or very few experiences interacting and communicating with refugees, especially traumatised populations or victims of gender-based violence. In many cases there is too much for both the immigrants and the local authorities to handle because often they do not have enough training in this area or even language competence in order to clearly communicate. Such situations can result in inappropriate treatment of the vulnerable population. Being overstretched by language barriers and miscommunication, the problems regularly escalate into panic between refugees and local authorities. Local authorities are not trained and do not have the capacity to humanely manage the transit sites.

Problems in transit sites and in accommodation centres

Appropriate shelters to provide safe accommodation, especially for girls, women and their children, are scarce. The risk of sexual violence and abuse of women and girls is extremely high in European transit sites and in accommodation centres, not only among the refugees, but also the staff, including guards

⁴³ European Women's Lobby (EWL), From conflict to peace? - Recommendations on preventing & combating violence against refugee women & girls on the move <https://www.womenlobby.org/Time-for-EU-action-to-implement-gender-sensitive-humanitarian-response-say?lang=en>

⁴⁴ <https://www.amnesty.ch/fr/pays/europe-asie-centrale/grece/docs/2018/le-calvaire-des-femmes-refugies>

and volunteers.⁴⁵ The lack of clear information and inability to access interpreters, especially female interpreters, hinders women and girls from accessing services and understanding their rights or the transit process. A general lack of knowledge leaves them vulnerable to smugglers and other opportunists who prey on their desperation.⁴⁶

No sex segregated facilities

Services and facilities have been insufficient to meet the needs of refugees since 2015. Restrooms, including showers and latrines, are not always separated by sex, nor do they all have doors that can be locked to ensure privacy and safety for women and girls in the transit centres. Even in cases where there are separated latrines, women report that men use those indicated for both sexes indiscriminately.⁴⁷⁴⁸ These conditions are highly inappropriate for traumatised and vulnerable women and children.

No female specific shelters

The Women's Refugee Commission (WRC) states that in several camps and refugee shelters there are no designated spaces for women and children, or for families. If there are women's shelters, they are barely sufficient and frequently overcrowded. Single women with their children and unaccompanied girls are sometimes placed together with men they do

not know. There are no private facilities for them to change their clothes. The overcrowded camps do not permit easy access for the humanitarian workers to identify vulnerable people who might need special services. Overcrowding, high levels of stress and lack of privacy leads to gender-based violence, such as harassment and assault, to easily happen without detection by the assisting personnel.

Limited access to special women's hygiene products

To respond to the women's and girls' basic needs, non-food items are distributed along the route. In several transit sites, women's kits containing undergarments and menstrual pads were available but not on display (women and girls must ask for them).⁴⁹⁵⁰ Language barriers, shame and embarrassment might prevent women from asking for such items, especially in cases in which male refugees or male family members are present or when there are only male workers. Efforts in this domain have been made since 2015 but are not enough to cover the needs of all refugee women and girls.⁵¹

No sexual and reproductive health care

Because of the many pregnant women and women who are breastfeeding and/or with newborns taking the route towards Europe, there is an urgent request for specialised sexual and reproductive health care within these transit sites. Most of these women have suffered physical and psychological stress during the journey which makes them more affected by higher risks of complications, preterm delivery,

⁴⁵ Jane Freedman's research shows that refugee women in Greek and French migrant detention camps were often forced to offer sexual intercourse to survive having no economic resources. <https://www.unhcr.org/a-new-deal-for-refugees.html>

⁴⁶ WRC, Falling drought the Cracks: Refugee Women and Girls in Germany and Sweden, March 2016

⁴⁷ WRC, No safety for Refugee Women on the European Route: Report from the Balkan, January 2017

⁴⁸ United Nation Refugee Agency, United Nations Population Fund and Women's Refugee Commission, Initial Assessment Report: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis

⁴⁹ See note 21

⁵⁰ WRC, No Safety for Refugee Women on the European Route: Report from the Balkans, January 2016

⁵¹ Inter-Agency Committee, Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action (2015) <http://gbvguidelines.org/>

and even death. Although there are medical services for pregnant women, the initial assessment report of the UNHCR, the UNFPA and the WCR's research shows that women are often reluctant to travel to hospitals for medical care, even an ultrasound, so as not to risk being separated from their families.^{52,53} The fear of delaying their journey also plays a part.

Moreover, the lack of clinical care affects victims of gender-based violence. Victims of rape and other types of sexual abuse are often unfamiliar with the existing legal framework and means of protection, and of the steps that need to be taken after a rape occurs, including going to the local hospital, taking necessary medications such as post-exposure prophylaxis, antibiotics and emergency contraception. All gender-based violence victims should be able to request and access lifesaving medical care and psychological support as provided for by both the Istanbul Convention⁵⁴ and the Directive 2013/32/EU of the European Parliament and of the Council.⁵⁵ Access to psychological support is even more complicated for refugees and asylum-seekers women as there are often not enough social workers providing these services.

There is therefore an urgent need to install medical and psychological services aligned with legal and judicial responses to gender-based violence.

⁵² United Nation Refugee Agency, United Nations Population Fund and Women's Refugee Commission, Initial Assessment Report: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis

⁵³ WCR, No Safety for Refugee Women on the European Route: Report from the Balkans. January 2016

⁵⁴ Istanbul Convention. Articles 18-28.

⁵⁵ Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast).

No gender-sensitive access to information

A lack of information regarding rights and available services accessible to refugees, especially in languages spoken by migrants, is consistently notable. This lack of information about the rights of asylum-seekers makes it difficult for gender-based violence survivors to access essential services and to get support. Because of language and procedural barriers, it is unlikely that they will present themselves to authorities. Many female asylum-seekers are unaware of their rights and also that sexual assault, sexual violence, violence against children, and domestic violence are criminal offences in Europe, which makes it highly unlikely that victims of gender-based violence will communicate with the authorities or the justice system to get the support they need. This lack of information makes them even more vulnerable to extortion or other threats. Female refugees and girls should get assistance from female interpreters to conduct conversations about sensitive subjects. As women and girls are often affected by lower literacy rates in their home countries, it is important that this information is not only communicated in written form, but also shared verbally.

Lack of gender perspectives in accommodation centres

The 1951 UN Convention regulates the access to protection and various economic and social rights for refugees. However, many European states have resisted efforts in the current migration situation to support long-term resettlement within their borders. They consider themselves instead as transit countries (for instance, Serbia and Slovenia). In these

states, as in other European states, women and children, survivors of gender-based violence or traumatised persons face particular obstacles to accessing asylum.

Long procedures and problems in accommodation centres

It can take several months or even years until an application of asylum is treated entirely, which forces asylum-seekers to live in special accommodation, even after their initial reception in transit sites. This accommodation often presents similar problems as the transit sites described above. In 2016, 37 sex-crimes (rapes, sexual molestation, sexual coercion, and sexual assault) were reported to the Swedish police from within asylum accommodation centres from November 2015 to January 2016.⁵⁶ A lack of space means a lack of privacy where gender-based violence victims feel safe to disclose their stories confidentially.

Long asylum procedures that involve complicated legal and bureaucratic processes, with language barriers, and insufficient support are central obstacles to a positive asylum decision.

Some European states (Germany and Sweden, for instance) recognise gender-based persecution as ground for asylum, as requested by the Istanbul Convention. However, these claims are particularly difficult to make because relating and explaining traumatising violence or experiences without a basis of trust or even a common language is delicate and hard. The asylum procedures and silence surrounding the experienced gender-based

violence might therefore influence a woman's chance of being granted asylum, considering that when a woman speaks, her story is not always taken seriously.⁵⁷

Moreover, when a family asks for asylum, it can present particular difficulties for women, as the men are mostly the main applicants and considered as the "main speaker". The voices of women and girls might therefore be neglected. Violence and persecutions that happens inside the family might not come to light.⁵⁸ The countries must ensure that all asylum-seekers, including women and girls, have individual time to review their asylum claims. In cases of gender-based violence, the case must be treated separately and fairly.

⁵⁶

https://polisen.se/PageFiles/615116/Antal_handelserappor ter_och_brottsanmalningar.pdf (in Swedish)

⁵⁷ UNHCR, Handbook for the Protection of Women and Girls, 2008 - p.137

⁵⁸ UNHCR, Geneva Convention - p.154

Recommendations

1. Reception centres need to develop **tailor-made services for women and girls**.
2. Ensure that **gender-based violence-specific services and sex-segregated shelters** are safe and available on all transit sites and in all accommodation centres, including health services available 24 hours per day.
3. **Ensure sufficient access to medical and psychological help** in order to improve the recovery from traumatic experiences.
4. Ensure women's **access to information on their rights and available services** through the deployment of trained (women) interpreters and interviewers in order to establish safe places.
5. To reinforce measures to **prevent sexual and gender-based violence**.
6. To reinforce a **network of local associations aimed aid co-ordinating on-going actions and conducted** advocacy in order to promote human rights of women and girls.

Best practices

1. Austria: "There are specific procedures in place for looking after unaccompanied minors and single women. Thus, for example, at Traiskirchen camp there is a special "women's house" which is protected by female security guards and in which all staff are female. Women-only counselling and educational activities are offered. Notably, the asylum-seeking women are offered psychological and social counselling (provided by female professionals) to help them deal with any trauma and adjust to their new lives."⁵⁹
2. Denmark: "GREVIO welcomes the generally high standards of material reception conditions ensured by the Sandholm facility. Housing units, medical care and psychological support are offered to all asylum seekers, and a range of additional services exist such as childcare and courses for adults as well as small scale work opportunities. Referrals to specific support services seem to be made regularly, in particular with a view to ensuring the specific needs of LGBT refugees and victims of trafficking identified during the asylum procedure. All staff running the reception and residence centres are trained on domestic violence to help identify women in need of support."⁶⁰

⁵⁹ GREVIO baseline evaluation report Austria, 27.09.2017

⁶⁰ GREVIO baseline evaluation report Denmark, 24.11.2017

ISSUES IN THE INTEGRATION OF MIGRANT WOMEN

The necessity for nominative and individual residence permits to ensure independence from a spouse or partner

Shared residence permits tend to link the situation of women to that of their spouses or partners. This approach makes refugee women completely dependent on their spouses or partners rendering it impossible to report or escape abuse, domestic violence or exploitation. This measure acts as a deterrent, precluding women from speaking about the instances of abuse and violence in order not to lose the right to stay. The Commissioner for Human Rights of the Council of Europe mentions in an Issue Paper about “*autonomous residence permits to spouses in accordance with the best practices and legal measures relating to violence against women and children*”.⁶¹

Article 59 of the Istanbul Convention states “*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.*”

Parties to the Istanbul Convention shall also 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.

Women’s participation in economic life: intersectionality

Integration of migrant, refugee and asylum seeking women in societies takes place in a wide range of activity areas. In this report, the integration is particularly examined through the lens of women’s participation in the labour market. Fair employment opportunities have a major impact on integration and emancipation of women in host countries.

Women are the first to suffer from economic violence. Migrant and refugee women accumulate discrimination and prejudices: as well as being women, they are strangers and migrants. Thus, they represent the largest social group in precarious employment - the black market of domestic work. The non-recognition of diplomas from outside the European Union and discrimination on the job market often means they take employment positions for which they are overqualified. The stability of the position directly depends on the duration of the Residence Permit, which is a major disadvantage for migrant women from outside

⁶¹ Issue paper published by the Council of Europe Commissioner for Human Rights "Realising the right to family reunification of refugees in Europe", Council of Europe, June 2017 - p.10

Europe, compared to holders of a European Union citizenship.

In France, half of the migrant women work in sectors providing direct services to individuals (domestic work, hotels and restaurants). This phenomenon of gender and ethnic segregation at work is also observed in other European countries. While having a job fosters integration, this sector is synonymous with a lack of protective labour rights, with many undeclared jobs and employees often at the mercy of their employer. In the context of economic crises, such as the one in 2008, women representing the aforementioned social group were the first to be affected by economic difficulties. Easily dismissed, they can quickly find themselves on the streets, again, being vulnerable to gender-based violence.

The victimisation of migrant women

This report focuses on the need of protection of migrant, refugee and asylum-seeking women and girls experiencing gender-based violence before, during and after the migration process. Migration policies must adopt a gender-sensitive approach. The increasing media attention on migrant women highlights the difficulties of integration and the wearing of the veil, painting their portrait as victims. In the 2000s, however, a new perspective on migrant women as economic and social actors of development emerged in the social sciences. According to this new perspective, the reductive construction that makes migrant women a homogenous group is deconstructed and the diversity of situations experienced by migrant women is underlined. In the eighties already, this view was challenged by migrant

women,⁶² through mobilisation that occurred in a context of high unemployment for migrant women, and a feeling of exclusion for the societies of the countries they were in. They challenged the question of sexism and racism within their social group but also within the society they were in. This mobilisation has increased their visibility in the public sphere and challenged the common vision of women migrants as victims.

The issue then is to shed light on the care work undertaken by women migrant workers that takes place in the private sphere. This was done through the International Labour Organization convention and recommendation on “Decent work for female workers and domestic workers” adopted in June 2011. These list recognised rights for women workers and domestic workers

⁶² Miranda, Adelina, Nouria Ouali, et Danièle Kergoat. « Les mobilisations des migrantes: un processus d'émancipation invisible ? Introduction », Cahiers du Genre, vol. 51, no. 2, 2011, pp. 5-24.

Recommendations

1. An autonomous residence permit must be implemented, thus avoiding migrant and refugee women to be stuck in cases of abuse and domestic violence.
2. Residence must be granted to victims of forced marriage and human trafficking without condition.
3. Diplomas and skills must be recognised through bilateral agreements

Best practices

1. In France, the RAJFIRE (Network for the Autonomy of Women Immigrants and Refugees) provides migrant women with information and support on administrative, legal and social issues.
2. The German project ‘Strong at work’ for mothers with a migration background who are entering the labour market, provides career orientation and individual support to mothers with a migrant background.
3. In Malta, the Better Future project aims at providing mental health support, group and individual counselling sessions for female refugees.
4. In Portugal: “The legal framework in place is largely compliant with the requirements of Article 60 of the Istanbul Convention. Law No. 27/2008 includes among the grounds for asylum being subject to acts of torture, rape or other serious forms of physical, psychological or sexual violence (Article 5) and victims of domestic violence and female genital mutilation are recognized as applicants with special reception needs (Article 2). Thus, asylum may be claimed by women who are natives of countries where they risk being exposed to harmful and discriminatory traditional practices, such as female genital mutilation or forced marriage. In addition, the law requires setting up gender sensitive reception facilities “to prevent aggression and violence, namely gender-based violence, including sexual harassment and sexual aggression” (Article 7).”⁶³

⁶³ GREVIO baseline report Portugal, 21.01.2019

Bibliography

- Amnesty International, 2016. Press release, *Female refugees face physical assault, exploitation and sexual harassment on their journey through Europe*.
- Amnesty International, January 2016. *Les femmes réfugiées risquent agressions, exploitation et harcèlement sexuel lors de leur traversée de l'Europe*.
- Amnesty International, November 2016. *Refugees are in urgent need of protection from sexual and gender-based violence*.
- Amnesty International, October 2018. *Grèce, Le calvaire des femmes réfugiées*.
- Boyer Marion, 2004. *Les persécutions spécifiques aux femmes, ouvrent-elles droit à une protection internationale ?*, TERRA-Ed., Coll. "Synthèses".
- Branchat, Duplessy, 2007. *Prévention et Réponse aux violences liées au genre*, Guide Méthodologique, Médecins du Monde.
- Care France, Octobre 2018. *Être une fille réfugiée est l'une des choses les plus dangereuses au monde*.
- Cimade, 2010. *Ni une ni deux, contre la double violence faites aux femmes étrangères*
- Council of Europe, 2011. *Council of Europe Convention on the preventing and combating violence against women and domestic violence*.
- Council of Europe, 2016. *Gender Equality Glossary*.
- Council of Europe, *European Convention on Human Right*.
- Dumitru Speranta, 2017. « Féminisation de la migration qualifiée: les raisons d'une invisibilité », *Hommes & Migrations*, (n° 1317-1318), p. 146-153.
- European Parliament, Council of the European Union, June 2013. Directive 2013/32/EU on common procedures for granting and withdrawing international protection (recats).
- European Parliament, 2006. Report on women's immigration: the role and place of immigrant women in the European Union
- European Parliament, Committee on women's rights and gender equality, 2016. Rapporteur: Mary Honeyball, *Report on the situation of refugees and asylum-seekers in the European Union (2015/2325(INI))*.
- European Parliament, Directorate-General for Internal Policies, Citizens' Rights and Constitutional Affairs, 2012, "Gender related asylum claims in Europe".
- France Terre d'Asile, April 2018. *Les violences à l'égard des femmes demandeuses d'asile et réfugiées en France*.
- Freedman Jane, 2004. *Introduire le genre dans le débat sur l'asile politique*. Les cahiers du CEDREF, pp. 61-80.
- Freedman Jane, 2016. *Sexual and gender-based violence against refugee women: a hidden aspect of the refugee "crisis"*, Reproductive Health Matters, Elsevier, 24, pp.18 - 26.
- Freedman Jane, 2017. *Conflicts, Crise et femmes réfugiées en Europe*. Confluences Méditerranée, vol. 103, no. 4, pp. 31-39.
- Freedman Jane, 2018. *Violences de genre et « crise » des réfugié-e-s en Europe*. Mouvements, vol. 93, no. 1, pp. 60-65.
- Freedman Jane, Kivilicim Zeynep, Bakacioglu Nurcan Ozgur, 2017. *A Gendered Approach to the Syrian Refugee Crisis*, London: Routledge.
- Haut Conseil à l'égalité entre les femmes et les hommes, rédigé par Bousquet, D., Forest, M., Bougeard, J., Bourdin, A., 2017. *Situation des femmes demandeuses d'asile en France après l'adoption de la loi portant réforme de droit d'asile*.
- Human Rights Watch, 2015. *As though we are not human beings: Police brutality against migrants and asylum seekers in Macedonia*, New York.
- Inter-Agency Committee, 2015. *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action*.
- Jeanney Julie, June 2013. *Grèce, Oasis sur une île de détresse*, Amnesty International.
- Jérôme Valluy, 2004. « La fiction juridique de l'asile », In *Plein Droit - La revue du GISTI*, n°63.
- Laacher Smaïn, 2012. *Les femmes migrantes dans l'enfer du voyage interdit*. Les Temps Modernes 2012/2 (n° 668), pp. 183-201.
- Lesselier Claudie, 2004. *Femmes migrantes en France*. Les cahiers du CEDREF, 12, pp. 45-59
- Loi du 9 juillet 2010 relative aux violences faites spécifiquement aux femmes, aux violences au sein des couples et aux incidences de ces dernières sur les enfants.
- Morokvasic Mirjana, 2015. "La visibilité des femmes migrantes dans l'espace public", *Hommes & migrations*, 1311, pp. 7-13.

- Morokvasic Mirjana, Catarino Christine, 2007. “*Une (in) visibilité multiforme*”, *Plein droit*, vol. 75, no. 4., pp. 27-30.
- Muižnieks Nils, 2016. “*Human rights of refugee and migrant women and girls need to be better protected*”, *the Commissioner’s Human Rights comment, Council of Europe*.
- Noblecourt Olivier, 2014. *L’égalité pour les femmes migrantes, Ministère des droits des femmes*.
- Ollivier Michèle, Manon Tremblay, 2000. *Questionnements féministes et méthodologie de la recherche*. L’Harmattan.
- Pestre Elise, 2007. *L’Etat, le réfugié et son thérapeute. Les conditions de vie psychique des réfugiés*, Thèse de Doctorat, Université Denis Diderot - Paris 7.
- Ryckmans Hélène, 2013. *Les essentiels du genre 01, Concepts de base*, Le Monde selon les Femmes.
- Schwenken Helen, 2011. « Mobilisation des travailleuses domestiques migrantes: de la cuisine à l’Organisation internationale du travail », In *Cahiers du Genre*, vol. 51, no. 2, pp. 113-133.
- Spijkerboer Thomas, 2000. *Gender and Refugee Status*. Michigan University.
- UNICEF, March 2016. *Des centres “points bleus” pour protéger les enfants migrants en Europe*. URL: <https://www.unicef.fr/contenu/espace-medias/des-centres-points-bleus-pour-protéger-les-enfants-migrant-en-europe>
- UN Women, Comité France, 2016. *Gender Assessment of the Refugee and Migration Crisis in Serbia and FYR Macedonia*.
- UN Women, Comité France, 2016. *Répondre aux violences subies par les femmes migrantes et réfugiées*.
- United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.
- United Nations General Assembly, 1951. *Convention and protocol relating to the status of refugees*.
- United Nations General Assembly, 1993. *Declaration on the elimination of violence against women*.
- United Nations General Assembly, 2014. *Declaration and Beijing platform for action. Political declaration and text of Beijing +5*, UN Women.
- United Nations General Assembly, 2016. *New York declaration on migrants and refugees*.
- United Nations High Commission for Refugees, 2003. *Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons, Guidelines for prevention and response*.
- United Nations High Commission for Refugees, 2008. *Handbook for the protection of women and girls*.
- United Nations High Commission for Refugees, June 2015. *Worldwide displacement hits all-time high*.
- United Nations High Commission for Refugees, August 2015. *Refugee or migrant? Which is right?*
- United Nations High Commissioner for Refugees, 1951. *Convention relating to the Status of Refugees*.
- United Nation High Commissioner for Refugees, 1991. *Policy on Refugee Women, Guidelines on the Protection of Refugee Women*, Geneva.
- United Nations High Commissioner for Refugees, 2015. *Asylum Trends 2014*.
- United Nations High Commissioner for Refugees, 2016. *SGBV Prevention and Response, Training Package*.
- United Nations Office on Drugs and Crime, 2018. *Global Report on Trafficking in persons*.
- United Nation Refugee Agency, United Nations Population Fund and Women’s Refugee Commission, 2016. *Initial Assessment Report: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis*.
- United Nations Security Council, 2000. *Resolution 1325*.
- Withol de Wenden Catherine, 2018. *Atlas des migrations*. Editions Autrement.
- Women’s Refugee Commission, 2016. *Falling drought the Cracks: Refugee Women and Girls in Germany and Sweden*.
- Women’s Refugee Commission. 2016. *No Safety for Refugee Women on the European Route: Report from the Balkans*

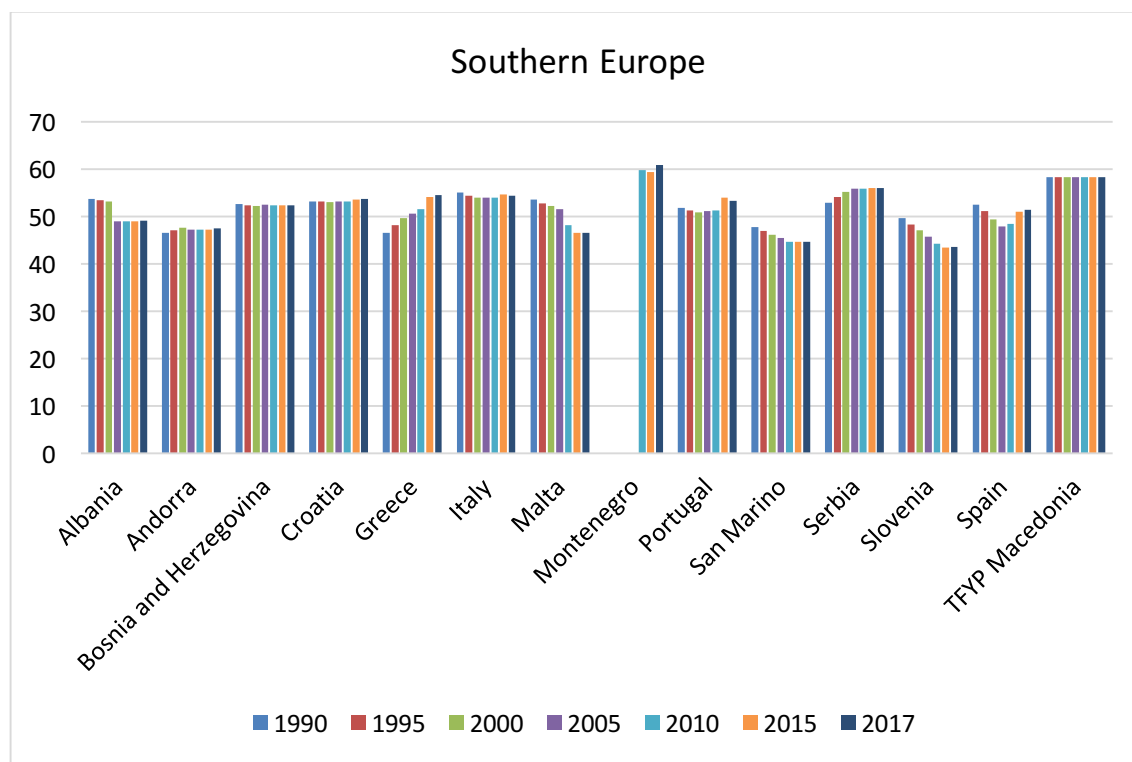
Sitography

- CNCND, *Le quotidien des femmes migrantes victimes de violences*, URL: <https://www.cncd.be/migrations-genre-femmes-violences-sexuelles-exploitation-passeurs-asile>.
- Council of Europe, *GREVIO*, URL: <https://www.coe.int/en/web/istanbul-convention/grevio>
- Eurostat, *Immigrants by sex, 2015 (% of all immigrants)*, URL: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Immigrants_by_sex_2015_\(%25_of_all_immigrants\)_YB17-fr.png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Immigrants_by_sex_2015_(%25_of_all_immigrants)_YB17-fr.png)
- GBV *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action*, URL: https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines_lo-res.pdf P. 322 Annexe 3.
- IOM, *Key Migration Terms*. URL: <https://www.iom.int/key-migration-terms>
- Migration data Portal, *Data Migration Statistics* , URL: https://migrationdataportal.org/data?i=stock_achange&t=2017&cm49=818
- Migration Data Portal, *Gender and Migration*, URL: <https://migrationdataportal.org/themes/gender>.
- UN WOMEN, *Facts and Figures: Ending violence against women*, URL: <http://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>
- UN WOMEN, *Infographic: Migrant domestic workers - Facts everyone should know*, URL: <http://www.unwomen.org/fr/digital-library/multimedia/2016/9/infographic-migrant-domestic-workers>
- UNICEF, *Promouvoir les droits des filles pour les aider à se réaliser*. URL : <https://www.unicef.fr/dossier/droits-des-filles-et-des-femmes>
- United Nations, Department of Economic and Social Affairs, Population Division, URL: <http://www.un.org/en/development/desa/population/index.shtml>

APPENDICES

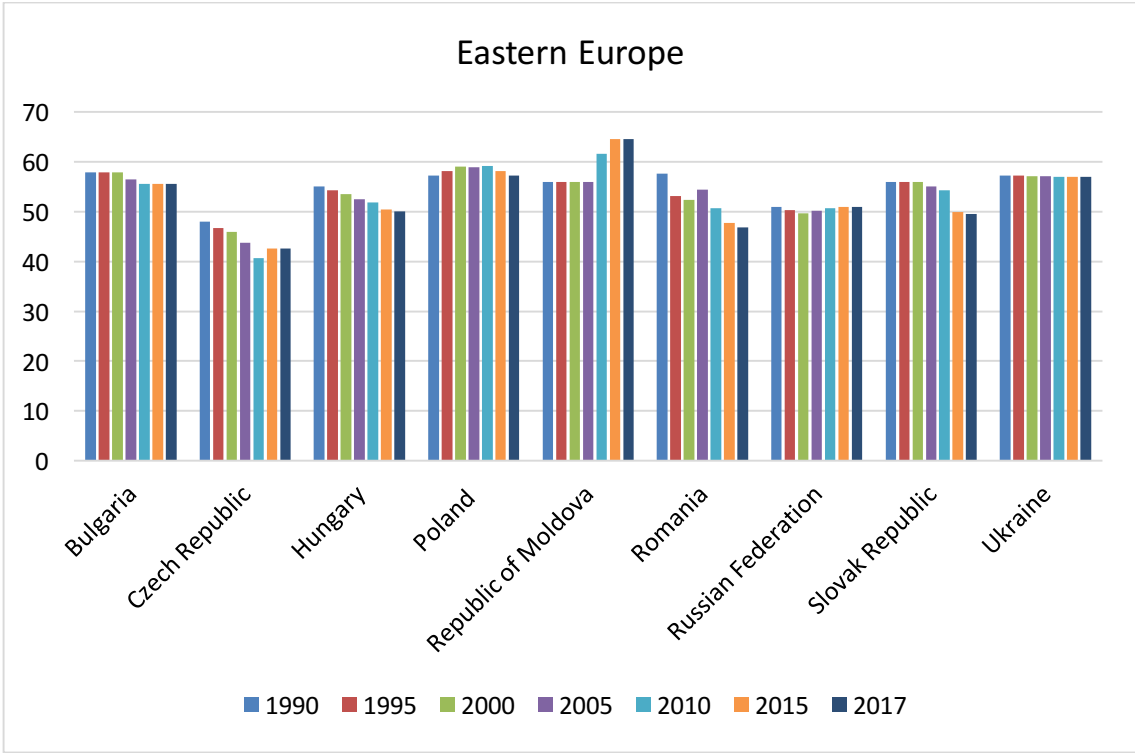
Appendices 1 to 5: Evolution of women migrants as a percentage of the international migrant stock by country of the Council of Europe, 1990-2017.

Appendix 1: Countries of Southern Europe



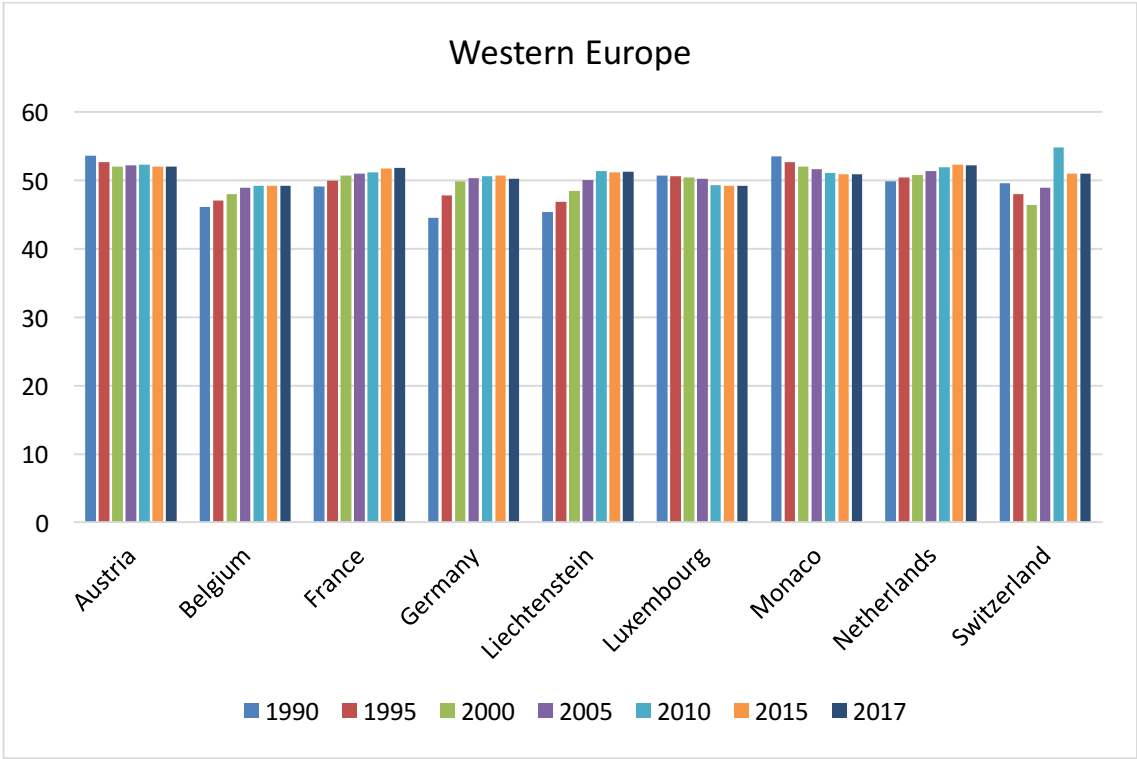
Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

Appendix 2: Countries of Eastern Europe



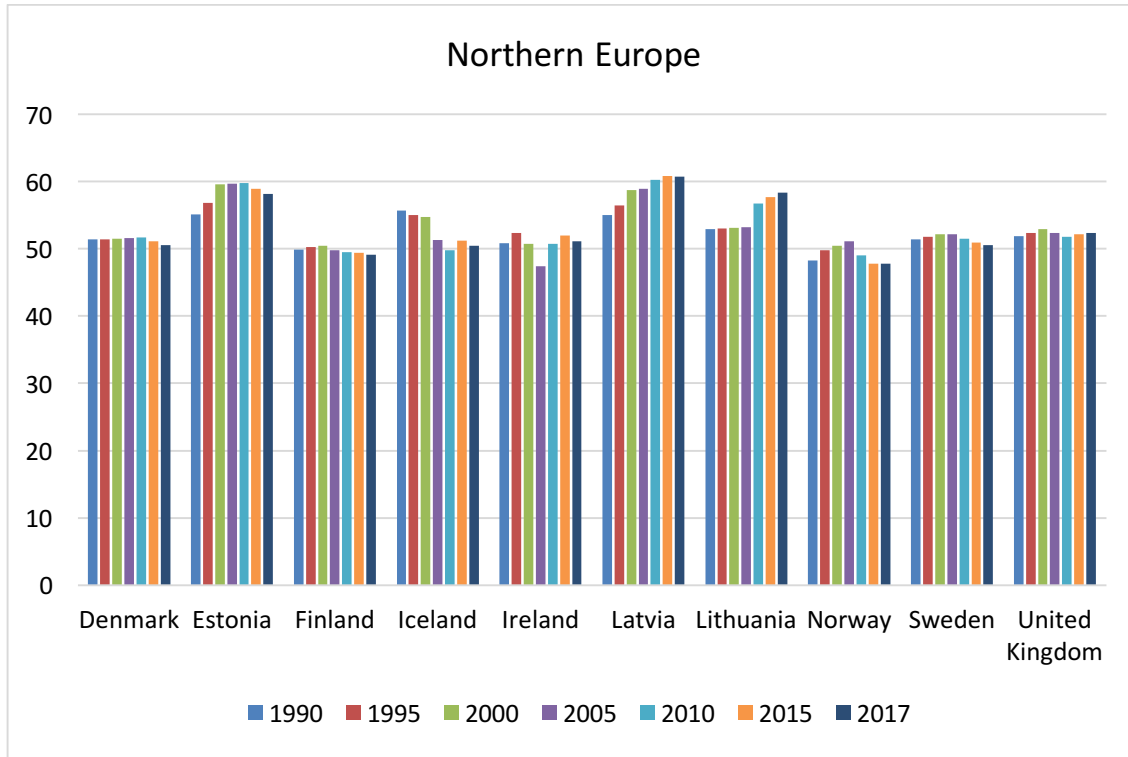
Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

Appendix 3: Countries of Western Europe



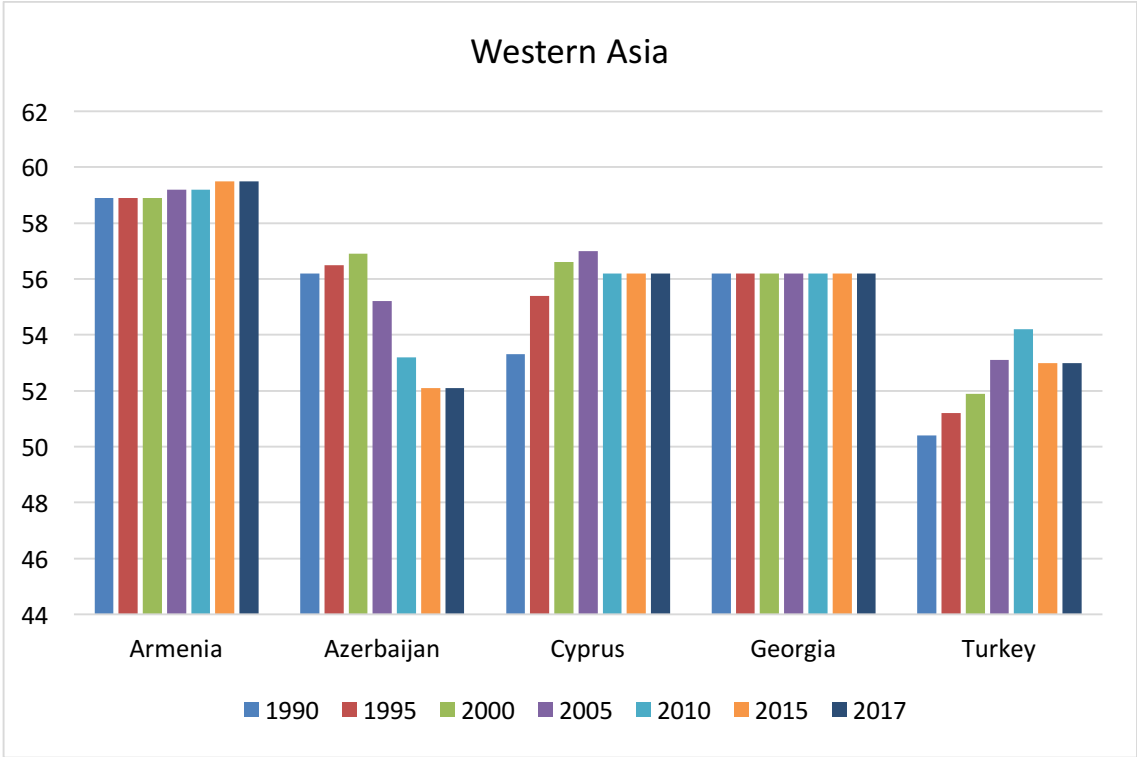
Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

Appendix 4: Countries of Northern Europe



Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

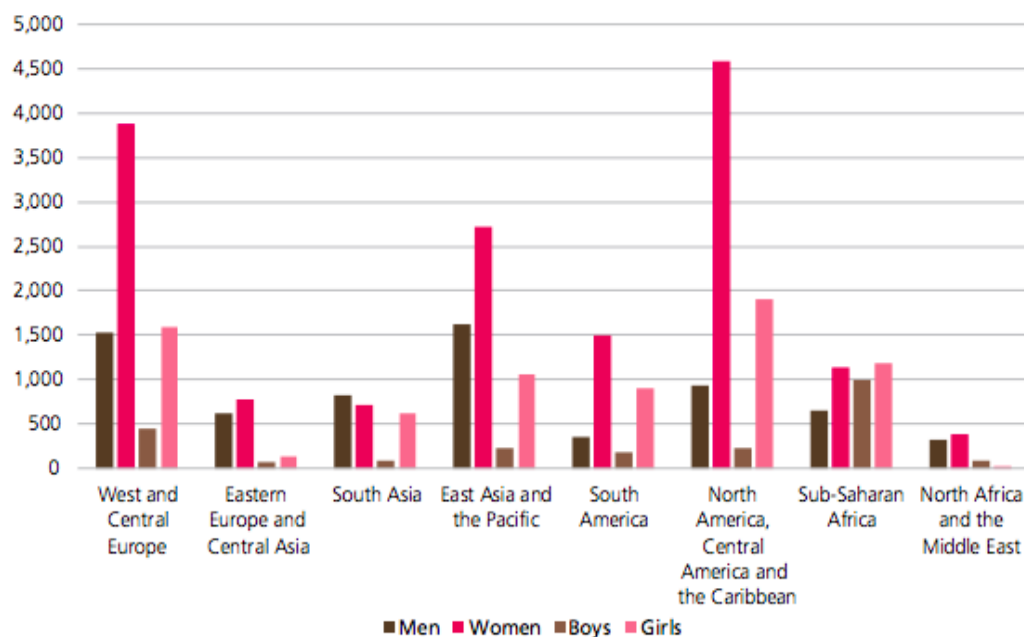
Appendix 5: Countries of Western Asia



Source: United Nations, Department of Economic and Social Affairs, 2017. *International Migration Report 2017: Highlights*.

Appendix 6: Victims of trafficking in persons detected, by age group and sex, by subregion of detection, 2016 (or more recent)

FIG. 12 Detected victims of trafficking in persons, by age group and sex, by subregion of detection, 2016 (or most recent)



Source: UNODC elaboration of national data.

Source: UNODC - United Nations Office on Drugs and Crime, 2018. *Global Report on Trafficking in persons*.