

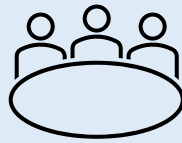


CONFERENCE OF INGOs  
OF THE COUNCIL OF EUROPE  
CONFERENCE DES OING DU  
CONSEIL DE L'EUROPE

## Migration Committee on the rights of persons who are migrants

*INGO and NGO access to migrant populations  
Access to fundamental rights for migrants, refugees, and asylum seekers.*

## GENDER AND MIGRATION ROUNDTABLE



**Organized by the *Committee for Gender Equality*  
"NGOs as advocates of gender equality and women's rights"**

**Title:** «*Gender equality is a human rights issue. How can we join forces to promote and protect it today?* »

**OCTOBER 09, 2023: 10am-12:30pm - Agora building - GO3**

Too often, views, actions and decisions are still predominantly those of men. We're all steeped in a masculine-dominated culture that doesn't always take women's equality into account.

During this round table, keynote speakers will highlight the relevance of human rights and gender equality to the work of the Council of Europe. On this occasion, various committees of the Conference of INGOs are invited to talk about the gender aspects of their work, followed by a discussion on the ideal way to respect gender equality.

The scheduled round table aims to **highlight the relevance of gender equality and women's rights as a cross-cutting issue**. With the 2021-2024 mandate coming to an end in autumn 2024, it's time to take stock and assess how gender equality is being respected in the work of the Conference of INGOs.

The Migration Committee agreed to the request from the Committee for Gender Equality to take part in a round table discussion on October 09, to affirm the role of NGOs in defending gender equality throughout migration and the migratory journey. Having placed particular emphasis on this subject in its transversal approaches, the Migration Committee is delighted to be able to take part in highlighting the importance of considering the gender and sexual orientation of migrants, refugees, and asylum-seekers, in their migratory journey to Europe, as well as in their reception and integration on the continent.

This 8-minute speech will be an opportunity to emphasize the need to consider these aspects as issues in their own right when it comes to migration.

## INTRODUCTION: WOMEN'S PLACE IN THE MIGRATION PROCESS

At a time when migration is becoming an increasingly sensitive political and geopolitical issue, the Migration Committee of the Conference of INGOs wishes to reiterate the need to ensure respect for the fundamental rights of migrant populations, refugees, and asylum seekers. The vulnerability that comes with migration is an essential dimension in understanding individual needs. However, certain strata of this population are more exposed to the violation of their fundamental rights, while suffering from increased vulnerability due to their exposure to multiple threats to their integrity throughout their migratory experience.

Children, unaccompanied minors, young people in transition to adulthood, LGBTQ+ populations and women are particularly exposed to these dangers, as well as to the lack of respect for their dignity and physical integrity, all of which are protected by the European Court of Human Rights. In particular, gender integrity and gender-based violence can be an alarming component of the migration process, as well as a reason for departure: the Migration Committee's work and interventions are designed with this dimension in mind. Indeed, it's worth pointing out that a third of migrants, refugees and asylum seekers in Europe are women<sup>1</sup>.

Similarly, SOS Mediterranean, a member of the Migration Committee, recalls in its report « Women at sea<sup>2</sup> » that 15% of those rescued at sea between February 2016 and December 2022 were women. The same report then highlights women's exposure to various gender-related dangers, including rape, cases of forced prostitution, and the risks of trafficking and sexual exploitation that punctuate their migratory experience in Libya, the central point of passage across the Mediterranean to Europe, where smugglers play a central role in these threats. SOS Mediterranean points to sexual and gender-based violence as an explanation for the higher mortality rate among women during their migratory journeys. One example is the shipwreck on July 20, 2016, where 90 migrants lost their lives, with only one woman among the survivors, 21 of the 22 bodies found at the bottom of the boat being women<sup>3</sup>. On makeshift boats, women and children are often seated in the middle, in the belief that this is the safest place to be. However, in the event of an incident, the people in the middle of an inflatable boat, for example, are the first victims (by suffocation or crushing).

As a Committee of the Conference of INGOs, the Migrant Rights Committee takes into account all possible violations of the human and fundamental rights of every individual, regardless of their origin, gender, gender identification or origin, skin color, sexual orientation or religion. The dangers and obstacles to which migrant, refugee and asylum-seeking women are exposed during their migratory journey are unfortunately numerous: exploitation, sexist and sexual violence, forced labor, abuse of all kinds... The risks are omnipresent and occur both during the migratory journey to Europe and in transit countries, and once they have arrived on European soil. Smugglers, human traffickers and the direct environment embody this constant presence of danger. Travelling, staying in freedom-deprivation camps in Europe or in European cities once they've arrived, or even survival sex, are all exposures to risk. Existing

---

<sup>1</sup> Number from 2021

<sup>2</sup> Link to the report: [https://en.sosmediterranee.org/wp-content/uploads/2023/03/WOMEN-AT-SEA\\_2023\\_EN\\_DEF\\_HD.pdf](https://en.sosmediterranee.org/wp-content/uploads/2023/03/WOMEN-AT-SEA_2023_EN_DEF_HD.pdf)

<sup>3</sup> ibid ; article from 20.07.2016 : [https://www.lemonde.fr/a-bord-de-l-aquarius/article/2016/07/20/vingt-deux-migrants-retrouves-morts-dans-un-canot-en-mediterranee\\_4972488\\_4961323.html](https://www.lemonde.fr/a-bord-de-l-aquarius/article/2016/07/20/vingt-deux-migrants-retrouves-morts-dans-un-canot-en-mediterranee_4972488_4961323.html)

data reported by NGOs in the field and other international organizations testify to the importance of a phenomenon that must be given full consideration.

The challenge is to address these dangers in a way that effectively and appropriately prevents trafficking, gender-based and sexual violence, and abuse of all kinds against refugee, migrant and asylum-seeking women. It's a long battle, but it's an essential one, the idea being to continue along the path of encouraging Council member states to take strong, uncompromising measures against these serious gender-based violations.

## **I. THE REALITY OF CAMPS AND RECEPTION CONDITIONS AS A RISK FACTOR**

In November 2022, the Migration Committee, represented by a delegation of two of its members, its President, and a representative of the Standing Committee, went to Greece to assess the relevance of its work to the field. On this occasion, the Committee was able to gather the views of local civil society on the vulnerability of migrant, refugee, and asylum-seeking women: a vulnerability declined in its pluralistic form as the obstacles to a serene migratory journey in the respect and application of human rights have become the hallmarks of today's reality.

Accommodation, transit, and detention camps, where migrants, refugees and asylum seekers are held awaiting trial, exacerbate these pre-existing vulnerabilities. The NGOs that take part in our work report that detention conditions are not adapted to the specific needs of these populations, despite the fact that housing is designated as an essential precondition both for ensuring a degree of security, and for integration into the host society. The recognition of specific rights is therefore necessary to the recognition of the individual in all his or her needs.

The NGOs we met in Greece were particularly concerned about the lack of attention paid to the risks to which these populations are exposed in camps and collective accommodation structures. A particularly enlightening example is the provision of sanitary and hygiene facilities in camps. Women are then exposed to sexual abuse, as locks are not systematically fitted to the doors of these facilities or are quickly damaged. These unsuitable facilities tend to become the scene of sexual assault and exploitation of migrant, refugee and asylum-seeking women and girls.

The lack of specific women's health care in detention camps was also highlighted, particularly in terms of sexual and reproductive health, as well as gynecological care, given that many migrants, refugee, and asylum-seeking women arrive in Europe pregnant or become pregnant during their journey - often as a result of rape.

Moreover, since gender is the very reason why many women who have migrated leave, this perspective must be fully included in the reception and care of migrant, refugee, and asylum-seeking women in Europe. Indeed, according to the UN Women web page<sup>4</sup>, the reasons why many women leave for Europe can be intra-family violence (27% of women fleeing Afghanistan), certain "cultural" practices such as excision or breast ironing, sexist and sexual

---

<sup>4</sup> See: <https://interactive.unwomen.org/multimedia/explainer/migration/en/index.html>

violence, or forced marriage, sometimes at an underage age. In its work, the Migration Committee stresses the need for support that takes into account the potential traumatic context to which women and girls arriving in Europe are exposed, in particular by training staff in direct contact with these populations on traumatic episodes that may have been experienced, and on how to deal with them and take them into account throughout the support process.

The events of recent weeks have highlighted the gender dimension of migration trauma, as sexual violence is a corollary of the migration process. In 2019, a survey by the Refugee Women's Commission<sup>5</sup> revealed that 90% of women and girls who had taken the Mediterranean route during their migratory journey had been victims of rape at some point. More recently, a survey by the scientific journal "The Lancet"<sup>6</sup> revealed that between October 2021 and March 2022, 84 of the 273 migrant women interviewed in Marseille had been victims of sexual violence in the past year in France, 17 of these cases involving rape. The survey also revealed a link between previous exposure to sexual violence and an increased likelihood of a similar event occurring in the subsequent migratory experience, with the absence of housing assistance also being a major risk factor. Finally, the SOS Mediterranean report mentioned above also points to women's solitude during their migratory journey as an aggravating risk factor, exposing them all the more to the vulnerability of their status.

## II. TRAFFICKING IN WOMEN FLEEING CONFLICT

Secondly, another major issue that needs to be addressed with regard to the place of women in migration is the danger of human trafficking throughout the migratory process, but also when arriving on European territory.

The Migration Committee is particularly sensitive and committed to this aspect of taking gender into consideration in migration. During its webinar "Trafficking in human beings fleeing from conflict - Impact of the war in Ukraine" on October 18, 2022, the Committee placed considerable emphasis on the role of gender in these issues. Indeed, when we talk about migration in the context of armed conflict, the problems arising from it should not be understood in the same way as other types of migration on the routes to Europe. In the case of the Ukrainian population presented at this seminar, the vast majority of those concerned are women and children, whose vulnerability and exposure to abuse of all kinds is well documented.

Sexual violence and assault, humiliation, mutilation, forced marriages, prostitution, sexual exploitation and slavery are unfortunately typical of the types of violence to which women are exposed during armed conflict and/or when fleeing to another country. Numerous NGOs have warned of the risks of disguised pimping and the presence of traffickers of all kinds, particularly on the Polish-Ukrainian border. At Berlin's main railway station, via a dedicated website, and at the start of the conflict, the government circulated the following message to Ukrainian refugees: *"Please note that there may be criminals on the move at Berlin's main*

<sup>5</sup> Commission website : <https://www.womensrefugeecommission.org/> ; Link to the report : <https://www.womensrefugeecommission.org/wp-content/uploads/2020/04/Libya-Italy-Report-03-2019.pdf>

<sup>6</sup> Link to the study : [https://www.thelancet.com/journals/lanpe/article/PIIS2666-7762\(23\)00150-3/fulltext](https://www.thelancet.com/journals/lanpe/article/PIIS2666-7762(23)00150-3/fulltext)

railway station who want to take advantage of the situation of war refugees"<sup>7</sup>. Europol also warned of this risk: "The number of potential victims arriving from Ukraine is likely to attract both individual and opportunistic assailants posing as volunteers, as well as criminal networks specializing in human trafficking"<sup>8</sup>.

The areas most at risk, as identified by the NGOs and some of the speakers at this webinar, are border areas, reception and accommodation centers, and transport hubs such as train and bus stations. In other words, exposure to risk is omnipresent for migrant women and girls, whatever the reason for their departure.

### III. GENDER: A CROSS-CUTTING ISSUE IN THE COMMITTEE'S WORK

Finally, and to conclude this intervention, the Migration Committee sees its work in cross-cutting themes, just as the Gender Equality Committee sees the cross-cutting nature of the gender issue as enjoying a particularly wide scope for inclusion in a multitude of discussions. Migration is not an isolated theme, nor even a political issue with its own arteries. In the same way, the gender dimension is rooted in a variety of anchor points, giving the basic subject all the relevance it needs to be defended. In this sense, the Migration Committee is committed to protecting refugee, migrant and asylum-seeking women, by recognizing their vulnerability and special needs.

**Our recommendation**, adopted by the Conference of INGOs last April, is intended to be brief and concise for its focal points, in the interests of respecting modalities, and addresses migration in its broadest definition, taking account of individual vulnerabilities, notably by identifying women and children as particularly at-risk populations requiring special attention. In article E.3, the Committee "recalls that migrants and refugee victims of human trafficking should be provided with unconditional physical, psychological and sexual care services, adapted to their specific needs and as soon as they are identified, with respect for their dignity and in their best interest".

In the same way, our meetings with the political stakeholders of the Council of Europe enable us to address the gender dimension of migration through relevant cooperation. Last April, for example, the **Congress of Local and Regional Authorities** adopted Recommendation 481 on the Reception of Refugee Women and Children in European Cities and Regions<sup>9</sup>. The association ASSEDEL, part of the Migration Committee, has submitted a comparative analysis of this recommendation, which has been sent to our contacts.

In addition, our regular meetings and contacts with the **Special Representative of the Secretary General for Migration (SRSG)**, Ms Kayacik, and the **Secretary of the Migration Committee of the Parliamentary Assembly of the Council of Europe (PACE)**, Ms Termacic, are an opportunity for us to broaden the scope of our work, and to move forward in a

<sup>7</sup> Voir: <https://www.ladepeche.fr/2022/03/23/guerre-en-ukraine-prostitution-esclavage-comment-le-conflit-favorise-le-traffic-detres-humains-10189354.php>

<sup>8</sup> See: <https://www.ladepeche.fr/2022/03/23/guerre-en-ukraine-prostitution-esclavage-comment-le-conflit-favorise-le-traffic-detres-humains-10189354.php>

<sup>9</sup> See: [https://search.coe.int/cm/pages/result\\_details.aspx?objectid=0900001680a8bb94](https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680a8bb94)

complementary way that ensures we take into account all the issues surrounding migration, including of course the role of gender and the place of women in the migration process.

Last but not least, the Migration Committee is delighted to be able to incorporate into its work ideas and requests arising from exchanges with our direct collaborators, both inside and outside the Conference. For example, the Committee's approach, which will be defended at our meeting with the **secretariat of the Committee of Ministers**, will include the gender dimension in its cross-cutting approach. On this occasion, a comparative study<sup>10</sup> of the text of the Reykjavik Summit of May 2023 with the objectives of the Council of Europe has been carried out and will be used to highlight the importance of considering the place of women and girls in migration. As recalled in this document, the Reykjavik Summit was in fact an opportunity for the member states of the Council of Europe to recall the need to "*combat violence against women and domestic violence*"<sup>11</sup> as mentioned in the Istanbul Convention, which also introduces in Article 60§3 that "*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-based guidelines and gender-sensitive asylum procedures, including for the granting of refugee status and for the application for international protection*". The Migration Committee is confident that these ideas will be well received, considering the Council of Ministers Recommendation (2022/17) on "*Protecting the rights of migrant, refugee and asylum-seeking women and girls*"<sup>12</sup>.

## CONCLUSION :

In short, it is by working together and pooling our thoughts to achieve our respective objectives that solutions emerge. The Migration Committee recalls that its intervention on the question of the place of gender and the inclusion of LGBTIQ+ communities is based on the principle of **accumulative vulnerability**. The situation of migrants, refugees and asylum-seekers is already rooted in heightened vulnerability, reinforced by gender (both birth and identification) and other identity factors specific to LGBTIQ+ communities. Women and girls are all the more exposed to the risk factors that revolve around migration issues, as they face dangers, situations of violence, and violations of their rights and physical integrity that are specific to their sex and gender. The Migration Committee is delighted to have had the opportunity to reiterate the importance of the consideration it gives to these issues in its work.

Migrant refugees and asylum seekers are a vulnerable group whose fundamental rights are not respected. Women in this group are all the more in need of long-term protection policies. Gender equality has taken many years to achieve. Respect for the rights of migrant, refugee and asylum-seeking women and girls is on an even longer time horizon and must therefore receive our full attention.

*Thematic document written by Salomé Brun - Migration Committee/Communications Team*

<sup>10</sup> See : <https://drive.google.com/file/d/1tevdverRracnuwRMYDXhFDclpq8K-wSm/view?usp=sharing>

<sup>11</sup> See Reykjavik Summit ; 16-17th may 2023; p.8 :

<https://drive.google.com/file/d/1tYxX5yYtWlirhE29EM1LCTFi6cAGIJvV/view?usp=sharing>

<sup>12</sup> See: <https://edoc.coe.int/en/international-law/11094-protecting-the-rights-of-migrant-refugee-and-asylumseeking-women-and-girls-recommendation-cmrec202217.html>