Refugee Women & Law
Women Refugees & Asylum Seekers
The Vulnerable Target
UK Experience

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The theme of the paper is to highlight the impact of asylum laws and welfare benefits on women refugees/asylum seekers in UK. Women refugees and asylum seekers tend to face higher rates of discrimination, racial harassment & suffer violence & mostly they feel reluctant to report it either from fear of inaction or indifference by, or hostility from the authorities or for the fear of being stigmatised within their communities or the fear of losing their legal status especially in connection with domestic violence and other forms of abuse women suffer. They may also face language barriers or cultural insensitivity and that may also deter them to pursue their rights.

The needs of women asylum seekers both in UK & Europe were overlooked in terms of service provision for various reasons. Historically men were considered to be politically active with more public role to play in their country of origin that made them a legitimate target for persecution. Threats and risks to theirs live force them to flee and seek asylum in other safe countries. On the other hand & due to socio-political & cultural factors women were perceived to be politically inactive their roles limited to rearing children and other domestic household duties. Without a public role to play they were not considered to be subject of persecution. Such perception had an impact on the asylum process women status perceived to be dependant only on their spouse status affecting also the way service provision was designed because they were seen as part of the family unit.

This picture was changed the latest Home Office data 2001 challenge such perception. According to their statistic 22% of principal applicants for asylum were women the percentage would raise up to 30% if dependant women asylum seekers were included (Hildegard research “Is It Safe Here”). These figures are highly significant and should be taken into account by policy makers & service providers. Future strategy plans should be responsive & sensitive to women asylum seekers needs address their problems and provide them with appropriate package of support to help them pave their way to social inclusion enhance their chances for integration & quality life.

The Immigration Asylum Act 1999 established NASS (National Asylum Support Service) as the vehicle to deliver the welfare support for asylum seekers. It was introduced mainly to minimise the cash payments & take asylum seekers out of the mainstream. The policy was intended to marginalize & discriminate against refugees and asylum seekers and to lead to their social exclusion women in particular would pay the highest price. Not only that the new harsh measures introduced in the Nationality & Immigration Act November 2002 designed to cut numbers of those entering UK and apply for asylum through the withdrawal of social security entitlement from in country adult single asylum applicants and to leave them facing real risks of destitution. Also the current negative debate against refugees & asylum seekers in the media & the headlines in the newspapers had helped to stir up racial hatred & fuel racial attitudes and the murder of two asylum seekers in Glasgow & Sunderland were a logical outcome of the hostility and discrimination. Those two cases were not exceptional other forms of harassment & intimidation were common affecting all refugees in particular women who feel vulnerable scared thus more isolated.

The negative implication of dispersal on Women

1/ The centre of NASS policies is the dispersal of asylum seekers to different regions. With due respect to the need to ease the demand to stay in and around London the dispersal policy affects women most psychological & emotional it consolidates their isolation and feeling of loneliness, as women are more likely to stay in home. By being dispersed women would be deprived from any social contacts with their communities. Newly arrived asylum seekers look for the safety of close relations & friendly surroundings where other members of the
community would be the bridge for their integration into their host community. They provide them with the necessary support & needed links to settle. Also they would help women in rearing the children. Being deprived of that support they had to live isolated in hostile environments without any suitable links to defuse their tension of uncertainty fear and the sense of insecurity.

2/ It is not only that but the practical side of the dispersal is insensitive to women specific needs a mother with three month old baby had to experience an overnight bus journey started at 8pm to arrive to her new location next morning with no food or drink. That experience denied the mother and the baby their right to safety & health care & safety but also contributed to their feeling of disorientation.

3/ Accommodation is generally consisting of mixed sex they share intimate living places there are no designated places for women and that was an area of concern for women.
   • Lack of adequate space affects pregnant women who need privacy & feel discomfort in sharing intimate places. Feeling discomfort all the time means stress & anxiety and that may affect the health of the mother.
   • Women from particular close culture & religious backgrounds where the division between the sex is the norm of life the mixed accommodation would discriminate them women would restrict their movements withhold their needs to avoid embarrassment and inevitable exposure to social degradation.
   • Single young women sharing the space with young frustrated men made them more vulnerable and subject to verbal & sexual acts such as unwanted touching to which they might gave consent or find themselves pressurised to do so.

4/ By putting asylum seekers of similar nationality & language together leads to the marginalization of women because the male population would out number women population in those accommodation.

Such policies are discriminating against women neglect their specific needs and put their personal safety at risk. 83% of women interviewed for Refugee Action research said that they feel unsafe one in two feel so depressed & anxious to the extent that they were unable to sleep at night. There were no locks at doors; no telephones women find it difficult to go out at night locking themselves indoors after 7pm for fear of harassment or attack. The situation is affecting women mental health thus it needs to be looked at seriously. Women protection and personal safety should be addressed and a package of support should be developed to ensure their safety & a better quality life.

Social Security Entitlement

The other area affecting women asylum seekers is the social welfare benefit. The current system is contributing to the feeling of discrimination among refugees, NASS also to co-ordinate the arrangements & distribution of Social Security Entitlement of asylum seekers voucher books or Asylum registration cards to cover food and essential needs. The voucher system was introduced first with no cash payments at all the system intended to discriminate & dehumanise asylum seekers and due to operational difficulties and a wide campaign against it the government decided to review the voucher policy & replaced it with the current system as a way out between the cash and the voucher system and that demonstrates the persistence to carry on with these discriminatory policies. The current entitlement as it stands today provides a single adult asylum seekers who allocated full board £10 a week while a single adult asylum seeker without full board will be receiving a voucher for £46.96 a week. This amount represents 88% of the basic welfare benefit of £53.95 received by non-asylum seeker in similar circumstances. By providing an inadequate package of welfare support to asylum seekers would leave them to live beyond the poverty line. Poverty & social exclusion are key factors to racism & social discrimination.

Social entitlement system is not only discriminatory by nature but also neglects women infants and children special needs i.e. sanitary towels nappies baby food etc. a woman in one of the dispersal regions with full board accommodation provided food in the hostel but left with no adequate cash she had to overcome her embarrassment to request for sanitary towels she
was surprised to get a negative answer and left with no choice other than to use unhealthy alternative.

Also the system overlooked the needs of pregnant women and mothers with under one-year babies regarding the milk token. Until a high court criticised the Home Office for failing to provide milk token for an HIV+ mother when NASS reviewed that policy & agreed to provide an additional £3 payment per week to cover cost of milk to pregnant women & £5 payment per week for mother with one child under one year old. Although these payments were approved but still those payments are not equal to the amounts. which non-asylum seekers women & mothers receive under the milk token system welfare?

The system ignores the needs of single women without adequate financial support single young women would be forced to choose other unpleasant alternatives. Poverty leaves them vulnerable & forces some of them to exchange their bodies for cash drives them into the sex business with its high cost & health risks.

In addition to their poor living condition women asylum seekers lack the knowledge of their legal & civil rights with no or limited access to the available services and the language barrier compounds their problems. Some of them are illiterate in their own language and that makes it difficult for them learn English integrate or access the services thus they will feel more isolated. Also it would affect their health problems some will find it difficult to describe their illness and that might lead to the wrong diagnosis some might not know how to use the medicine and for women from certain cultural backgrounds they would find it difficult to be examined or express their problems in a presence of an interpreter.

Women asylum seekers suffer depression anxiety & stress. Mental health problems are common especially among mothers who had to leave some or all of their children behind. This sacrifice comes with high emotional cost according to Hildegard but the current system of support is not addressing or taking note of these problems. Some other problems facing pregnant women that they had to move straight to a separate accommodation after giving birth thus they had to put their energy in cleaning, moving things & organising their new home with its physical & emotional pressure at a time they need their strength to cope with after labour fatigue & the baby well being. Such needs & other women's health were emphasised in Beijing Platform of Action that Women's sexual & reproductive rights must be protected, provide more accessible, available & affordable primary care services & to give particular attention to maternal & Obstetric care. The experiences of women asylum seekers in UK are different they suffer constant isolation deprivation and lack of information.

In addition to the problems already mentioned women asylum seekers had to cope with problems related to their children’s schooling bullying & harassment and in some other cases their own inability to support their kids' studies due illiteracy or the language barrier. These problems contribute to the significant to their mental health and may lead to serious consequence.

The introduction of November 2002 measures to withdraw support entitlement from in-country single adult asylum applicant, which comes to force 8th Jan 2003, affect women asylum seekers. It is hard to identify where those who considered being not eligible for support would go other than to sleep rough. It would be too dangerous and risky for single women to experience that it would lead to their destitution & vulnerability and put them as an easy target to racism trafficking and sex industry. This part of the legislation caused great anxiety among different agencies & some members of interagency partnership on immigration placed a legal challenge to this new legislation on behalf of six asylum seekers and on 10th Feb the six asylum seekers won their court challenge. The court blocked the Home Office rule of stripping the claimant the right to the state-funded food and shelter. The judge said the rules as applied in the six cases breached the European Convention on Human Rights. The judge ruled because there were established real risk of destitution leading to injury to health he indicated that insufficient consideration had been given to this issue & that the decision on those six must be quashed & reconsidered. Among the cases there was a young woman from Ethiopia who was found sleeping at Heathrow airport. Some others incidents also reported another young woman found sleeping rough in a telephone box and picked by a community
organisation another two contacted Mossaada organisation for single women asking for help. This ruling is going to affect hundreds of asylum seekers specially women as they are more at risk.

The Immigration Asylum Act has a negative impact on women asylum seekers puts their lives at risk and helps consolidate racial harassment, discrimination and social hatred and because women from different social & cultural backgrounds tend to be silent their concerns and problems were overlooked by both service providers & policy makers. It is needed that voluntary agencies put women asylum seekers problems as a priority to make their voices heard. Also to engage actively in developing capacity building programmes to empower them & educate them on their legal & social rights & how to access the information on the services available in the language they understand. Also issues of personal safety & protection should be taken into account the deepest fear is not that we are inadequate but we are not able to overcome our shortcomings. At the end I want to summarise the agony and the sufferings of women asylum seekers by the words of a refugee woman from Bosnia. She reflects on her experience by this "In my country even though there is blood everywhere, there are dead & headless bodies but at least there it reminds me of my country its beauty, how often we laughed, how safe we felt before the crisis, how easy to be friends all of us but here we the refugees are dead - all of us - to suffering".

Paper presented by
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