



Centre for
Refugee Research



**Making Mainstreaming a Reality –
Gender and the UNHCR Policy on Refugee
Protection and Solutions in Urban Areas.**

A Refugee Perspective

By

Eileen Pittaway

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Making Mainstreaming a reality – Gender and the UNHCR Policy on Refugee Protection and Solutions in Urban Areas

A Refugee Perspective.

“Can you imagine how it feels every night when you sit down to eat food with your children and, you know that the only reason there is food on the table is that your wife works as a prostitute, or as a housemaid, and every day her employer abuses and rapes her... That is what happens to so many of the men here, and what can we do? If she does not work we will not eat – the children will starve ... and if she gets pregnant – who is the father ... is she diseased? These are the things we think the whole time – yet we never talk about it. The shame is too great” [Refugee man, Cairo, Egypt]

This quote is from a consultation held in Cairo with 23 men from different African communities who were either refugees or asylum seekers. They were attending training for service providers, and as the week progressed met out of hours to discuss their experiences as urban refugees. The issue of sexual and gender based violence (SGBV) was high on their agenda and the high levels of prostitution in their communities was quickly identified. Initially, there was a call for the women to be jailed. What was significant in the consultation was that during the course of a week working together, they moved from condemning women who worked as prostitutes as “immoral” and bringing shame on the communities, to devising strategies to assist women forced into survival sex.

Survival sex refers to situations whereby women have to exchange sex in order to gain food, papers, to avoid being thrown into jail, to avoid physical violence, to fulfil material needs for themselves and their families. It can be in the form of prostitution, working for employers who demand sexual favours, being forced into unwanted sexual relationships, including marriage, because there is no alternative means of survival. It results in loss of self esteem, sexual transmitted disease, shame and stigmatisation, vulnerability to further abuse, unwanted pregnancies, dangerous abortions, children born of rape, and domestic violence. It impacts on individuals, families and communities.

Over recent years, the NSW Centre for Refugee Research has conducted community consultations with over 300 urban refugee families in Nairobi, Kenya; Mae Sot, Thailand; New Delhi and Mizoram in India; Cairo in Egypt; and Kuala Lumpur in Malaysia. We have seen the appalling conditions in which people live, often comparable to the worst refugee camps. We have visited the factories, quarries, farms and markets where people are forced to work in dangerous conditions for exploitive or even no wages. Refugees, both registered and unregistered discussed the lack of livelihoods, exploitation when work could be found, and lack of access to healthcare and education for themselves and their children. Often the only income for a family is for the women and girls to work as housemaids. Abuse and rape is common in these circumstances. In particular the refugees discussed the vulnerability of woman and girls, and in some cases boys and young men, to sexual abuse in these situations and the almost total impunity enjoyed by perpetrators. Like so much of the sexual and gender based violence that is endured by refugee women and girls, this is still shrouded in silence. Not one silence, but multiple silences.

These issues are not new and many women and girls have been trying to break the silences for many years. Despite the incredible toll on families and communities, it is women who bear the brunt of this violence. It is women who contract sexually transmitted diseases; women who become pregnant with children of rape, or undergo dangerous abortions; women who are beaten by husbands not able to stand the shame, and not knowing how to handle this; women and girls who are shamed in the eyes of the community and often isolated and thus placed in even more danger.

She felt so much that she was broken inside, she felt guilty and she is feeling as though she has committed a crime and that causes many impacts on her health. So as she was experiencing that kind of thing, she might not feel like being with others, she would be separated and alone and she will not be open to anyone. So after being raped they feel like they are nobody, they have no value, so that they are committing more crimes, they are prostitution, they are risking their lives, because of HIV and violence. She [feels] so much shame ...she might feel like committing suicide. [Refugee adolescent girl]



This report is based on what the communities have shared. It presents the problems that have been identified and clearly described and analysed by the refugees. It also presents recommendations from the communities to address some of these concerns. The recommendations are not exclusively directed towards women and girls, as the refugees have demonstrated that violence against women and children is a family and community issue. To address the gender issues in refugee populations solutions must be an integral part of the response to the community, not an “add on” if resources are available. Quotes have not been attributed to specific sites to avoid identification of UNHCR offices, implementing partners, staff and refugees. The research was covered by comprehensive ethics procedures and all data is stored at the University of New South Wales.

A major issue which was clearly identified throughout the consultations was the intersectionality of the areas of concern. They cannot be viewed and addressed in isolation from each other. Lack of access to basic needs compounds risks and vulnerability. For example, access to safe and secure accommodation is critical to the protection of women and girls from sexual violence. It is crucial for the maintenance of good health, and important to enable an environment in which children and adults can study. Families struggle to maintain normal familial relationships if they are not afforded some level of privacy. Women who cannot find safe accommodation are more likely to seek work in unsafe places, which can provide some basic accommodation, but can result in high risk of rape. Women and girls who are raped face a number of health challenges, but no access to adequate livelihoods or free health services usually mean that they are not able to seek medical attention. Poor health outcomes lead to lack of ability to protect children, to access what little employment there is – so the cycle continues.



*'The men they are like this.
They torture the women as
if they were their property.'*
[Refugee Woman]



It can be claimed that these problems are not unique to refugees in urban situations. In many urban refugee sites there are large populations of local poor who suffer from similar abuses living side-by-side with refugees. This paper seeks to unpack the additional layers of discriminations and disadvantage which impact on the lives of refugees and asylum seekers in urban spaces. The debate is often focused on access to social cultural and economic rights, International Convention on Economic, Social and Cultural Rights, New York, 1966) mainly material needs, and as noted above, lack of access to these is also experienced by the local populations in the urban areas in which the refugees reside. Response to these needs therefore has to include nationals with whom the refugees are sharing spaces. However, refugees also suffer from layers of discrimination and persecution in urban sites which even the poorest local people do not endure, and these have to be addressed. These are those rights which are come under the banner of Civil and Political rights (International Covenant on Civil and Political Rights, New York, 1966). They affect those refugees who, for a wide range of reasons are not able to gain access to registration and therefore recognition of their refugee status; those refugees who have been rendered stateless by their refugee status; and all refugees who by definition do not enjoy active and positive citizenship status and rights in any country in the world.

What this translates to on the ground is lack of access to the most basic levels of legal protection. Lack of legal protection and citizenship leaves refugees open to abuse by local people and institutions who act with impunity, knowing that the refugee population has little or no redress. Police and military are often hostile and unhelpful. UNHCR often has little power and even fewer resources to enable them to provide the international protection which is meant to sit in place of citizenship until solutions are brokered. Lack of access to these rights is what sets refugees apart from host populations. They are often despised and exploited and suffer violence at the hands of the poorest people in the host country. They are seen to be competing for scarce resources and perceived as having no rights to be there. Host nations are often unable for financial reasons, or unwilling for political reasons to respond to neither the social, cultural and economic rights of refugees, nor the civil and political rights. Donor governments have tended to focus on the more visible communities in camps and to ignore the needs of the ever growing populations of urban refugees. Many have been refugees for so long that they are effectively being 'warehoused in the city'.

This paper is predicated on the belief that eventually a durable solution will be found for all refugees. It is argued that whichever of the three durable solutions are found to be most appropriate for individuals families and communities, the international community has a vested interest in improving the level of services to a standard which at the least does no further harm to refugees. These protection measures should at a minimum preserve existing capacity, and whenever possible build on and utilise existing capacity. We need to ensure that when durable solutions are eventually achieved, refugees are able to take the maximum advantage of the opportunity to return, integrate or resettle with the best possible outcomes. It is critical that in this process women and children are seen as players with agency in their own right, not merely as dependent on spouses and fathers for their protection. Many do not have adult males to protect them, and in some cases these males are the cause of their problems.



We will also examine the key role of service providers, including both UNHCR and Implementing Partners, in actively working to make positive change. Many do amazing work around the world. I will always be touched by a story from the UHCR office in Turkey, where every pay day the staff would collect money to assist in accommodating unaccompanied minors for whom they could not find any other help. However, at times negative attitudes and powerlessness due to the overwhelming nature of their need appears to lead to inaction and negative practice on behalf of this group. This also needs to be addressed if the plight of urban refugees is to improve, and not deteriorate further as their numbers increase.

The key concerns of all groups consulted were lack of registration and the long waiting times for interviews, sexual and gender based violence, shelter, problems in obtaining safe and secure affordable accommodation, and lack of access to livelihoods and income security. They described the major impacts of these human rights abuses as fear, shame, humiliation, family breakdown and community dysfunction.

In 2008, the CRR held consultations and conducted email surveys with refugee groups in New Delhi, Mae Sot, and Cairo and with resettled communities in Australia to seek their input into the Draft Urban Refugee Policy released by UNHCR for public discussion. We are pleased to see that many of the issues that were raised by refugees have been addressed in the new UNHCR Policy on Refugee Protection and Solutions in Urban Areas. This document identifies many of the key problems which have been articulated by urban refugees for many years, and while broad, suggests many positive steps and strategies, which, if addressed will go a long way to addressing some of the problems. Yet still, the Policy remains silent on many of the gender aspects of the Urban Refugee situation. The main focus on women is around their reproductive capacity, and there is a moral overtone to the brief discussion of survival sex (See appendix 1). The silences around the issues faced by women and children prevent policy makers and governments from acknowledging and responding to the issues. If they are not clearly named, they are not acknowledged as problems. The major silences are those relating to the endemic rates of sexual and gender based violence endured by refugees, and the major problem of securing accommodation.

In this paper we will examine the gender impacts of each section of the UNHCR Policy on Refugee Protection and Solutions in Urban Areas, and unpack what this actually means to the lives of so many women, children and their families. We will identify policies and procedures already in place in UNHCR and how these might be implemented to address the problems [See appendix 2]. We will identify good practice and responses in already known documents, and present solutions suggested by refugee communities themselves.

Under the rubrics of *'Securing the rights of urban refugees; Expanding protection space; Respecting key principles; and Implementing comprehensive protection strategies'* the *UNHCR Policy on Refugee Protection and Solutions in Urban Areas* (UNHCR,2009) has addressed twelve key areas, which are:

- a) Providing reception facilities
- b) Undertaking registration and data collection
- c) Ensuring that refugees are documented
- d) Determining refugee status
- e) Reaching out to the community
- f) Fostering constructive relations with urban refugees
- g) Maintaining security
- h) Promoting livelihoods and self-reliance
- i) Ensuring access to healthcare, education and other services
- j) Meeting material needs
- k) Promoting durable solutions
- l) Addressing the issue of movement

It is significant to note that only two of the four areas identified by refugees populations are comprehensively addressed, which are those of registration and livelihoods, while the other critical areas of concern, those of sexual and genders based violence and shelter, or accommodation, are barely mentioned [see Appendix 1].

On the excellent website introduced to inform the debate about the Policy and its implementation, these points of focus have been reduced to seven areas, and we applaud the fact that both Women and Children and Shelter have been included in these. They are:

1. Identification and outreach
2. Protection
3. Women and children
4. Education
5. Health
6. Livelihoods
7. Shelter

The analysis presented in this paper addresses the twelve critical areas, but has been grouped according to the Chapters on the web site. Relevant sections can also be found in each Chapter.

Because of the cross cutting nature of the issues as discussed above, we are presenting this entire paper as the Paper on Women and Children, examining the intersections between this group and each of the other six areas. Even while doing this we were at times challenged as to decide which section goes where. Is the need for secure accommodation a shelter issue or a protection issue? Is rape at work a livelihoods issue or a protection issue? We met a further definitional challenge, because identification and status determination,

education, health and livelihoods are all intrinsically and essentially part of the provision of protection. There are common threads of protection issues and linkages between all sections of the paper.

Another consideration was whether to use the strictly legal definitions, or instead use broader definitions more likely to be used and understood by practitioners and refugee communities on the ground? As the key purpose in preparing this paper is to inform the implementation of the Policy and the preparation of guidelines to assist in this endeavour, we have decided on the latter. Following the lead of the refugee communities, the major focus is on Protection, Livelihoods and Shelter.

THE SPECIAL NEEDS OF WOMEN AND CHILDREN IN RELATION TO PROTECTION

It is impossible to separate out the protection needs of women and children from the other cross cutting themes. When appropriate these have been referenced in the text.

Protection is defined as all activities aimed at obtaining full respect for the rights of the Individual in accordance with the letter and spirit of the relevant bodies of law, namely Human Rights law, international humanitarian law and refugee law (Source: <http://www.unhcr.org>)

1. PROTECTION NEEDS FOR WOMEN AND CHILDREN IN IDENTIFICATION AND OUTREACH

[Corresponds to sections a-d; k in the UNHCR policy on refugee protection and solutions in urban areas]

Identification:

“One family unrecognized, husband got sick, she is working but is still breastfeeding. She got sick, she approached YMCA but as she was not recognized so they would not help. She was so sick she died. The husband is still not recognized still now”(Refugee CBO worker)

The key issues identified by refugees in all sites were the special needs of refugees who are waiting for registration or who are not recognised as refugees but are unable to return home because of fear of persecution. They are without citizenship or any other form of protection, and are sometimes stateless. This results in refugees being extremely vulnerable to police harassment and arrest. At times they are forced to resort to bribery to avoid jail or deportation. They have very low social status and are discriminated against and harassed by the local community. Some reported that they were also discriminated against by UNHCR officials and staff from Implementing Partners, who did not always following standard operating procedures. At times refugees were abused by these staff.

“Why should we speak to you, you are a dirty prostitute” (Implementing partner)

“Don’t lie to me about being raped – that will not get you refugee status – I suppose you just want to be resettled – do you think we would not want to live in the USA too? Why should you go?” (said to a refugee with an apparently valid claim. following rejection by UNHCR)

Unregistered refugees are often forced to take on the worst jobs unwanted by others in order to live. Because of their ‘illegal’ status they are open to all forms of exploitation. Women and girls in particular are at increased risk from sexual harassment and rape and often have to engage in survival sex to support their families. Access to shelter is critical for unregistered women and children.

“Women who have been rejected are often forced to have sex with men just to have a place to stay. One woman who was rejected committed suicide by taking poison rather than do this”. [Refugee Woman]

Those who are unregistered or have had their claims rejected usually have no access to UNHCR services or Implementing Partners, leaving them without livelihoods or any form of social security. They have no access to refugee health care services and education. They are not eligible for UNHCR financial support and are denied access to UNHCR meetings which might provide useful information. They have restricted rights of appeal for refugee status and no legal recourse when criminal acts are committed against them.

Refugees described a wide range of impacts due to the lack of refugees status described above. These include the effect on refugees' mental health, their ability to care for family or look for work, family breakdown and debt. Social stigma leads to low self-esteem and loss of dignity. Domestic violence is common. At times children are forced into unsuitable labour. Women and girls are forced into survival sex and suffer a wide range of serious health problems. There are no resettlement options for asylum seekers without refugee status. The level of risk induced by these impacts leaves many women and girls vulnerable to trafficking.

"If women are sexually harassed they have nowhere to report it to, because our existence itself is illegal. It is best not to approach the police because otherwise they will arrest us and send us home" [Refugee Woman]

These concerns are not only experienced by those people who have been denied refugee status. They also have an impact on people waiting for refugee determination – often for years at a time. This then has a ripple effect on the entire community.

"Determinations take so long and asylum seekers can only survive with the help of others in the community and this puts another pressure on all of us."

Outreach - Problems in Service Provision

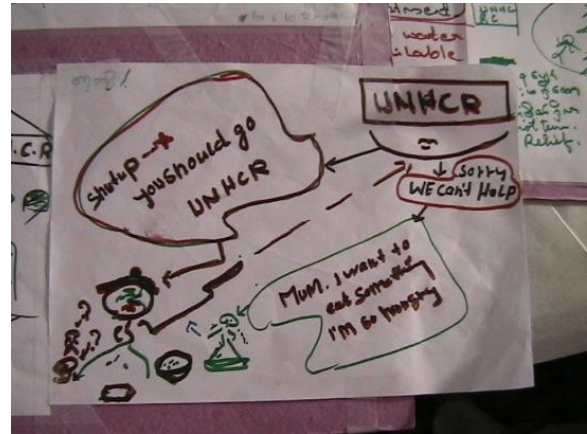
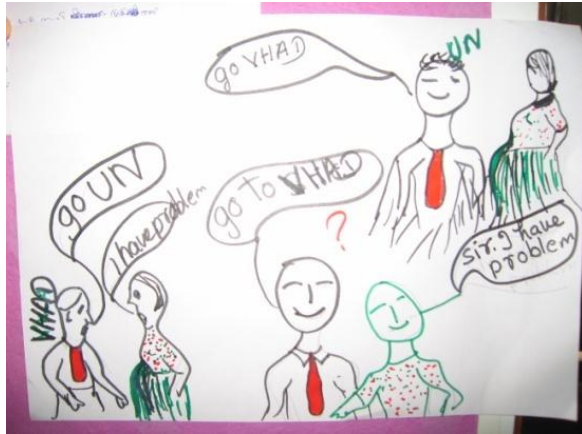
The communities discussed problems in two distinct areas:

1. Community Based Organisations

Many refugee groups form effective and supportive Community based organisations (CBOs) to assist themselves. This is a good example of the capacity that refugees bring to refugee sites and their strong desire for autonomy and self sustainability. Women's groups have been exceptionally active in establishing support groups for victims of SGBV. Often at great risk to themselves, they document the extent of SGBV and violations of labour laws. These are attributes which will enable them to re-establish themselves, families and communities once durable solutions are identified. Yet communities have extreme problems in maintaining their CBOs. Many host governments refuse to register them, which means that they are not eligible to apply for any funding. While many CBOs are very effective and productive, others lack the skills and infrastructure to function effectively. Given the critical role that CBOs have to play in addressing problems experienced by urban refugees, it is essential that they receive the support that they need.

2. UNHCR, INGOs and NGOs

“...So the next day the whole community had to leave the house, and they went to UNHCR, and UNHCR said it was the responsibility of YMCA, so they went to YMCA and they could not do anything. It is like they are a volleyball between UNHCR and YMCA” [Worker in Refugee CBO]



The second area of concern was with some office and staff of UNHCR and Implementing Partners, both international and local service providers. It is important to note that there were also many very positive reports about excellent service provision, people working beyond the call of duty to assist refugees, and extremely high levels of commitment. Sadly these were not uniform and here were many reports of service provision which ranged from unsatisfactory, to accusations of criminal malpractice.

While undoubtedly in some cases refugee expectations of both UNHCR and Implementing Partners is unrealistic, the author of this report has collected adequate evidence and witnessed a significant number of incidents which confirm the statements made by the refugees.



“The implementing partner’s offices are all in fenced compounds, when we go there for help, we have to take a token and wait outside in line. There is no shelter from the sun and no drinking water. We often have to wait most of the day and those who are old and sick can’t do it.” [Refugee Woman]

Refugees are forced to sleep on the streets outside UNHCR. [Refugee man]

Major issues of concern expressed were limited accessibility to UNHCR offices and staff in all sites. Poor quality, culturally inappropriate and inadequate services are provided by some Implementing Partners. There is insufficient consultation with refugees regarding services provided and no recourse to voice concerns about

Implementing Partners. The result is that community members feel a lack of confidence and trust in UNHCR and Implementing Partners.

A critical issue is an apparent lack of communication between the UNHCR, CBOs NGOs and INGOs in all sites. This leads to fragmented service delivery and lack of co-ordination for the refugees concerned. There is also danger for women who have to travel long distances to access services putting women at greater risk of SGBV. As mentioned later in the section on SGBV, lack of confidentiality between service providers and the absence of safe spaces where women can disclose their problems is also a disincentive for women and children to access services.

Recommendations:

- UNHCR and INGOs negotiate ways to assist essential community based organisations to obtain legal registration in host countries
- UNHCR and INGOs to work more closely with and provide appropriate resources and support to essential community based organisations
- A step-by step procedure be developed for case management and cooperation between all service providers
- Increased dialogue be implemented between UN, host governments, INGOs NGOs and refugees, asylum seekers as a matter of regular procedure
- Standard operating procedures for Women at Risk cases be developed to facilitate case coordination mechanisms between agencies
- A comprehensive mapping of services be undertaken in each refugee site, and the information be made available to all service providers and the refugee communities
- Effective referral mechanisms, confidentiality strategies and agreements be developed between all service providers
- Safe spaces be established for women to report SGBV and seek coordinated service provision

2. PROTECTION

Sexual and gender based violence

[Corresponds to sections e, f, j and k of the UNHCR Policy on Refugee Protection and Solutions in Urban Areas]

While it is the women and girls who are the primary targets of sexual and gender based violence, the impact on husbands and fathers, sons and brothers is also enormous. They also share the shame, the powerlessness, and the knowledge that there is no justice for their female relatives or for the communities. The knowledge that whole communities are unable to respond, and to neither provide for, nor protect the women and

children causes enormous anguish. Many of them are carrying the physical and psychological scars of torture and the horror of war. What is happening in urban situations is a repeat of what happened during conflict. Instead of fleeing to safety, they have fled to continuing violence. Additionally, they suffer from labour exploitation, racism and the erosion of their identity as protectors of the family and the breadwinners. Some of the many forms of violence discussed by refugee women's groups were rape and sexual harassment of women and children by local men; rape of girls and women by employers; forced marriage, the breakdown of families, marital violence and lack of community support for legal redress or divorce trap women into cycles of violence, and the lack of safe spaces for women and children at risk. This is compounded by the low social status of women. Even accessing basic needs for their families is dangerous. Rape and sexual abuse of women when collecting spoiled food from the ground at night markets is a common occurrence.

"If the men go to the market for the spoiled foods they are often kicked beaten and sometimes killed. The women only get raped and harassed, so we have to go"

The refugees talked of 6 main concerns about SGBV. They are:

1. Rape and sexual and gender based violence perpetrated by the host community, police and military
2. Rape and Sexual Abuse of Children
3. Domestic violence
4. Lack of safe spaces for Women and Children at Risk
5. Lack of access to legal protection
6. Access to Resettlement for Women and Girls at Risk

1. Rape and sexual and gender based violence perpetrated by the host community, police and military

Refugees reported that at times young women are killed after being raped, but this is hidden and people are afraid to go to the police. There were many reports of police raping women who went to report SGBV.

Marital rape and sexual abuse in the home is endemic, especially in overcrowded accommodation. Other forms of domestic violence include being raped by in-laws and other relatives. Women and girls cannot report incidences and have to internalize emotions because of shame and community pressure, which can further perpetuate abusive and self-abusive behaviors. When there is nowhere for the women to go – the absence of solutions for the women causes the violence to escalate. Some women work as prostitutes even when they do not want to, and if they do not entertain the customer well they are tortured and money is taken from them. Sexual harassment and threats from employers are the everyday reality of urban refugees' lives.

"We want UNHCR to help girls and women who have been raped and sexually abused but women are afraid that if they report this and the UNHCR social worker comes to that house that that will identify what has happened and everyone will say 'aah that women has been raped' and this will be seen as thing of shame"

[Refugee Woman]



The inequality in family relationships and the lack of women’s participation in community and family decision making exacerbates social stigma. Women who are known to have been sexually abused or raped are often ostracized by the local community. This can lead to feelings of shame, humiliation, and helplessness which in turn can lead to the neglect of children. Emotional effects of family abuse and breakdown on children can lead to children copying patterns of behaviour. Physical impacts, including sexually transmitted diseases, affect livelihoods and early and unwanted pregnancy can result in dangerous, self-induced abortions, babies of rape or the deaths of young women too small to bear children. Lack of access to political participation and decision making over their own lives, lack of autonomy and self determination, added to lack of trust in the local community, perpetuates isolation and powerlessness. All of these things are de-capacitating and strip some refugees of the drive and capabilities to participate fully in the search for durable solutions.



Other groups at particular risk identified by the refugees were widows without any family support and protection; girls and boys, in particular unaccompanied minors, living in boarding houses, or sharing overcrowded mixed sex rooms; and women living in same-sex relationships who are often shunned by the community, and beaten or raped as punishment

2. Rape and Sexual Abuse of Children

“While the mother was in hospital the step father raped her daughter and she became pregnant...”
[Refugee Woman]

The key risk areas identified were those of orphaned girls adopted into other families (foster families) and living with step fathers who sexually abuse both mothers and daughters. In the urban areas this often occurred while mothers were away at work. This highlights the fact that all too often the focus on women at risk ignores the fact that girls and young women often face the same risks of violence and sexual abuse.

“We want UNHCR to think specially about protection for young girls so they are not raped. This is a risk many are facing.” [Refugee Woman]

“Another issue I want to raise, within the family there can be domestic violence, when the girls stay with their stepfather, the father rapes the kids, which is becoming DV. They are so shy with their relatives and their family they will not speak out and they keep silent and it stays in their hearts... when they speak out the community will not support them and discriminates against them [Worker in Refugee CBO]

Homeless women and children with no income for shelter or basic needs, and girls and boys with a physical or mental disability were also noted as needing specific attention. The vulnerability of young girls and boys into trafficking, prostitution and other exploitative employment was also raised as an issue of major

concern. Male children and young men are also targeted for sexual abuse urban refugee sites, and there are few if any services to cater for their needs. A further layer of silence hides these crimes.

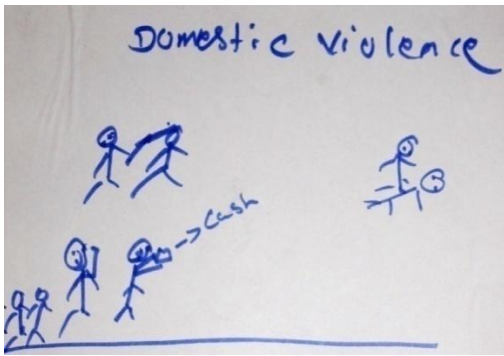
Recommendations:

- The UNHCR Heightened Risk Identification Tool (HRIT) be used in urban refugee sites to identify groups at heightened risk, and local staff trained in the use of the tool and the development of appropriate responses.
- Specialised training be provided to counselors and health workers who engage with survivors of rape and sexual violence, including improved protection and health services for women who are HIV positive.
- Provide training to community leaders to respond effectively to women and girls who have experienced rape and sexual violence.
- The links between protection between SGBV, livelihoods and shelter be further explored and addressed.
- Design and implement programs aimed at GBV prevention – such as promoting safe, viable economic opportunities for women to reduce vulnerability to GBV.
- Address issue of impunity through legal support and access to legal systems for survivors of GBV.
- Effective measure be developed and implemented to ensure that orphaned and foster children are placed in secure environments, and their wellbeing regularly monitored.
- Protection measure be put in place for women and children who have no option but to work as prostitutes
- Protection measures be put in place for women in same sex relationships.
- A uniform legal registration processes be developed and implemented for children born to both registered and unregistered refugees

Domestic and Family Violence

Domestic violence and marital rape is one of the major risk factors identified by refugee women's organisations in urban areas.

"People get poorer and poorer, women have to earn money outside and men get angry because they want the women to be at home." [Refugee Woman]

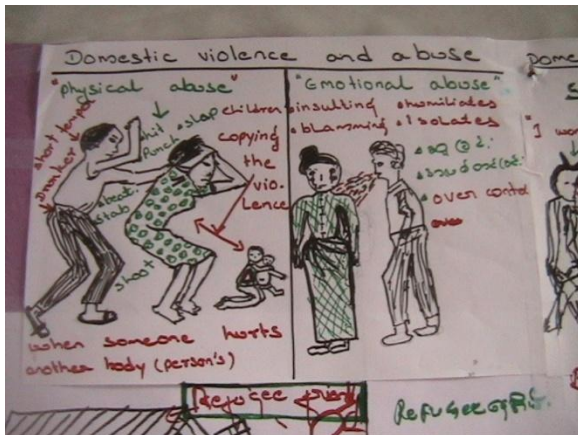


"Sometimes it is because they have no way out, they get angry, they don't know what to do and they hit their children and hit their wives."

[Refugee woman]



...There is one woman who is orphaned and she married, her husband only has a father, no mother. Her father-in-law uses drugs like liquor. The father-in-law abused and raped her. She told her husband and her husband is afraid to tell others because he is afraid of his father..." [worker in refugee CBO]



In each of the cases shared the risks for women and girls are compounded by community attitudes and a lack of legal status, just and effective legal mechanisms, access to dignified economic opportunities, and confidential referral systems between UNHCR and Implementing Partners. The lack of confidentiality was a major concern in all sites. Fear of shame and stigma often keep women silent about their experiences of marital rape and domestic violence. Community based women's groups are often also at risk from the perpetrators of domestic violence if they are known to have provided shelter.

Recommendations:

- Community based training and projects be introduced to explore a community based response to violence against women.
- Measures be put in place by UNHCR and designated implementing partners to respond to victims of sexual and family violence.
- GBV programs include men as participants, as role models for other men, and as agents of change.

3. Lack of Safe Spaces for Women and Children at Risk

Women and men in all sites consulted requested safe houses for women and children at risk. They made strong connections between protection from further violence and secure shelter. They reported that when communities attempt to establish Safe Houses, they are often targeted by local police and forced to constantly move from one space to another. They experience problems maintaining security and confidentiality. There is little donor support for safe spaces, even though it is well documented that having survived one experience of SGBV creates a climate of vulnerability to future occurrences. If women have left abusive situations, but are still registered with their husband, they face difficulty accessing resources for their food and non-food items from UNHCR and partners agencies. Safe Houses need access to some resources to support these women and children.



Care has to be taken when establishing safe houses, to ensure that women are not effectively locked up for their own safety. If this happens they suffer twice for being the victim of a crime.

Recommendations:

- Establish safe houses where women and children identified as at risk can stay while determination processes are undertaken and other protection measures are determined. Utilize local, existing facilities when possible to build capacity and include vulnerable women and children from host communities.
- The UNHCR Heightened Risk Identification Tool be used to determine the level of risk for each individual and as a basis for access to a safe house.
- Safe houses must be fully secure and properly resourced. The balance must be maintained between security measures, freedom of movement and protection needs.
- Safe houses must be accessible for unregistered refugees, who are often the most vulnerable because of their lack of legal status.
- They must be available to refugee women and children with physical and mental disabilities, who are often targeted for SGBV.

4. Lack of Access to Legal Protection

One of the major risk factors identified for women and girls in Urban refugee sites is the almost complete lack of access to just and effective legal processes for cases of rape and sexual and gender based violence. Although it is claimed that the refugee communities are entitled to seek the protection of the host legal system, in practice prosecutions of the perpetrators of rape, murder and other violent acts are rare. One of the major reasons for this is the lack legal documentation, lack of safe places for women to live and lack of access to livelihood while the legal prosecution process is pursued. Local police are often unsupportive and afraid to take action against powerful figures and institutions in their own communities.

Recommendations:

- Develop linkages with host country lawyers and community based groups to provide legal assistance for survivors of SGBV.
- Document SGBV occurrences and develop systematic responses to increase community level protection.
- Document extent of trafficking and the role and function of “labour recruiters” by UNHCR or an implementing partner.
- Provide training to local police, military and other authorities on the rights of refugees, and on women’s and refugee rights.
- Develop Women’s Legal clinics in each major urban refugee site.
- Support women who wish to pursue the prosecution of perpetrators, including appropriate legal support witness protection.

Examples of best practice in this area can be found at:

- Women’s legal clinic such as that supported by UNHCR New Delhi

5. Access to Resettlement for women and girls at risk

Lack of access to resettlement opportunities is seen as major problem for victims of rape and sexual abuse, in particular widows and single women. The communities in all sites felt that Women at Risk should be identified as a matter of urgency and resettled before they suffer further harm and abuse. Often this avenue is not open to them. Access to UNHCR is difficult, if not impossible, and the assessment system is seen to be unfair and often discriminatory. There is a culture of distrust in UNHCR offices, and many times women and girls were told that they were making up stories of rape just to be considered for resettlement. Interviewers are not skilled in discussing sensitive issues. Often male interviewers are assigned to cases of rape. Frequently women felt that local staff was judgmental and discriminatory. For many reasons, often the incorrect or incomplete information was collected during interviews and refugees feel that their opportunities for resettlement were severely prejudiced. There are also major problems with interpreters in all sites. These problems range from interpreters not being fluent in the dialects of the refugees, interpreters not giving correct interpretations, and interpreters being biased against certain refugees. There was also misinformation in all sites about what

information should be given to UNHCR and refugees at times had no idea what the interpreters were actually saying. If the interpreters give incorrect information and the refugee is interviewed a second time with another interpreter, they will be accused of lying. These problems particularly impact on the protection of woman and children at risk, who need access to the most accurate and sensitive interview possible.

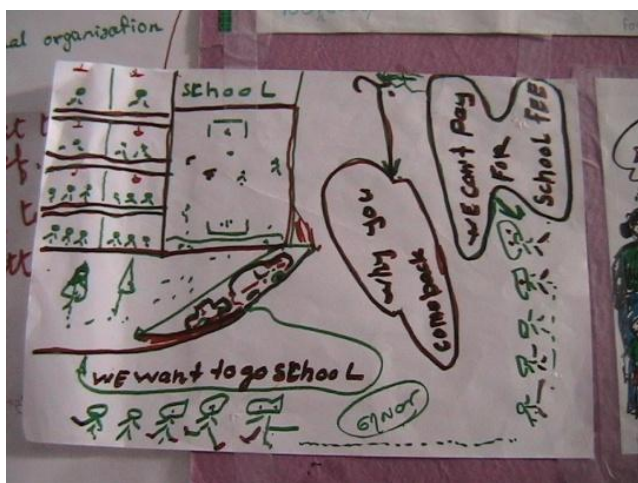
Recommendations:

- Resettlement should be offered as a solution if there is no other local protection option available.
- Resettlement options must be prioritised for women at risk
- Local staff must receive training about SGBV, local risks and the conditions of the refugees with whom they work
- Local staff must receive training in appropriate interview techniques with woman and girls who may be at risk
- Interpreters must be fully screened and well-trained and their ongoing performance monitored to ensure that they are both suitable and ethical in their work.

3. EDUCATION

[Corresponds to section I of the UNHCR Policy on Refugee Protection and Solutions in Urban Areas]

"In a family of 4, 1 child goes to school [usually the eldest boy]...some children go to park & pluck leaves which people eat and they sell, when they get older if they don't go to school future is hopeless"
[Refugee Woman]



One of the most powerful desires for many refugee families is to gain better and more secure futures for their children. All communities see education as the key to this dream, and yet access to education for refugee children in urban areas is extremely difficult. Many refugee parents are well educated and aspire to a good standard of education for their children. They become frustrated when their children either have no access to schools, or can only access inadequate government school systems in host countries. They are upset when their children are educated in a language which will not be useful to them if they

repatriate or resettle. They are angry when their children are discriminated against or beaten by local teachers. Some children refuse to attend school because of this harassment. The result is that children are not receiving a rounded education and many are illiterate. For a variety for reasons there is little or no access

to higher education, which causes great anguish to parents who have children with the potential to study at a higher level.

Parents find themselves under enormous financial pressure and are often unable to pay school fees. The education allowance paid by some UNHCR offices is insufficient for all but the most basic schooling needs. There were many reports of teachers humiliating children because of parent's inability to pay the fees and provide the full uniform and books for their children. If parents complain to UNHCR or implementing partners, they are told that they cannot expect more than the local children have access to, and that they are ungrateful for what is provide for them. Most teachers have no understanding of the refugee experience, and the impact which this has on the ability of children to learn. This can include long periods with no access to education due to conflict, flight and refugee status, living in crowded accommodation, having to work as a family bread winner and at times caring for sick or traumatised parents. The outcomes of these problems are illiteracy and limited capacity to function in the community.

"Our children are often mocked, humiliated and beaten at school by their teachers and then sent away because we do not have the money to pay the fees." [Refugee Woman]

Without education there are limited work opportunities and refugee youth are relegated to the lowest paid positions with few prospects of ever advancing. The communities identified that people with low levels of education sometimes have a lack of understanding and a limited capacity to fight for their human rights and those of their children, which puts them at a further disadvantage. There was a strong perception that consideration for third country resettlement is negatively affected by lack of educational attainment.



While these problems are common to all refugee children, girls suffer from an additional layer of discrimination. When families have limited finances, preference is often given to male children to attend school. Many girls are denied educational opportunities and this has serious consequences for their futures. Some male teachers have suggested that girls give sex instead of fees. Uneducated girls are sometimes forced into early marriage with older men, where there is inequality in relationships. Women and children without education are often forced into unsafe work environments, including survival sex. They also may experience limited participation in community and family decisions.

"We were told by the men that we could not sit on the Community Committee because we were illiterate. They said that even if UNHCR made them let us join, we could not vote because we could not read and write" [Refugee Woman]

In every site, children expressed the desire to go to school.



Going to school is a normalising experience for children, which, if there is a good school environment, can help them to feel part of the host community. Many adults also feel the need for ongoing education to ensure that they could take meaningful roles. While limited, in some sites, INGOs and NGOs are providing some adult community education, in particular in computer literacy and vocational training. When this occurs, it is very well received and it is reported that in places where this is linked to actual employment opportunities, it can have an immediate impact on the emotional, social and financial wellbeing of the participants.

Recommendations:

- UNHCR and Implementing partners, working with host governments, establish strategies and programs within government schools to take into account the specific needs of refugee children, such as language skills, and missed educational opportunities.
- Training is provided to school staff and management to increase understanding of the possible challenges faced by refugee youth.
- Training be given to school teachers about the rights of the child, in particular the rights of refugee girls not to suffer rape and sexual abuse from people in power.
- Steps be taken to ensure that schools are safe and that those who harass and sexually abuse refugee boys and girls be prosecuted.

In urban areas it is vital to using international donor funding to strengthen existing educational capacity and not to create parallel structures. The humanitarian community's efforts should focus on ensuring access to existing systems for all refugees including those with disabilities and special needs.

- Donor governments be encouraged to provide funding to ensure the education of all refugee children.
- Educational allowances paid by UNHCR be sufficient to enable all children in a family to attend school
- Community education strategies be introduced to encourage the education of girl children.

- Child and adult education should be structured towards successful outcomes when accessing a durable solution. Special measures must be taken to ensure that girls and women are included.
- INGOs and NGOs should, whenever possible, introduce adult education course linked to viable job opportunities in the community in which the refugees live and be equally suitable and available for women and men.

4. HEALTH

[Corresponds to section I of the UNHCR Policy on Refugee Protection and Solutions in Urban Areas]



Lack of access to adequate health service provision is another cross cutting theme in the provision of protection in urban refugee sites. Women reported low health status and decreased life expectancy because of unsanitary living conditions and insufficient food, causing malnutrition and health deficiencies and increased vulnerability to preventable diseases and illness. Children suffered stunted growth, resulting in long-term complications. Their refugee status, in particular unregistered refugees, limits access to health services.

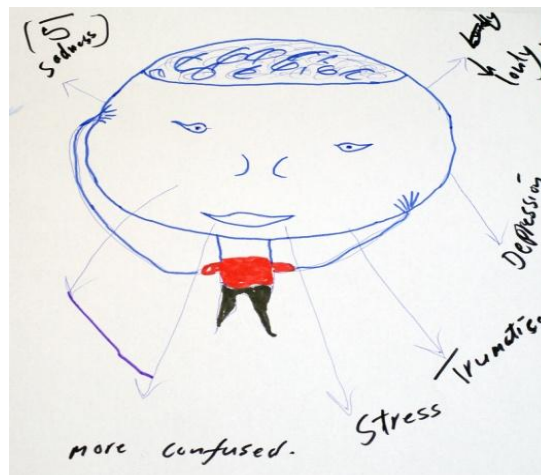
“Many people are suffering from malnutrition due to lack of good food, their bodies are thin and bloated, their skin wrinkled, and many including children are having problems with their eye sight.” [Refugee Woman]

Private medical services and medicines are too expensive:

“a pregnant women had to have a caesarean has to pay 13,000 and women who didn’t pay money, they wouldn’t do the operation until they had the money and the women die waiting for the money to be raised. Sometimes just the women die and the children live and sometimes both mother and child die” [Refugee Woman]

There were many reports of discrimination by local doctors, who place refugees at the end of long queues. Often people wait all day in the street to see a doctor and then are told to come back the next day. There were several reports of refugee women giving birth in the streets while in these queues. Maternity wards have up to three women per bed, and many hospitals do not serve food. While this is also true for local populations, lack of livelihoods and work permits make it extremely difficult for many refugees to afford to do this. Hospitals are usually far from where the refugees live, involving expensive journeys. The medicines distributed are often out of date, or inappropriate, and at times refugees cannot read the labels, either because they are pre-literate, or because they are in a foreign language.

Many refugees are suffering from conflict and flight related trauma, and this is made worse by conditions in urban areas. Mental health issues include depression and suicide and attempted suicide. Many women cannot work as they are caring for sick family members and children's educational ability and school attendance is affected. Many children are the sole care providers for sick adults causing isolation and loneliness.



Women reported experiencing lack of interest in normal sexual activity due to illness, leading to marital rape and domestic abuse. Increased drug and alcohol abuse are reported to be much higher than in their previous lives, and there are very few services for refugees with a disability. Health conditions affect refugee's ability to access livelihood and employment. They have to go into debt in order to obtain essential medication.

"People are dying because we cannot access health services. If there is an emergency we have to go to the hospital but if we do not have the money to pay we are sent away." [Refugee Woman]

Specific to women and girls are complications in female menstrual cycles and in pregnancies due to lack of adequate diet, stress and lack of sanitation. Safe abortion, even for women who are pregnant from rape is seldom available and reproductive health services are scarce.

"One young woman who got pregnant and went to the clinic for an abortion was sent away by the doctor – he told her that she had got pregnant just to get money from UNHCR and should be ashamed." [Refugee Woman]

Due to the number of women and girls forced to engage in survival sex, there is an increase in cases of sexually transmitted diseases, including HIV/AIDS and hepatitis. There are few services for women, and they face additional discrimination from the community and service providers. Poor health status also decreases possibility for resettlement, as resettlement countries often have strict health criteria.

Recommendations:

- Given the critical importance of good health status and access to medical services for women and children in urban refugee sites, UNHCR and INGOs must prioritise access to services for this population as matter of urgency.
-
- Ensure that health services include access to reproductive health services including for men and adolescents.
- Support existing health services instead of establishing parallel systems and programs.

- If refugees have to travel long distances for medical treatment or to care for relatives, safe and affordable means of transport must be provided for them, given that women and girls are often harassed on local transport and many refugees cannot afford even modest bus fares.
- Training be provided to refugees and CBOs in the provision of paramedical services and resources made available to them to take this role.
- Training be provided to refugees and CBOs to provide psycho social support to people suffering from trauma, victims of sexual abuse and people suffering from depression and other mental illnesses.

5. LIVELIHOODS

[Corresponds to section H of the UNHCR Policy on Refugee Protection and Solutions in Urban Areas]

“Because of the phasing out of the Subsistence Allowance many are not having sufficient food to eat and also with the landlord they cannot pay the rent on time”

The link between livelihoods and protection is well documented and livelihood issues for women have been recently flagged as a key issue by UNHCR, launching a new initiative called ‘Women Leading for Livelihoods’ (WLL). The work of Dale Buscher and the Women’s Refugee Commission is also groundbreaking in this area and provides positive models for the future. It is therefore not surprising that livelihoods and access to income security is a key issue for all of the refugees who attended consultations. Particularly for women, access to livelihoods is the best protection they can have against sexual and gender based violence and can assist them to provide adequate protection for their children. However it is also equally important that men can access livelihoods. This is also beneficial for women and children, as it can lessen the responsibility placed on the women to be the breadwinner in the family.

In urban areas, refugees often compete for work in environments where unemployment is high and there are few economic opportunities – even for host country nationals. When coupled with language and cultural differences, discrimination and the lack of legal status and work permits, refugees are left in an extremely vulnerable position – one that is ripe for exploitation and abuse. In these settings, the priority has to be on securing legal status and the right to work for refugees and then designing interventions that provide safe, dignified, market-driven opportunities for both refugees and vulnerable host country nationals.

“Sometimes they have to be sex workers and also sometimes they do things that people don’t want to do, and work on crushing rocks on the roads. And sometimes illegal things, (such as) drugs and alcohol.”

[Refugee Woman]

It is important to note that access to paid employment does not cover the social security needs of all refugees. Some are unable to work, often work is not available, and refugees should not be forced to work in conditions that are both dangerous and exploitative. Provision has to be made so that all refugees in urban areas can fulfill their need for livelihoods and social security with dignity and in safety. While a good goal to aim for, self-reliance will never be possible for all refugees.



"It is a type of torture, sometimes we are sad, sometimes we are angry, sometimes we get scolding. We are just like putting in jail, like in a cell.....Sometimes we feel like committing suicide, it's because of the difficulties in our country we can't even think of our own education, our own brighter future, we are struggling for our own survival." [Refugee Woman]

"They used to get abused by rape and exploitation working in the homes and because women have no right to business they are forced to do this work at risk." [Refugee Woman]

"When the girls say no, when they are being touched, harassed, employers say 'you are Burmese, how can you say no?' or say they are kidding, it is no big deal" [Refugee Woman]

Key challenges and barriers discussed by the groups in terms of lack access to livelihoods were the lack of labour rights and permits to work in host countries. This was exacerbated by the usually long delay in the processing of UNHCR refugee status applications, during which time newly arrived refugees have no access to financial support. Even when financial assistance is available, it is often inadequate and is paid for only limited periods. Additionally, UNHCR financial support policies are confusing and subject to change which makes it impossible to maintain families. There are delays and problems with UNHCR recognising wives and children of refugee men, and men and women who are over 50 who are not well enough to work and are too old to find jobs are unable to survive except on the charity of other refugees.



"And there is an old women she is sitting with no food, and she has to work even though she is very old. They are working even when they are 80." [Refugee Woman]

“Many people are suffering from malnutrition due to lack of good food, their bodies are thin and bloated, their skin wrinkled, and many including children are having problems with their eye sight.” [Refugee woman]

Women may be forced to collect spoiled food from the ground at the markets at night; many have no alternative to survival sex:

“The women have to go to the market at night to get the spoilt vegetables. The women are sexually harassed at the market. They ask the stallholders for the spoilt vegetables – but the stallholders just laugh and throw the vegetables to the animals and crows, so people are fighting with the animals for food.” [Refugee Woman]



Facing a lack of safe employment opportunities, refugees are forced to take dangerous and undesirable jobs. They face discrimination in the workplace by employers who provide unequal pay and conditions in comparison with local employees and make unreliable and inconsistent wage payments. Refugees are often forced to pay bribes in order to gain employment, or to stop employers or work colleagues from reporting their illegal status.

“Once a year the police come round to all the factories (because these refugees are the easiest to find) and arrest the refugees. They are taken back to the police station and sent back to the border. At the police station they separate women and men. They then call the women in individually and say “if you sleep with us we will let you go back to the factory.” Some women do this because they have no choice, most of the women who are arrested are forced to sleep with the police officers, and others bribe the police by paying thousands of rupees.” [Refugee Woman]



Women are paid significantly less than men and for this reason are often employed ahead of their husbands, placing the often culturally new burden of breadwinner on their shoulders. This double burden means the woman has to work outside to get money and has to work at home to look after and feed the family. In addition, in many urban areas it is easier for the women to find jobs than the men as most jobs in the informal sector are as domestic workers, cleaners, child care providers, and cooks. However, these positions offer few protections and there are many examples of discrimination in the workplace and women and girls face continues sexual harassment and rape.



"If women are sexually harassed they have nowhere to report it to, because our existence itself is illegal." [Refugee Woman]

Children are forced to work in dangerous conditions for long hours causing them to miss schooling. Families may be forced to separate to find work. There can be conflict with landlords due to inability to meet rent payments. This leads to a loss of dignity and low social status and extreme poverty. It is a serious failure of international protection.

Many of the problems in obtaining secure safe and sustainable livelihoods are linked to the lack of the right to work in host countries. However, some preliminary studies have shown that if refugees were legally absorbed into the labour market, paying for business licenses and tax, their labour could have significant advantages for the host government. They often do contribute both legally as consumers, and sometimes illegally, as employees and business owners to the local economy in the areas in which they live, and the benefits of this participation could be enhanced to spur further economic development in impoverished urban settlements.

Recommendations:

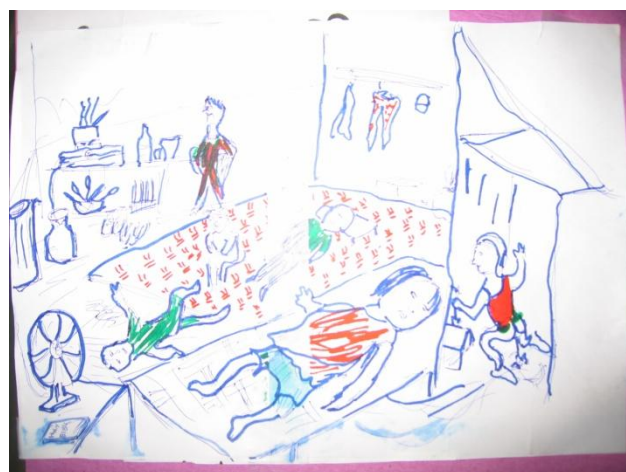
- Host Governments grant work permits to registered refugees.
- UNHCR and its donors recognize that some refugees in urban centres will require long-term social welfare support – just as do vulnerable host community members.
- UNHCR's implementing partners in urban areas must include those with strong economic program experience. Economic interventions must be based on market opportunities and should include vulnerable host community members as a means of enhancing host government support and mitigating discrimination and misunderstanding between the host and refugee communities.

- Skills training programs should be offered to both refugees and host community members and should build the quality of the labour supply to meet labour market demand. These programs should be careful not to perpetuate gender stereotypes but should promote access and inclusion in non-traditional occupations for women as those traditionally male fields are generally higher paying and afford greater status.
- Urban refugees' skills and experiences should be assessed and capitalized on. Many refugee women and men have expertise and training in areas that could benefit the communities where they reside.
- Women and children at risk be identified, and income security made available to ensure that they do not have to engage in dangerous and insecure employment in order to survive.
- UNHCR and INGO's conduct research which examines the cost and benefit to host governments of hosting refugee populations, with a focus on the potential benefits of granting work rights to refugee populations.
- Subsistence allowance and other forms of material aid be made available to refugees while waiting registration
- Subsistence allowance be sufficient to cover all basic needs and continue until genuinely viable alternatives are found
- UNHCR and INGOs continue to focus on creating sustainable livelihood opportunities for women and men, but ensure the long term viability and security of employment that before subsistence allowance is cut

6. SHELTER

[Corresponds to section g and j of the UNHCR Policy on Refugee Protection and Solutions in Urban Areas]

Lack of safe secure and affordable accommodation was one of the major problems facing refugee communities in all sites. Refugees reported that up to 20 people may live in tiny slum rooms. The limited sleeping space on the floor is shared through a roster system. There is limited or no provision of electricity, gas, sewage, sanitation, water and a lack of adequate cooking and food storage facilities. Refugees suffer from health problems and illness due to lack of sanitation and overcrowding.



"we live in overcrowded, airless single rooms. there is no fresh water, no kitchen and many people share one toilet." [Refugee Woman]

The lack of affordable and suitable accommodation can leave many refugees homeless. Single young men and women, often under the age of 18, are forced to share cramped accommodation and women are frequently raped.



"The widow and two daughters had to share a room with another family because they had no money. The landlord took her daughter when his wife was out. He raped her and beat her and hid her in the bathroom but the mother found her. They all had to run from the house and had nowhere to go" [Refugee Woman]

Refugees face difficulty gaining accommodation without references or a secure source of income and receive limited or no assistance in finding and maintaining accommodation.

"One man died in March 2006, aged 39. He had two children, and the same day he died the landlord chased the wife out because he did not think she could pay the rent. The children could not go to school. They prepare snacks and sell house to house." [Refugee Woman]



There are major problems with landlords who exploit the refugees, especially if they are not registered. Evictions are common, and refugees have little or no recourse against discrimination from the landlords.

"we have to hide our shoes because if the landlord sees many shoes outside, he will know how many people are living in and will kick us all out." [Refugee Woman]

Refugees reported discrimination, rape and harassment from landlords and local communities, who act with impunity, knowing that the police will not act on behalf of the refugees.

The impact of the lack of accommodation is devastating for the women and their families. Overcrowding leads to a lack of privacy, with several families often sharing one small room. This leads to a loss of dignity, especially for women and girls. Relationships can break down and children are severely affected. Refugees reported many mental health issues because of the living conditions they were forced to endure.

“Even in the camp we had a tent for the family” [Refugee Woman]

“I sometimes think I was better in the jungle – I could toilet without being seen, I could hide under a bush when men came looking for girls. Here there is nowhere to hide – but there was no food and no work in the jungle” [Refugee Woman]

Recommendations:

- Recognising the critical importance of shelter to the protection of women and children, as a matter of urgency, UNHCR and INGO’s investigate ways of providing safe, secure and affordable accommodation for refugees in urban settings
- UNHCR INGOs and NGOs work with CBO’s to negotiate with landlords, both to secure accommodation and to mediate disputes about conditions, rents and procedures for maintenance and evictions
- Emergency accommodation be provided for women and children at risk and for other vulnerable groups
- The need for accommodation be linked to the provision of social security through either subsistence allowance or livelihood opportunities

CONCLUSION

At times, culture is evoked as an argument against perceived ‘western’ models of service provision in refugee sites. This is particularly pertinent in relation to services targeting women and children, especially those from traditionally strong patriarchal societies. The recommendations in this report come from refugee communities themselves. They, more than academics and western services providers, know the reality of their lives. They realise that to survive they have to be part of the modern world. Culture is not static, it is a fluid concept and rules and norms change in all societies over time. The refugee experience changes culture, often brutally and rapidly, and refugee communities struggle to maintain their former cultures. Some claim that after 20 years in exile, their predominant culture is that of “refugee”. Women and men are forced into new and unfamiliar roles

and both need to re-negotiate a new private and a cultural space. In some cases opportunistic community leaders evoke old cultural practice to assert and maintain power in new situations.

The refugee who participated in the consultations which inform this report all articulated the need for men and women, boys and girls to have access to all of their rights in order for their communities to survive. In all cases this included examining and adapting previous cultural practice. Without this, the refugee experience will become a form of culture genocide.

It is critical that appropriate and effective services be provided in urban refugee sites to address the protection needs of all women and children, their families and communities.

A fully referenced version of this paper, with accompanying theoretical analysis will be available on www.crr.unsw.edu.au in December.

Appendix 1: Paragraphs of the UNHCR Policy on Refugee Protection and Solutions in Urban Areas

I. Introduction: Securing the rights of urban refugees:

5. Today, however, large numbers of refugee women, children and older people are also to be found in urban areas, particularly in those countries where there are no camps. They are often confronted with a range of protection risks: the threat of arrest and detention, *refoulement*, harassment, exploitation, discrimination, inadequate and overcrowded shelter, as well as vulnerability to sexual and gender-based violence (SGBV), HIV-AIDS, human smuggling and trafficking.

III: Respecting key principles: Age, Gender and Diversity:

35. The work of the Office in urban areas will be based on the principles of Age, Gender and Diversity Mainstreaming (AGDM). This approach recognizes that the different groups to be found within any refugee population have varying interests, needs, capacities and vulnerabilities, and seeks to ensure that these are taken into full account in the design of UNHCR programmes. The Office will consequently strive to map and respond to the specific situation of groups such as women, children, older persons, unaccompanied and separated minors, as well as ethnic minorities.

36. In urban settings, the AGDM approach may have some specific characteristics and implications. For example, while young refugee men are not normally considered to be particularly vulnerable, those who work illegally and in the informal sector of cities and towns may be at particular risk of detention, deportation, exploitative and hazardous employment. Refugee women and girls may also be threatened if steps are not taken to address the diminished role and self-esteem of men when they lose their role as family breadwinner

IV: Implementing comprehensive protection strategies:

a) Providing reception facilities

48. Second, UNHCR will provide appropriate facilities in the waiting rooms and reception areas that are established in urban areas. Such facilities will include access to clean drinking water and bathrooms, adequate shade or heat, and special facilities for people with disabilities and women, especially pregnant and lactating mothers. UNHCR will engage with UNICEF in the establishment of child-friendly spaces in reception areas.

b) Undertaking registration and data collection

55. Non-assisted refugees remain of concern to UNHCR, and may well encounter difficulties in relation to their protection and solutions. In view of this fact, the Office will support the registration and collection of data on all urban refugees, and strive to disaggregate that data in accordance with AGDM principles. Legal and social counselling and the services of trained interpreters will to the extent possible be available to refugees and asylum seekers at the point of registration.

c) Ensuring that refugees are document

66. Children born to refugees and asylum seekers will be registered and provided with individual identity documents, either by the authorities or by the Office. UNHCR will also strive to ensure that persons of concern are issued with marriage and death certificates, as well as documentary proof of any qualifications they gain.

e) Reaching out to the community

81. UNHCR will make particular efforts to reach out and respond to the needs of refugee women and girls, especially those who are destitute and who may resort to survival sex and other negative coping mechanisms. Programmes that are designed to offer women and girls constructive and productive alternatives to such mechanisms will be formulated, drawing on effective practices in past and current operations.

82. The Office will also take steps to prevent and respond to gender-based violence and human trafficking. Action will be taken to ensure that victims and potential victims of such crimes can report on them in full confidentiality and safeguard their identity. Those people will be protected from reprisals and receive appropriate clinical and counselling support.

83. In the urban context, special efforts are also required to identify unaccompanied and separated minors, who run the risk of becoming 'street children' and subjected to exploitation and abuse. In order to locate and protect these children, UNHCR will work closely with national child protection agencies, as well as UN agencies, NGOs and civil society organizations that work in the area of child protection. All of UNHCR's work in this area will be guided by the principle of the 'best interest' of the child.

i) Ensuring access to healthcare, education and other services

115. Given the need to prioritize its efforts and allocation of resources, UNHCR will focus on the provision of services to those refugees and asylum seekers whose needs are most acute. While these priorities will vary from city to city, they will usually include:

- safeguarding the well-being of pregnant and lactating women, children under five, unaccompanied and separated children, older people and those who are seriously ill, including those with HIV and TB;
- providing care and counselling to people with specific needs, especially people with disabilities, those who are traumatized or mentally ill, victims of torture and SGBV, as well as those with complex diseases requiring specialized care; and,
- ensuring that children receive primary school education, as well as identifying and supporting those who are unaccompanied, separated or otherwise at risk.

j) Meeting Material Needs

130. UNHCR is fully aware that the minimization and premature termination of the assistance it provides to urban refugees may be contrary to the organization's commitment to the principles of AGDM. As one UNHCR report has pointed out, "ensuring the healthy development of children and assisting refugee

women engaged in building the future of their family must mean a level of engagement which goes some way beyond providing the minimum level of support for the shortest possible time.”⁵ This observation will be taken into full account in the implementation of UNHCR’s urban refugee policy, drawing on the specialized expertise of UNICEF and other relevant agencies.

Conclusion

There are 7 paragraphs specifically addressing women and children, while a further 4 paragraphs address gender related issues. In total, there are only 11 out of 159 paragraphs of the policy that make mention of women and children or gender related issues.

Appendix 2: Urban Refugee Policy Gender Analysis

Section of the UNHCR policy:	Relevant UNHCR document:	Implementation of Policy:
a) Providing Reception facilities	Executive Committee Conclusion No. 93 (LIII)2002: 'Conclusion on reception of asylum- seekers in the context of individual asylum systems'	<p>“(b) <i>Recommends</i> that the reception of asylum-seekers should be guided by the following general considerations:</p> <p>iii) Gender and age-sensitivity should be reflected in reception arrangements, these should address in particular the educational, psychological, recreational and other special needs of children, especially unaccompanied and separated children. They should also take into account the specific needs of victims of sexual abuse and exploitation, of trauma and torture, as well as of other vulnerable groups;</p> <p>v) For the purpose, inter alia, of protection against refoulement, as well as access to reception arrangements, both male and female asylum-seekers should be registered and be issued appropriate documentation reflecting their status as asylum-seeker, which should remain valid until the final decision is taken on the asylum application”</p>
	' Procedural Standards for Refugee Status Determination under UNHCR’s Mandate’, 2005, Unit 3-23	<p>Unit 3, pg 2: "Reception procedures should include measures to identify promptly asylum seekers who may have special protection or assistance needs, and to refer them for appropriate support in the RSD procedures or other available assistance as required"</p> <p>Unit 3, pg. 22 'Applicants who may be vulnerable or have special needs:</p> <ul style="list-style-type: none"> • Victims of torture and persons suffering from trauma • Women with special needs <p>Unit 3, pg. 23 ' Women who are victims of sexual or domestic violence and women who may be at risk in the host country because of cultural, domestic, social or economic conditions, should be promptly referred to counseling with a qualified female UNHCR staff member or implementing partner. UNHCR staff or implementing partners who provide counseling to women should have knowledge of UNHCR RSD procedures and should be trained in interviewing</p>

		and assisting women with special needs. Counsellors should also be knowledgeable about available resources in the host community for appropriate medical treatment, psychological counseling, and social and legal supports to which women may be referred'
	Executive Committee Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006	[Preamble] <i>Recognizing</i> that, while women and girls may be exposed to certain risks, such as trafficking, in any location, the different nature of camp and urban environments can expose women and girls to different protection risks and that in camps, for example, their freedom of movement and capacity to earn a livelihood may be more restricted and they may be more exposed there to sexual and gender-based violence (SGBV), whereas in urban situations, they may be less able to exercise their rights effectively, to access protection and services or reach UNHCR or implementing partner offices,
b) Undertaking registration and data collection	UNHCR Handbook for the Protection of Women and Girls (2008) Section 4.2.1, pg. 112	<p>“Challenges and obstacles related to ensuring women and girls have access to registration and identity documentation are discussed further below and include:</p> <ul style="list-style-type: none"> • practice of registering only the “head of the family”; • registering female asylum-seekers in urban areas; • risk of exclusion of refugee girls from the registration process; • difficulties refugee girls face obtaining birth registration documentation; • difficulties older women face obtaining identity documentation; and • internally displaced women and girls who encounter obstacles obtaining government-issued documentation in their own names” <p>Challenge: Registering only the head of the family: the “head of the family” – usually the eldest male. This has meant that female family members have too often been interviewed for registration as part of a “case” and not individually heard. There is then no space for them to express their specific needs, especially when it comes to SGBV (including domestic violence), exploitation and abuse. This creates a host of protection problems</p>

		<p>for women and girls. It means that refugee women, especially those separated from their husbands, who are not registered and/or have no individual identity documents, are either dependent on male family members for access to food, assistance or essential services or have no such access. They are therefore unable, for instance, to seek support for their children or to claim or inherit property when they return home.</p> <p>Challenge: Reaching female asylum-seekers in urban areas: In urban areas, asylum-seeking and refugee women and girls may be virtually imprisoned indoors by male family members or exploitative employers and so cannot come to UNHCR offices. If we do not find ways to reach, register, and document them, they are likely to be at risk of abuse and, where they are able to go out, to be arrested, detained, and/or deported because they do not have documentation.</p> <p>Challenge: Girls' exclusion from registration process: Asylum-seeking and refugee girls may be at risk of being excluded from the registration process because</p> <ul style="list-style-type: none"> • parents or caretakers do not want to register girls to avoid interference when marrying them at a young age for dowries; • adults do not want to declare girls who are separated from their parents or normal caretakers and are living with them, working as unpaid servants; • registration is organized in such a way that it is impossible to bring all children to the registration centre and parents leave girls (or older women) at home to take care of infants, cook or look after family belongings; and • fear that registration may be linked with sexual exploitation. Girls who are not registered are at greater risk of sexual exploitation, early and forced marriage, slavery, trafficking, permanent separation from their families, unauthorized and illicit adoption, and other human rights abuses.” <p>p.115: How to Respond: Actions to strengthen the protection of women</p>
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		<p>and girls through registration or profiling include actions to:</p> <ul style="list-style-type: none"> • ensure registration and profiling data are disaggregated by sex and age; • ensure registration on an individual and ongoing basis for refugees, recognizing the need to protect the confidential nature of personal data; • ensure all adult members of a refugee household are registered and given documentation to avoid problems resulting from registration of only male heads of household; • ensure all groups with specific needs are registered and that individuals in these groups are given documentation, including <ul style="list-style-type: none"> – unaccompanied and separated refugee girls, – lone and/or older women – girl-headed and grandmother-headed households, and – women and girls with disabilities; • ensure that, in operations where proGres is used, the specific needs of every individual are registered to facilitate the identification of those at heightened risk and regular monitoring of their individual situation; • build contacts with local displaced communities, including schools, religious organizations and IDP associations, to locate women, girls, men and boys living in urban environments as a first step to registering them; • organize regular visits by registration teams in detention centres where persons of concern may otherwise risk deportation; • establish protection monitoring systems to help identify refugees and internally displaced persons at risk, including women and girls; • work through an individual case management system, as outlined in chapter 3, section 3, to review responses to the situation of all individuals at heightened risk; and • strengthen protection monitoring of individuals, including by working with the community and monitoring of access to, and enjoyment of, protection, assistance and services by women and girls.” <p>Recommendation: UNHCR should operate a mobile office in situations of large urban refugee clusters to assist women unable to reach UNHCR offices. Precedent to this has been set in Ecuador and Columbia: (HPWG, pg 116) “The UNHCR Office</p>
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		<p>in Colombia initiated a project in 2000 in partnership with the National Registry Office to register and provide identity documents to the many Colombians, who were internally displaced or at risk of displacement and who did not have documents, whether because they had never had them or because they had lost them during flight. The initiative targeted in particular women, children, indigenous, afro-Colombians and those in remote rural areas. Without documents, they face serious protection problems, including</p> <ul style="list-style-type: none"> • when armed groups demand their identity documents at check points, since these groups may presume that undocumented individuals belong to another armed group and may kill them; and • because identity documents are required to access vital State services such as health and education. <p>Under the joint project with the National Registry Office, documentation campaigns are carried out in areas where many people are internally displaced and where they may be at risk of displacement. Mobile Registry Office units go to the areas concerned to issue the population with documentation. The unit is connected by satellite to the national Registry Office databases and is equipped to print identity documents on the spot. The exercise has provided grandmothers with documentation for the first time in their lives, allowed mothers to access reproductive health care, and has meant that girls have been able to go to school</p>
	<p>Executive Committee Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006</p>	<p>Preventive strategies:</p> <p>(i) Identification, assessment and monitoring of risks faced by women and girls in the wider protection environment are to be strengthened by partnerships and actions to:</p> <p>i) provide disaggregated data by sex and age; ensure registration on an individual and ongoing basis for refugees, recognizing the need to protect the confidential nature of personal data, and promote mechanisms to identify the internally displaced; strengthen protection monitoring of individuals by working with the community; monitor access to and enjoyment of protection, assistance and services by women and girls;</p> <p>ii) incorporate gender issues into early warning</p>

		<p>mechanisms, alerts and contingency plans, conduct a rapid situation analysis at the start of a new emergency and integrate gender-based risk analysis into inter-agency assessments</p>
	<p>‘Handbook for Registration: Procedures and Standards for Registration, Population Data Management and Documentation’, 2003</p>	<p>Pg. 158; 17.2.1 Household representatives (heads of household) “In general, both a female and a male representative rather than a simple head of household should be identified. These are the persons in the household or family who are acknowledged as the representatives of the household or family by the other members. Relationships within the household or family are then designated in relation to one of these persons. The use of the term ‘household representative’ is a change from the practice in many locations. The role of women within the household or family has particular importance to UNHCR for protection and assistance reasons; hence UNHCR’s insistence on designating joint representatives. The term “head-of-household” assumes that most households are family households (i.e., that the persons within the household are related by blood), and that one person has primary authority and responsibility for household affairs and is its chief economic support. However, spouses are increasingly considered equal in household authority and responsibility and often share economic support of the household. Even in countries where the traditional head-of-household concept is still relevant, women who serve in this role are often not recognized as such and have difficulties accessing resources, protection and legal representation as a result. For these reasons, UNHCR has adopted the use of the term “household representative” when working with registration information. Normally the two household representatives are the male head of household and his spouse. However, this is not always the case, and interviewing staff should be aware of other possibilities within the community. There may be only one household representative in some households, such as some single-parent families and female-headed households. If the wife had died or is no longer part of the family, an eldest daughter or sister</p>

		<p>may fulfill the role of the female household representative, and should be designated as such. Be sure to refer child-headed households to proper care and attention. These households tend to be particularly vulnerable and should be treated accordingly. By definition, the children in such household are unaccompanied children and should be designated as such and referred to appropriate services. When conducting registration for refugee status determination, collect as much information about family members as possible from each individual registering. The designation of family representatives is still needed, but must be done in a way that preserves and protects the right of each applicant to make an independent claim to refugee status.”</p>
<p>c) Ensuring that refugees are documented</p>	<p>Statelessness – An Analytical Framework for Prevention, Reduction and Protection, UNHCR (2008)</p>	<p>The Statelessness-Analytical Framework for Prevention tool can be used to identify and analyse how the country is responding to Statelessness in order to reduce the incidence of stateless refugees in urban contexts. Particular emphasis should be on the following issues:</p> <ol style="list-style-type: none"> 1. Safeguards for children of Stateless parents 2. The ability of women to pass on their citizenship to children born both in and out of wedlock 3. Women who lose their nationality upon divorce of a foreign national or marriage to a foreign national 4. Women who lose their nationality upon the death of their foreign national spouse
	<p>UNHCR Handbook for the Protection of Women and Girls (2008) – 5.2.1 Nationality</p>	<p>Pg. 185 Some of the challenges women and girls face in securing and/or keeping their nationality, even in situations of displacement and/or return as well as more generally include:</p> <ul style="list-style-type: none"> • discrimination against girls and women in regard to birth registration and issuance of personal identity documents; • renunciation or loss of nationality upon marrying nationals of another country; • delays obtaining their husband’s nationality; and • inability to pass on their nationality to their children and associated custody issues in the event of divorce.

	<p>Pg. 189; 'How to Respond'</p> <p>Coordinate:</p> <ul style="list-style-type: none"> • Coordinate with the national office or ministry for gender, women, and family affairs, relevant UN agencies, NGOs, including women's rights organizations, and the displaced/returnee community involved. • UNICEF is a particularly important partner when it comes to registration and certification of births, since it has an important role to play in promoting this and supporting governments in establishing a birth registration programme for the general population. (See field practice example relating to Papua New Guinea in chapter 4, section 2.2.) <p>Assess, analyse and design:</p> <ul style="list-style-type: none"> • Work with relevant ministries and other partners to identify discriminatory provisions in legislation relating to civil status and nationality and establish safeguards to prevent statelessness in cases of change of nationality. • Work with partners to identify particular groups that are at risk of becoming stateless or are at risk because they do not have a nationality. • Undertake participatory assessments with stateless women and girls to identify and analyse the particular protection risks they face. • Work with partners to establish programmes e.g. for the registration of births of refugee children born in exile and to address the causes and consequences of women's and girls' statelessness. <p>Intervene to protect:</p> <ul style="list-style-type: none"> • Intervene with the authorities in individual cases to persuade them to grant nationality to girls and boys born on their territory who would otherwise be stateless. • Intervene with national authorities to grant residence (and readmission if necessary) of stateless women and girls who have a genuine and effective link with a country so that such individuals have somewhere to reside and are not at risk of <i>refoulement</i>. • Intervene with national authorities to ensure stateless women and girls can gain a nationality and are able to enjoy resulting rights. <p>Strengthen protection capacity of national bodies:</p>
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		<ul style="list-style-type: none"> • Work with relevant ministries and other partners to <ul style="list-style-type: none"> – analyse nationality laws and revise such legislation if it provides for automatic loss of citizenship when women or men marry non-nationals; – ensure that the restoration of nationality is facilitated or even automatic when someone has lost his/her nationality because of a change in his/her marital or other status; and – ensure that women, as well as men, can pass on their nationality to their children, regardless of whether the latter were born in or out of wedlock. • Advocate at high levels within UNHCR and with relevant ministries to persuade parliaments to revise discriminatory laws and to enact and/or enforce legislation that guarantees the equality of women and men in relation to nationality. • Train government officials to raise their awareness of State obligations regarding nationality and of problems that arise e.g. if women cannot pass on nationality to their children or lose their own nationality upon marriage. <p>Strengthen community capacity to support solutions:</p> <ul style="list-style-type: none"> • Use training sessions, communication networks and school classes to raise the awareness of women, girls, men, and boys about the equal rights of women and men in relation to civil status, including nationality. • Help empower women and girls to exercise and enjoy their rights in relation to civil status and family relations, including by improving birth registration, access to documentation and participation in citizenship campaigns. • Provide information on the consequences of marriage where women may be at risk of losing their nationality. <p>Monitor, report and evaluate:</p> <ul style="list-style-type: none"> • Evaluate whether all relevant individuals have been included in programmes to identify stateless persons. • Ensure birth registration programmes facilitate registration of all children on the territory on an on-going basis. • Monitor and report on women’s and girls’ access
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		to, and inclusion in, citizenship campaigns.
	Executive Committee Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006	(j) ensure the individual documentation of refugee women and separated and unaccompanied refugee girls and register births, marriages and divorces in a timely manner
d) Determining Refugee Status	Executive Committee Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006	<p>Solutions:</p> <p>(k) The empowerment of displaced women and girls is to be enhanced including by partnerships and actions to:</p> <ul style="list-style-type: none"> i. strengthen women's leadership, including by enhancing their representation and meaningful participation in displaced community and camp management committees, in decision making, and in dispute resolution systems, by enhancing their access to and control over services and resources, promoting their rights and leadership skills and supporting implementation of UNHCR's Five Commitments to Refugee Women; ii. strengthen women's and girls' capacities, including by enabling their access to quality education, including secondary education, in safe school environments and by enhancing food security, livelihood opportunities, freedom of movement and economic independence, including where appropriate through access to labour markets; and iii. work with the displaced community, including men and boys, to rebuild family and community support systems undermined by conflict and flight and to raise awareness of the rights of women and girls and understanding of gender roles. <p>(n) Ensuring early identification and immediate response involves partnerships and actions to:</p> <ul style="list-style-type: none"> i. establish mechanisms, based on an analysis of the risk factors outlined above, to identify individual women and girls at risk, determine and implement appropriate immediate responses and subsequent solutions; ii. provide women and girls at risk with information, counselling, medical and psychosocial care, as well as access to safe

		<p>houses if they face domestic violence and abuse or attack by other members of the community, especially where there are no mechanisms to remove perpetrators; provide emergency voluntary relocation, e.g. to another town or camp, or emergency resettlement;</p> <p>iii. determine the best interests of girls at risk, provide alternative accommodation, physical protection and interim foster care as required, as well as initiate family tracing and ensure family unity wherever possible and in their best interests; and</p> <p>iv. ensure that refugee status determination procedures provide female asylum-seekers with effective access to gender-sensitive procedures and recognize that gender-related forms of persecution in the context of Article 1A (2) of the 1951 Convention relating to the Status of Refugees may constitute grounds for refugee status.</p>
<p>e) Reaching out to the community</p>	<p>Executive Committee Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006</p>	<p>“(i) Identification, assessment and monitoring of risks faced by women and girls in the wider protection environment are to be strengthened by partnerships and actions to:</p> <p>iii) mobilize women, men, girls and boys of all ages and diverse backgrounds as equal partners together with all relevant actors in participatory assessments to ensure their protection concerns, priorities, capacities and proposed solutions are understood and form the basis of protection strategies and solutions;</p> <p>iv) mainstream age, gender and diversity analysis into all programmes, policies and operations to ensure all can benefit equally from activities and inequality is not perpetuated;”</p>

	<p>Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response, 2003</p>	<p>Pg 44: “Include the Community when Planning, Designing and Implementing Activities: Programmes to prevent sexual and gender-based violence will only be successful when the community is actively involved in all stages of their development, from identifying and discussing the problem at the outset, to monitoring and evaluating activities designed to prevent such violence.”</p> <p>Pg.45: “You may need to adapt prevention strategies somewhat so they are effective when working with returnee populations and urban caseloads. Unlike camp-based populations, which are restricted to a limited space, returnees are often dispersed within the community.</p> <p>To be sure these populations are protected against sexual and gender-based violence:</p> <ul style="list-style-type: none"> • Mobilise women from returnee and urban caseloads to form associations and support networks that can play a lead role in prevention activities. • Target prevention programmes not only at returning refugees but also at leaders and community representatives residing in areas to which refugees are returning. • Convene awareness raising and rights awareness training on preventing sexual and gender-based violence to build the capacity of established local organisations and associations in the returnee areas. <p>Pg 54: “[Acknowledged that] When refugees/returnees are dispersed in urban settings, a greater number of actors may be needed to organise appropriate response packages.</p> <p>Summary of Response Actions</p> <ul style="list-style-type: none"> • develop community education and awareness activities • train actors in how to respond to victims’/survivors’ needs • establish referral, reporting, monitoring and evaluation mechanisms • empower refugee communities to respond • develop a response to the health/medical needs of victims/survivors • plan to meet the psycho-social needs of
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		<p>victims/survivors</p> <ul style="list-style-type: none"> • ensure a security and safety response • establish a legal/justice response • identify the roles of other potential actors • develop a plan to work with perpetrators”
<p>f) fostering constructive relations with urban refugees</p>	<p>Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response, 2003</p>	<p>Pg 36: “Strengthen Community Networks The refugee community should play a significant role in designing, implementing and evaluating strategies to prevent sexual and gender-based violence. Humanitarian actors should work with different sectors of the refugee community – women’s groups, youth groups, health workers, teachers, refugee leaders etc. – to identify volunteers from the community who will help run these activities. Efforts should be made to ensure a gender balance in the recruitment of community volunteers. These individuals can work as community/peer educators, counselors, and, together, as crisis intervention teams.”</p> <p>Pg. 87 “Framework for Action: The programmes to prevent and respond to sexual and gender-based violence that are most successful are those that have been designed through consultations with the refugee community, and that are based on multi-sectoral and inter-agency collaboration. To design effective programmes, the team needs to develop a common action plan.”</p>

		<p>Pg. 88 “Key actors will likely include representatives from at least the following:</p> <ul style="list-style-type: none"> • Refugee leaders, both male and female. • Refugee women’s and youth groups. • Refugee groups and individuals who are influential in the community • (e.g. members of religious or traditional organisations, educators or other professionals). • Representatives from the host communities. • Host government authorities from: refugee liaison/oversight, police and security forces, court and criminal justice system, ministries of health, social services, women, family, and child welfare. • Health care providers. • Community services agencies. • Counselling groups, crisis centre personnel. • National and international partner NGOs, including camp management personnel. • National lawyers knowledgeable about laws related to sexual and gender-based violence in the country. • UNHCR head of office and field staff, protection, community services, security, and programme officers/assistants. • UN agencies.
g) Maintaining Security		
h) promoting livelihoods and self-reliance	Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response, 2003	<p>Pg. 38: “You can begin to change women’s roles in society and women’s perceptions of themselves by offering activities that promote their independence and economic self-reliance and their leadership and decision-making abilities. These activities can include:</p> <ul style="list-style-type: none"> • Offering literacy programmes. • Providing vocational training. • Developing income generating and micro-credit projects. • Ensuring balanced representation of women on refugee management and assistance delivery committees. • Applying a gender balanced approach when providing employment opportunities to refugees.

		<ul style="list-style-type: none"> • Providing equal access to education for refugee girls. • Supporting women’s groups and associations. • Offering leadership training.
	<p>Executive Committee Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006</p>	<p>(o) Developing medium-term responses for individuals includes partnerships and actions to: iii) strengthen identified individuals' access to education, vocational training and recreational programmes with childcare and promote community-based livelihood strategies which target women and girls at risk, especially in prolonged displacement situations.”</p>
	<p>UNHCR Handbook for the Protection of Women and Girls (2008)</p>	<p>Pg. 307, 5.7.1 Livelihoods and food security Summary of Challenges: Women and children are the most at risk when they have no livelihood opportunities. Some of the specific challenges faced by displaced and refugee women and girls in their attempts to secure livelihoods include:</p> <ul style="list-style-type: none"> • lack of access to physical assets; • cultural and behavioural norms; • physical security risks when collecting firewood, including for income; • unsuitable environments for cultivation near camps; • movement restrictions in refugee camps; • engagement in negative coping mechanisms in order to survive; • obstacles to finding employment; and • risk of exploitation while generating income in camps and urban settings. <p>Challenge: Access to physical assets: Refugees and displaced persons, particularly women, do not own or have access to assets such as land, farm implements, fishing boats and nets, livestock or credit facilities. Their assets are human.”</p> <p>Challenge: Physical Security: As already noted in section 3.1.1 of this chapter on SGBV challenges, the collection of firewood and water is a survival strategy that frequently puts women and girls at risk of sexual assault and rape. In internal displacement and returnee situations, there is the added risk that women and children may look for firewood or water in mined areas. The need to collect firewood and water is, in addition, directly and indirectly related to numerous protection concerns. It often</p>

		<p>means, for instance, that women and children have no time for education, skills training, income generating activities or participation in leadership and decision-making bodies. Firewood may not only be collected for household use, which may be limited, women and girls may need to gather it to sell in local markets for cash so that they can buy other necessary household items, like food, sanitary materials, clothing, and toiletries.</p> <p>Pg. 311 “How to Respond:</p> <p>Coordinate Phase:</p> <ul style="list-style-type: none"> • Identify local partners and authorities who could be stakeholders in economic activities, including local NGOs involved in micro-credit projects and women’s associations able to provide skills training. • Involve women from displaced and returnee communities, as well as local communities in developing plans and mechanisms to address potential disputes about property, land, custom, and culture so that obstacles to women’s ability to seek livelihoods and food security are removed. <p>Assess, Analyse and Design Phase:</p> <ul style="list-style-type: none"> • Assess markets so that existing skills within the displaced community can be matched to labour needs in the camp or surrounding area and so that targeted livelihood strategies can be designed. • Consult the community, including women and girls, to ensure the design of livelihood programmes reflects their concerns, at the same time working also to ensure that these programmes do not automatically reinforce traditional gender roles. • Design comprehensive skills training programmes for women, including pre-counselling, apprenticeship, job placement, and micro-finance, so that skills training does not only raise expectations but is also more likely to lead to job placements. Provide guidance on how to invest remittances and income and diversify economic activities and risks. <p>Intervention and Protection Phase:</p>
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		<ul style="list-style-type: none"> • Since women often play multiple roles, do not overburden them with the responsibility for developing time-consuming or costly business ideas. Be sensitive about the specific needs of women, such as for day care centres and women’s organizations. • Strengthen women's and girls' capacities, including by enhancing food security, livelihood opportunities, freedom of movement and economic independence, including through access to labour markets; • Ensure sufficient basic assistance, especially to women and girls at heightened risk. <p>Strengthening National Capacity Phase:</p> <ul style="list-style-type: none"> • Support government reviews of laws, policies and regulations relating to refugee employment, taxation, movement, access to markets, legal support etc., in order to identify opportunities to strengthen livelihood opportunities and secure tangible benefits for refugees and asylum-seekers. • Examine, for instance, whether refugees are granted legal rights to work on an employed basis and whether refugees are discriminated against by potential employers. • Work with governments to persuade them to give asylum-seekers permission to work and allow them freedom of movement, on the basis of international human rights standards, • Build host country capacity and strengthen regional and local institutions to support community development and provide services for both host and refugee/internally displaced populations. <p>Strengthening community capacity to support solutions:</p> <ul style="list-style-type: none"> • Promote community-based livelihood strategies that target women and girls at risk so they can take care of themselves and their families and as a prelude to solutions, especially in prolonged displacement situations. • Promote women’s access to skills training, including in literacy/numeracy, credit and employment opportunities, to job placements, agricultural, and income-generating projects and microfinance institutions, focusing
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		<p>specific activities on women, such as business skills training courses for women only.</p> <ul style="list-style-type: none"> • Reduce the risk of friction within the family or community by raising awareness of the positive aspects of women’s entrepreneurship. Work in particular with male community members to enhance their understanding of the benefits derived from women being self-reliant and help them appreciate and support women’s entrepreneurial activities. • Work with grassroots women’s organizations to strengthen the coping skills of displaced and returnee women, upgrade their livelihood skills, and encourage their participation in decision-making. • Before launching large-scale micro-credit schemes, promote land-based agricultural activities and introduce diversification with small-scale home- based enterprises, such as rearing poultry and small animals, that provide not only additional income but also nutritional supplements. • Support education for girls, including leadership training for adolescents, so that they can aspire to better work and employment. • Build on positive traditional and community mechanisms, such as common property resources and customary rights for the poor. • Include agricultural tools for women in non-food item (NFI) distribution
<p>i) ensure access to healthcare, education and other services</p>	<p>Executive Committee Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006</p>	<p>j) Secure environments are to be established and strengthened, including by partnerships and actions to:</p> <p>i) prevent and respond to SGBV in accordance with international standards set out in UNHCR and other relevant guidelines,¹ including through provision of quality health services to address the specific needs of women and girls at risk;</p>
	<p>Convention on the Elimination of all forms of Discrimination Against Women (CEDAW, 1979), Article 12.</p>	<p>States have a responsibility to “take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning”</p>

	<p>UNHCR Handbook for the Protection of Women and Girls (2008)</p>	<p>Pg 285</p> <p>“Lack of sanitary material undermines their opportunity to participate in community activities, registration, food distribution, training programmes, and employment opportunities. When menstruating, they may be forced to remain in their homes all day and only creep out at night to wash their clothes so as not to be seen. In order to obtain money to buy sanitary materials, some women and girls resort to survival sex, putting them at risk of HIV, pregnancy, and exclusion from their communities.</p> <p>Strategies for Implementation 5.5.2 Reproductive health</p> <ul style="list-style-type: none"> • Analyse with women and young adolescent girls the challenges they face in exercising their rights to reproductive health and accessing the services they consider important. • Work with men and boys to analyse their perspectives on these issues. • Work with government and NGO partners, as well as the displaced community, to raise awareness of sexual and reproductive health rights and how they can be incorporated into protection and programme strategies. • Design health programmes based on a full analysis with partners, especially women and men, and agree on an implementation strategy. • Examine where necessary the possibility of engaging alternative counterparts, when partners’ do not feel able to support the implementation of certain aspects of sexual and reproductive health care from a rights-based perspective and highlight UNHCR’s role in upholding women’s and girls’ rights to health and reproductive health. • Establish a reproductive-health focal point at the beginning of an emergency in order to ensure that reproductive health issues are addressed and that the • Minimum Initial Service Package (MISP) can be implemented. <p>Ensure reproductive health interventions are guided by the following principles:</p>
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		<ul style="list-style-type: none"> • women’s and girls rights and needs, • community participation, • quality of care, • skilled personnel • integration of services, • access to services, • information, education, and communication activities, • advocacy for reproductive health, and • coordination among relief agencies. • Offer reproductive health care in the early emergency phase of a displacement situation by implementing the MISP and increase this to provide comprehensive services as soon as the situation allows. • Ensure women and girls at risk can access support, such as medical and psycho-social care, to facilitate their recovery and integration, whether this be in the context of local integration, return, resettlement or other humanitarian programmes. • Provide culturally appropriate sanitary packs to all women and girls from at least 13 to 49 years of age, based on discussions with them. • Make sanitary materials and separate washroom facilities available for girls in schools.
<p>j) Meeting Material needs</p>	<p>Rights of Refugees in the Context of Integration: Legal Standards and Recommendations, 2006</p>	<p>[page 28] Persons requiring additional protection and rights (including against discrimination), especially women and children, are also afforded particular attention with regard to social security in international instruments such as ILO conventions, the CRC and CEDAW.</p> <p>Article 26 of the CRC for instance, requires States Parties to recognize and to take measures to achieve the full realization of the child’s right to social security, in accordance with their national law, though unfortunately no minimum standards for such benefits are offered.</p> <p>Article 11(1)(e) of CEDAW requires States to ensure that women enjoy the same right to (employment-related) social security as men, especially with respect to benefits connected to retirement, unemployment, sickness, invalidity, old-age, and other circumstances rendering them</p>

		<p>incapable of working, as well as paid leave. Article 13 of the same Convention further endeavours to ensure women equal rights to social security which are not dependant on employment, including access to family benefits, and other types of financial assistance such as in the form of bank loans. Under CEDAW, <i>rural</i> women receive particular attention and protection against discrimination in relation to social security programmes available through the State. Amongst other things, article 14(2)(c) stipulates that the State has the obligation to ensure that rural women “benefit directly from social security programmes”, though these are not defined. This provision seeks to ensure nonetheless, that social security for rural women is at least equal to that available to men, and sufficient to ensure adequate living conditions.²⁸² For its part, CERD includes in article 5 protection from racial discrimination in relation to economic, social and cultural rights, and more specifically with regard to the right to favourable conditions of work and to social security.</p>
	<p>UNHCR Handbook for the Protection of Women and Girls (2008)</p>	<p>Pg 211: Access to safe houses : Provide women and girls facing domestic violence and abuse or attack by other members of the community with access to safe houses, especially if there are no mechanisms to remove perpetrators so that they can find immediate safety and can begin to recover from and reflect on their ordeal before medium- and longer-term solutions can be implemented, thereby reducing the risk of further abuse.</p> <p>Ensure that such safe housing alternatives:</p> <ul style="list-style-type: none"> • are in a confidential location to avoid stigma and maximize security; • provide safety and security for those living at or managing the shelter; • allow women and their children to be accommodated together; • develop plans, as soon as a survivor is referred, for a longer-term arrangement;
	<p>Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons:</p>	<p>P42 Provide housing to female-headed households without adult male family members. Be sure that essential items, such as food, water and cooking fuel, are either given directly to women or are distributed through women. Make</p>

	<p>Guidelines for Prevention and Response, 2003</p>	<p>sure that these items are easily accessible so that women do not have to go into isolated areas to collect them.</p> <p>P58: Provide safe shelter and immediate emergency assistance to victims/survivors.</p> <p>p60: Establish “drop-in” centres where victims/survivors can receive confidential and compassionate care, information and counselling. Develop women’s support groups or support groups specifically designed for victims/survivors of sexual violence and their families.</p>
<p>k) Promote durable solutions</p>	<p>Executive Committee Conclusion No. 104 on Local Integration, 2005</p>	<p><i>Reaffirming</i> that voluntary repatriation, local integration and resettlement are the traditional durable solutions, and that all remain viable and important responses to refugee situations; <i>reiterating</i> that voluntary repatriation, in safety and dignity, where and when feasible, remains the most preferred solution in the majority of refugee situations; <i>noting</i> that a combination of solutions, taking into account the specific circumstances of each refugee situation, can help achieve lasting solutions; and <i>agreeing</i> that local integration is a sovereign decision and an option to be exercised by States guided by their treaty obligations and human rights principles, and that the provisions of this Conclusion are for the guidance of States and UNHCR when local integration is to be considered.</p>

