



LOBBY EUROPEEN DES FEMMES EUROPEAN WOMEN'S LOBBY

Brussels, 3rd of September 2008

Re: Upcoming Ministerial Conference “Building a Europe of asylum”, Paris, 8-9 September 2008

EWL calls on the French Presidency and EU Member States to integrate a strong gender perspective in the Common European asylum system

Dear Ministers,

On the occasion of the forthcoming Ministerial conference on “Building a Europe of Asylum”, the European Women’s Lobby (EWL), representing over two thousand women’s organisations in the European Union, calls for a strong gender perspective in the Common European Asylum System (CEAS).

We welcome in this regard the inclusion by the European Commission in its Communication on a policy plan on asylum in June 2008 the need “to incorporate gender considerations” in the future CEAS. In this context, the EWL urgently calls for the following:

1. Gender Unit within the European Asylum Support Office

Such a Unit would prove vital in providing an institutional framework to co-ordinate gender specific issues within the broader asylum support system. Some of the areas of responsibility include: sharing practices and expertise on mainstreaming a gender perspective in asylum policies; compiling models of good practice on gender related asylum claims with the view to informing EU policy and future legislative measures and reforms of the existing Directives; establishing gender-sensitive training for asylum determination authorities, including the identification of vulnerable groups and those with special needs; examining gender sensitive asylum guidelines.

2. Gender-sensitive asylum guidelines

It is crucial in the framework of a European common asylum system that women’s experience of persecution in all of the EU Member States is linked to the criteria of the Geneva Convention and to **Article 9 (f) “acts of a gender-specific or child-specific nature”** of the Qualifications Directive. In order to ensure a gender-sensitive harmonisation process, guidelines are called for on the basis of the UNHCR Guidelines on International Protection¹. Within the framework of Practical Co-operation, the EWL calls for an EU **ad-**

¹ Gender-Related Persecution within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees (2002). <http://www.unhcr.org/publ/PUBL/3d58ddef4.pdf>

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hoc gender expert group to examine EU gender-sensitive asylum guidelines with the aim of assisting asylum determination authorities in interpreting gender-specific asylum claims.

3. Gender-desegregated data and studies

The lack of disaggregated data and statistics impede upon determining the numbers of women who seek asylum and the reasons thereof particularly relating to gender-specific persecution. This in turn makes it difficult to determine the status in which gender-related claims are examined, i.e. refugee status or subsidiary protection as well as the outcomes of the claims procedure. Criteria for determining refusals, when claims are deemed to be 'unfounded', are equally crucial particularly in the context of gender-specific asylum claims. This type of data would also assist in determining criteria for the identification of particularly vulnerable asylum seeking women and also in relation to women (and men) victims of severe forms of torture. **It is particularly urgent to undertake a study on the disparities between Member States concerning the grant of protection on the basis of gender-based persecution and the forms this protection takes.**

4. Country of origin information (COI)

As a standard practice, all COI must include information regarding the status of women² in countries of origin. Moreover, it is important to stress that asylum is an individual right and therefore, the concept of "safe country" or region is in total contradiction with this right. This is particularly the case with regards to women as no country or region can be deemed "safe" given that violence against women and gender based persecution occur in all countries of the world.

The European Women's Lobby remains open to work with you in safeguarding the rights of asylum seeking women in their access to the asylum determination processes and the recognition of the gender-specific nature of persecution, in line with the EU's own Treaty obligations on equality between women and men, gender mainstreaming, the right to asylum and human rights.

We trust that you will give your utmost attention to issue of women asylum seekers and to the recommendations herein.

Yours sincerely,

Myria Vassiliadou
Secretary General

² For a detailed list of the issues that should be included, see EWL contribution to the EC's Green Paper on the future Common Asylum System COM (2007) 301 final