



How Europe takes forward Refugee Compacts: Recommendations related to girls and women

Despite gains in policy and practice in recent years, the capacities and needs of refugee women and girls are too often overlooked. Their skills and abilities go unrecognized. They are underserved, poorly protected, and excluded from decision-making processes. The barriers run the gamut, from inaccessible asylum systems and gender-blind needs assessments to limited access to education, reproductive health care, and safe livelihood opportunities. The detention of migrants, including refugee women and children is on the rise as both a deterrent and a control mechanism. Sexual and gender-based violence (SGBV) is prevalent throughout the displacement cycle yet remains underreported and under-addressed. Intersecting factors such as age, disability, ethnicity, religion, sect, and sexual orientation further compound the risks.

In the New York Declaration, States made a powerful commitment to action on behalf of and in partnership with refugee women and girls, but it turns out that the path towards achieving a Global Compact on Refugees that comprehensively addresses the rights of women and girls is more difficult than expected.

WHY DO WE NEED ATTENTION FOR THE GIRL-CHILD IN REFUGEE AND MIGRATION POLICIES?

- The needs of young female refugees often fall between the cracks as they are located at the intersection of three frameworks: on children, on women and on refugees¹.
- Gender based violence, as a type of violence directed at women because of their sex, lies on a continuum of a life-cycle and starts at an early age. The girl child is discriminated against from the earliest stages of life, through her childhood and into adulthood.
- This violence is rooted in patriarchal gender norms, roles and stereotypes and is intrinsically linked with female sexual-reproductive status. It exacerbates when a girl reaches adolescence - a period when she becomes perceived as a “reproductive asset”.
- Pregnancy and childbirth complications are the second cause of death for 15-19 year-old girls while adolescent pregnancy is a major contributor to maternal mortality and the cycle of ill-health and poverty.
- Male violence against women, including peer violence, may have long lasting and devastating consequences on girls’ lives, including sexual and reproductive dysfunctions, severe and complex post-traumatic stress disorder (CPTSD), suicidal attempts, clinical depression, psychosis, loss of sleep, psychological disassociation loss of confidence and educational attainment, feeling of shame and disgust.

TYPES OF GENDER-BASED VIOLENCE GIRLS ARE MOST VULNERABLE TO:

- Traditional Harmful Practices
- Forced and Arranged Marriage
- Female Genital Mutilation
- Prostitution, Sex Trafficking & Online Pornographic Abuse
- Sexual Violence and Abuse, including Rape
- Forced Sterilisation & Forced Contraception
- Domestic Violence
- Honour Based Violence
- Femicide
- Domestic Servitude & Slavery
- Reduced Education Opportunities
- Discrimination in inheritance

RECOMMENDATIONS

- ❖ **Ensure that gender analysis is incorporated as part of any vulnerability assessment at the onset of refugee arrivals.** It should include an analysis of any discrimination across society and consider the diversity of refugees, ensuring that the most marginalized and at-risk women and girls are identified and supported appropriately.
- ❖ **Register women and girls as individuals upon arrival in the country of asylum.** Women should be registered independently from their husbands or other male household members. Identify unaccompanied girls, given their particular needs and risks of violence and exploitation.
- ❖ **Ensure the disaggregation by sex and age of all data related to children in refugee, migration and integration sectors** in order to include a gender perspective in planning, implementation and monitoring of such programmes.
- ❖ **Ensure that proper funding is allocated for the training of government officials and caseworkers on gender sensitivity, recognition of SGBV survivors and victims of human trafficking.** They should also include training on how to deal with unaccompanied girls, older women, gender variance and those who have disabilities.
- ❖ **Ensure funding for SGBV prevention in the context of protracted refugee crises,** bridging the humanitarian-development divide. This can be done by including this sensitive topic into wider community outreach programmes, and also requires working with men and boys.
- ❖ **Ensure that tradition and religion and their expressions are not a basis for discrimination** against girls. Provide educational and awareness raising programmes on violence against women and girls, including harmful practices.

- ❖ **Ensure that women, young women and girl refugees can realise their sexual-reproductive rights**, including access to sexuality and reproductive health education and services.
- ❖ **Provide accessible and proper information for women, adolescent girls and children on their rights and procedures to have protection at all stages of arrival to allow them to make free and informed choices.** This includes gender responsive legal services, the option to have women-interviewers, legal advisers, translators and interpreters for assistance and include local women’s organization.
- ❖ **Ensure that women and girls are provided sex-segregated safe spaces** in reception and accommodation facilities. Training on violence against women should be compulsory for all personnel of such centres.
- ❖ **Ensure that the “best interest of the child” is at all times interpreted from a gender-sensitive perspective that takes into account specific needs and vulnerabilities of girls.** E.g. unaccompanied girls should not be unscrupulously placed with “families” in order to avoid the risks of sexual and domestic violence.
- ❖ **Establish, maintain, and support mechanisms, processes, and opportunities to facilitate the participation of women and young female refugees in all phases of the displacement cycle.** This includes, but is not limited to, participation in coordination mechanisms, steering committees, consultation through formal and informal channels to local women’s organization and ensure that they are properly integrated mapped and informed about those spaces.
- ❖ **Ensure that refugees are integrated into National Development Plans, where services are planned, designed and implemented to provide equitable access for women and girls from the start.** It includes coordinating with development actors to ensure this inclusion is considered a priority and part of responses and consultations with local women’s groups.

The Global Compact on Refugees should centre and streamline gender justice by:

- ❖ Incorporating existing agreements under international law regarding the human rights, empowerment, and protection of women and girls;
- ❖ Ensuring that it has measurable indicators, including on gender and age, so that progress can be assessed;
- ❖ Recognizing that gender considerations must be addressed at every point in the displacement cycle – from initial flight, during protracted displacement, through to durable solutions – and that intersecting factors such as geographic location, age, disability, ethnicity, religion, and sexual orientation also have impacts on opportunity and vulnerability;
- ❖ Reaffirm the principle of family unity as a core foundation for refugee protection

- ❖ Being grounded in the understanding that effective refugee responses require partnerships with refugee women and girls as leaders and contributors, as well as funding to women’s rights organisations;
- ❖ Ensuring that it requires the collection and use of sex- and age-disaggregated data (SADD) at all stages of the refugee response to better inform planning and programming.
- ❖ Clarifying and strengthening asylum decision-making as it relates to gender-based persecution, which includes rape, sexual slavery, honour crimes and trafficking.

At all stages of consultation, negotiation, and implementation of the Global Compact, **refugee-led and women’s organizations** should be specifically included in unfolding discussions and in the development of policy positions and crafting practice based on its implementation (whether the CRRF or the Programme of Action).

Background: This paper is based on ICVA’s recommendations for the Global Refugee Compact, the views and expertise of the undersigned organisations, and reflections generated during a dedicated event hosted by the Swedish Permanent Representation to the EU on 7 December 2017.

¹ The Girl Child Framework:

- *Violence against Women* – violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (*Istanbul Convention*)
- Gender-Based Violence - violence that is directed against a woman because she is a woman or which affects women disproportionately (CEDAW, Article 1)
- “Women” includes girls under the age of 18” - Article 3 (f) of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention)
- “The girl child is discriminated against from the earliest stages of life, through her childhood and into adulthood... Adolescent girls are both biologically and psychosocially more vulnerable than boys to sexual abuse, violence and prostitution” (1995 the Beijing Declaration and Platform for Action)
- “In addressing issues concerning children and youth, Governments should promote an active and visible policy of mainstreaming a gender perspective into all policies and programmes so that before decisions are taken, an analysis is made of the effects on girls and boys, respectively.” (1995 the Beijing Declaration and Platform for Action)
- “Gender-based violence affects women throughout their life-cycle and accordingly references to women [...] include girls” (CEDAW 2017 General Recommendation 35 updating General Recommendation 19 on Violence against Women)