

Gender aspects of migration and asylum in the EU: An overview

SUMMARY

Against a background of huge worldwide displacement, the EU is currently facing a surge in the number of people arriving in search of international protection. One aspect of this massive movement of people that is beginning to come under the spotlight is its gender dimension. Men and women are exposed to different types of risk and vulnerability during the different stages of migration. Due to their status in society and their sex, women and girls are particularly subject to discrimination and sexual and gender-based violence – which may of themselves be grounds for flight – and have specific protection risks and needs that may be overlooked in reception procedures. In addition, failure to take due account of gender issues in asylum systems and integration measures may lead to discriminatory outcomes. Other factors, including age and sexual orientation, also affect vulnerability and needs.

A body of gender-sensitive standards and guidance on displacement and asylum has been built up at international and EU levels. However, reservations have been expressed regarding some aspects of the EU legal framework, particularly its implementation at national level. It has been concluded that variable responsiveness to gender across the EU means that women are not guaranteed consistent gender-sensitive treatment when they seek protection in Europe.

In the context of the current refugee crisis, stakeholders including the UN Refugee Agency (UNHCR), women's and refugee organisations and the European Parliament have expressed strong concerns about protection gaps, and called for further action to protect women and girls.



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Glossary

Gender-related persecution: a term encompassing the range of different claims in which gender is a relevant consideration in the determination of refugee status. Persecution may result from gender-discriminatory laws in a person's home country or from culturally accepted forms of violence against women, such as domestic abuse, female genital mutilation (FGM), or 'honour' killings, which women may not be able to seek protection from by appealing to their home country governments.

Gender-based violence: acts committed against persons, whether male or female, because of their sex and/or socially constructed gender roles, which may include, but are not always manifested as a form of sexual violence. The acronym 'SGBV' may be used to encompass both.

Gender vs sex: 'Sex' refers to biological and physiological differences between females and males. 'Gender' refers to the social differences between females and males throughout the life cycle that are learned, and though deeply rooted in every culture, are changeable over time and have wide variations both within and between cultures. Gender has a direct influence on roles, relations, vulnerabilities, needs and capacities.

Sources: European Commission, DG Echo [Gender Brochure](#), 2014; World Health Organization, [Fact Sheet No 239](#), 2016; [SJAC Gender & SGBV Documentation Policy](#), 2015.

Context

Against a background of massive [worldwide displacement](#), the European Union is currently experiencing a surge in the number of people arriving in search of international protection. In [2015](#), over 1 million people – refugees, asylum-seekers and other migrants¹ – came to Europe, either fleeing conflict and persecution, or in search of better prospects, and this trend has [continued](#) in the first months of 2016.² Many of those travelling on perilous routes and rapidly crossing several different EU Member States need [humanitarian aid](#), including access to water, food, shelter, healthcare and psychological and legal support. Once they reach a final destination, many will apply for asylum and some will be given the opportunity to stay and integrate.

While forcibly displaced men and boys also face protection problems, women and girls can be exposed to particular protection problems related to their gender, their cultural and socio-economic position and their legal status, which mean they may be less likely than men and boys to be able to exercise their rights and therefore that specific action in favour of women and girls may be necessary to ensure they can enjoy protection and assistance on an equal basis with men and boys.

[Conclusion on Women and Girls at Risk](#), UNHCR Executive Committee 2006.

The gender dimension of this massive movement of people is now coming into focus, with international recognition that experiences of displacement are [not gender-neutral](#), but fundamentally shaped by gender and gender inequality, and that this needs to be taken into account to ensure an equitable and effective response.

In this context, it is important to investigate the current refugee crisis from a gendered perspective in order to assess the experiences of women and girls compared to those of men and boys in displacement, reception, asylum procedures and integration, ascertain whether EU and national-level responses are commensurate with needs and meet international standards, identify protection gaps and determine what can be done to remedy them. From a different perspective, migration can also open up new opportunities, challenging restrictive gender roles and creating possibilities for engagement in education, work and public life. As the focus moves to integration in host communities, steps will also need to be taken to ensure that women and girls benefit equally.

Protection risks and needs through a gender lens

The smuggler was nice to me but he liked to use women. I know that he used three Eritrean women. He raped them and they were crying. It happened at least twice. Some of the women don't have money to pay the ransom so they accept to sleep with the smugglers. We were held in the desert and the women were sleeping in a tent. The men were sleeping outside. At night, the smuggler would call the name of a woman he liked. If she refused to come out, he would force her and say, 'I want to help you. I want to give you the money. I will let you travel to Europe without paying anything.' After it happened a few times, we decided to protect the women. We wouldn't sleep at night because we were guarding the tent.

Medenine, a 17-year-old Somali boy interviewed by Amnesty International, Tunisia, March 2015. Source: [Amnesty International](#), May 2015.

Although displacement poses risks for everyone, as a result of gender norms, roles and relations, men and women are exposed to [different types of risk and vulnerability](#). Due to their status in society and their sex, women and girls are particularly vulnerable to [discrimination and SGBV](#) – which may in itself be grounds for flight – and have other specific protection risks and needs that may be overlooked in [reception systems](#), including [detention](#). In addition, failure to take due account of gender issues in asylum procedures and integration measures may lead to discriminatory outcomes. Here too, women and girls may face additional challenges [securing asylum](#) and [integrating](#) into host communities. Gender intersects with other factors such as age and disability, leaving [girls, older women and those with disabilities](#) particularly vulnerable. Lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals also face [specific challenges](#).

Sexual violence is one of the most [pervasive threats](#) to women and girls using 'irregular' routes into and through Europe – especially those without support or travelling alone:

- **SGBV in countries of origin:** Rape and other forms of sexualised violence are used in conflict, primarily against women. In Syria for example, both are [reported](#) to be widespread in [detention](#) and other contexts. Women and girls may also be at risk of practices such as [FGM](#) and [forced early marriage](#), including in 'safe' countries.
- **Domestic violence:** Gender roles can be challenged by the disempowering experience of being a refugee, and the resulting [loss of self-esteem among men](#) can lead to an increase in domestic violence against women and children.
- **Coerced 'survival sex':** UNHCR [reports](#) that women and children, in particular, are being forced into 'survival sex' along migration routes, providing sexual services in exchange for continuing their journey, safe passage for themselves or their families or to obtain necessary documentation or other assistance.
- **Human trafficking:** In February 2016, Europol [reported](#) that over 90% of refugees and migrants arriving in the EU resort to migrant smugglers in order to reach their destination, and that many of these are also involved in human trafficking. The International Organization for Migration (IOM) has [identified](#) refugees and migrants as the groups most vulnerable to trafficking, with women and girls within these groups most at risk and most likely to be taken for sexual exploitation.³
- **Sexual harassment in transit camps and reception centres:** Both outside and within Europe, harassment and assaults have been [documented](#) against female refugees and migrants – by other migrants and by public officials or staff in reception and detention centres. Women and girls alone or with children feel particularly threatened in transit areas and camps, where the risks are compounded by overcrowding and lack of segregated sleeping and sanitary facilities.
- For women and girls in particular, SGBV may have severe secondary effects. In Syria

and elsewhere, [societal attitudes](#) mean that they may be particularly reluctant to report SGBV due to the shame, social stigma and 'dishonour' to their families. They may also risk further physical and sexual violence when reporting SGBV.

Women refugees and migrants have particular [health risks and needs](#). In countries of origin, their health may already be compromised by disruptions to essential services. During displacement, lack of access to family planning, obstetric care and sexual health services can put women and girls at greater risk of unwanted pregnancy, unsafe delivery and sexually transmitted infections, including HIV. Pregnant and breast-feeding women need nutritional support. All women and girls have basic hygiene needs, including sanitary napkins, which can be met through provision of 'dignity kits'. In addition to general [healthcare and support](#), survivors of SGBV require specialised assistance.

Women may face greater [obstacles in accessing asylum and have specific needs in the asylum process](#). They may be less able to travel to seek asylum due to lack of resources or cultural norms. They may be unaware of their rights or not know that the form of harm they have suffered can be grounds for a claim. If the harm they have suffered took place in the private sphere, or if their political activities are undocumented, it can be harder for them to establish the credibility of their claim. Trauma, shame, or the presence of family members may make it particularly difficult to speak about their experiences. These obstacles may not be recognised in asylum procedures or by the officials handling claims. Having safe spaces, sufficient time and trained female staff to assess their claims can be crucial to fair consideration of their application.

One young Sri Lankan woman, seeking asylum in France, was forced to take her seven year-old son with her to her substantive asylum interview. She explained: *He heard it all. At one point, he asked if he could go out because what he heard was too hard for him.*

Source: [Study for the European Parliament](#), 2012.

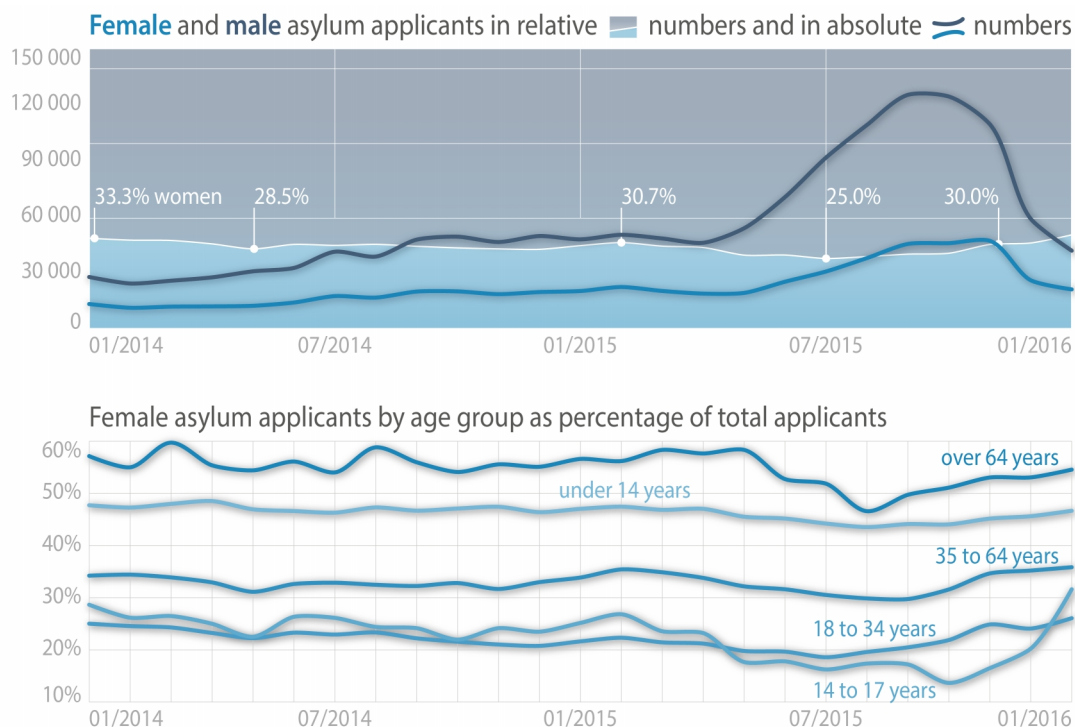
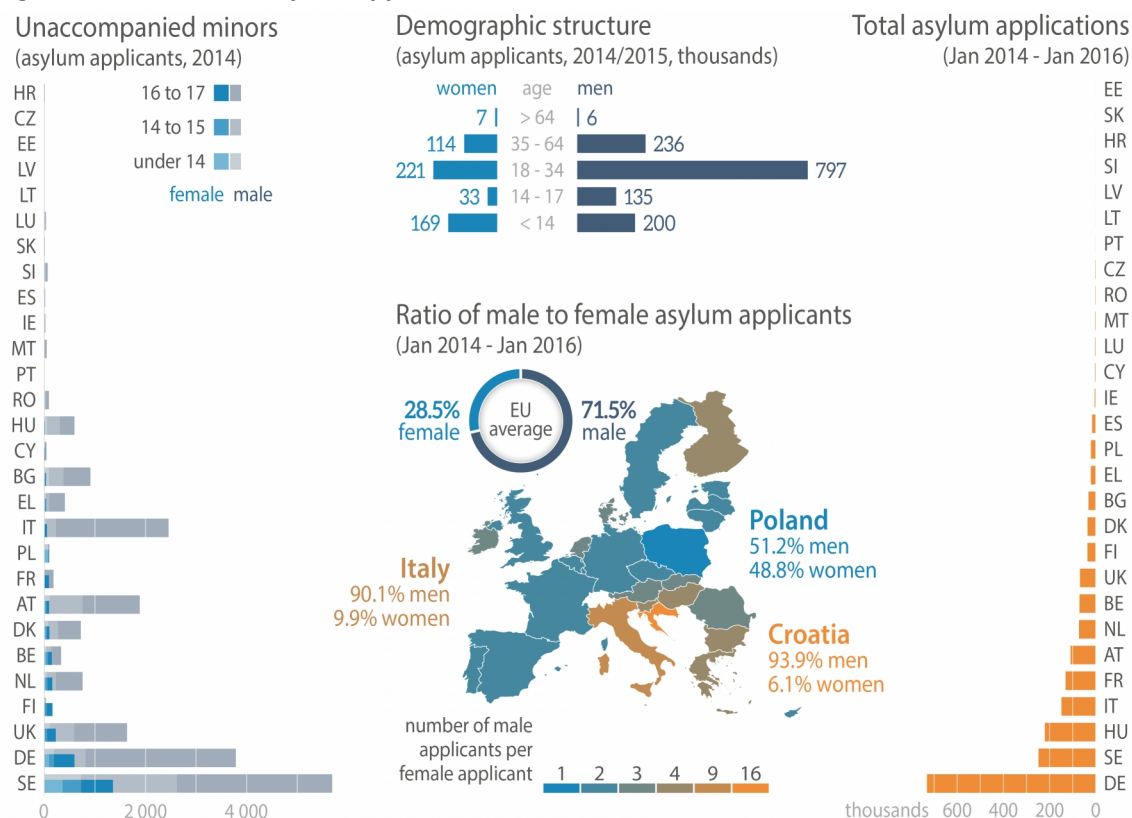
Women also face [further challenges](#) in host countries, where lack of childcare may prevent access to training and employment, hampering social inclusion and integration.

Gender-disaggregated statistics

Gender-disaggregated data are needed to identify specific protection needs, ensure that asylum policy and practice are not discriminatory and inform social inclusion and integration policy. Member States are required to provide gendered information on the number of asylum applicants and the grant of refugee status or other subsidiary forms of protection, but a number of gaps have been identified.⁴

Data collection on arrivals is problematic and disaggregated figures for all land and sea arrivals are unavailable. According to [UNHCR data](#), of the total of 1 015 078 refugees and migrants who arrived in the EU by sea in 2015, 58% were men, 17% women and 25% children (gender not specified).⁵ However, the balance appears to be changing. On 1 March 2016, UNHCR figures [showed](#) that of the 130 110 arrivals by sea since 1 January 2016, 47% were men, 20% women and 34% children. [Demographic profiling](#) by REACH in February 2016 also shows that the majority (65%) of groups travelling on the [Western Balkans route](#) were families, whilst men travelling alone represented one fifth (21%) of the total. This shift has implications for the targeting and organisation of support.

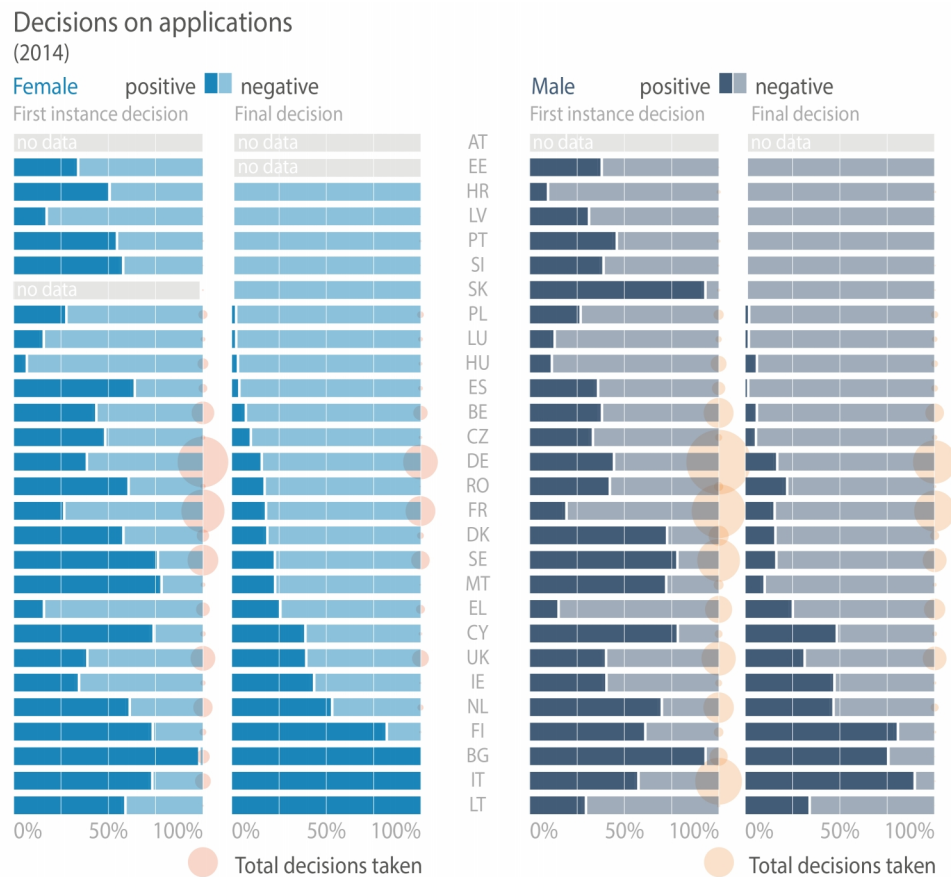
Asylum figures may provide a more stable source of data, although many cases are [reported](#) to be pending.

Figure 1: Share of female and male asylum applications in the EU-28**Figure 2: Sex ratios in asylum applications from minors and across EU Member States**

Between 2014 and 2016, more men than women applied for asylum across the EU-28 (Figure 1), but with differences across age groups. There are interesting variations in the ratio of male to female applicants between EU Member States (Figure 2). Given the current complexity of migration flows and the variety of individual reasons for seeking asylum in particular countries, further research is necessary to make inferences about the reasons. On asylum decisions, Eurostat [reports](#) that in 2014, close to half (45%) of

EU-28 first-instance asylum decisions resulted in positive outcomes, that is grants of refugee or subsidiary protection status, or an authorisation to stay for humanitarian reasons. For final decisions, the share of positive outcomes was lower, at 18%. Gender-disaggregated data (Figure 3) shows that recognition rates in general and by sex varied widely, warranting further research.

Figure 3: Share of women and men in positive and negative decisions



The international and European legal framework and guidance

Female applicants may be subjected to the same forms of harm as male applicants but they may also face forms of persecution specific to their sex, such as sexual violence, dowry-related violence, female genital mutilation, domestic violence, and trafficking.

Source: UNHCR [Guidelines on Gender-Related Persecution](#), 2002.

Since the 1990s, when the United Nations High Commissioner for Refugees (UNHCR, or the UN Refugee Agency) issued its first [policy](#) on refugee women and [guidelines](#) for their protection, a body of gender-sensitive standards and guidance on displacement and asylum has been built up at international level. At EU level, too, there have been moves to include more gender and gender-identity sensitive procedures in [humanitarian action](#) and the rules of the [Common European Asylum System](#) (CEAS).

Gender aspects of international law

At international level, standards providing a framework for protection are set out in a number of instruments of international refugee, human rights and humanitarian law. These have evolved to take account of the specific situations of women and girls and LGBTI individuals.⁶ The [Convention on the Elimination of All Forms of Discrimination against Women](#), in particular, should be [read across](#) to international refugee law.

The fundamental instrument for international refugee protection remains the [1951](#)

[Geneva Convention relating to the Status of Refugees](#) (hereafter Refugee Convention), amended by the 1967 Protocol. As well as defining who qualifies as a refugee, it guarantees a range of rights, including: to seek asylum; not to be returned to a country where life or freedom would be in danger (*non-refoulement*); non-discrimination; freedom of movement; and to access work and education.

The Convention was drafted before women's rights were recognised as a fundamental aspect of international law, and the original text lacked a gender perspective. Notably, neither sex nor sexual orientation are included in the international definition of a refugee as: 'a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country' (Article 1). Consequently, women's experiences of persecution, and forms of harm that only or mostly affect them, have tended to be excluded from the dominant interpretation of the Convention, and they have been unable to benefit consistently and equitably from its protection.

However, as stated in the (non-binding) UNHCR [Guidelines on Gender-Related Persecution](#) (2002), it is now accepted that **proper interpretation of the refugee definition should cover gender-related claims**. In particular, gender-based violence (e.g. domestic violence, rape, forced marriage, FGM and trafficking), cumulative discrimination (e.g. the effect of serious restrictions on the right to earn a livelihood) and disproportionately severe punishment (e.g. against women whose actions transgress accepted custom or traditions), may all equate to persecution and support a claim for refugee status, whether perpetrated by the state or private actors.⁷ This allows consideration of previously disregarded forms of persecution predominantly affecting women, including those which take place in the domestic sphere.

Under the UNHCR [Guidelines on Membership of a Particular Social Group](#) (2002) **women can be recognised as a social group** under Article 1A(2) of the Convention. The same applies for **LGBTI individuals**, as recognised in these guidelines and the [Guidelines on Claims to Refugee Status based on Sexual Orientation and/or Gender Identity](#) (2012). The fact that age is not explicitly mentioned in Article 1 of the Convention as individual grounds of persecution means that the **special circumstances of asylum-seeking children** have not always been taken into account. The [Guidelines on Child Asylum Claims](#) (2009) clarify that 'persecution of kin; under-age recruitment; trafficking of children for prostitution; and sexual exploitation or subjection to female genital mutilation, are some of the child-specific forms and manifestations of persecution which may justify the granting of refugee status'.

Several other international guidelines and standards are particularly relevant in relation to the cross-cutting issues of **gender-based violence and health**:

- UNHCR has issued specific guidance on [trafficking](#) (2006) and [Female Genital Mutilation \(FGM\)](#) (2009), clarifying that these may be **grounds for refugee status both for victims and persons at risk**. New [Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action](#), were issued in 2015, stipulating that actors should start from the premise that GBV is occurring and take action, regardless of the presence or absence of concrete evidence.
- The Council of Europe's 2011 [Istanbul Convention](#) on preventing and combating violence against women and domestic violence requires that **protection must be provided to women without discrimination on any grounds, including 'migrant or**

refugee status, or other status'. Two articles (60 and 61) relate specifically to the rights of women seeking asylum. Article 60 stipulates that: (1) parties to the Convention must provide the legislative framework to **recognise gender-based violence as grounds for persecution** within the meaning of Article 1 of the Refugee Convention; (2) parties must give a **gender-sensitive interpretation to all the other grounds** of Article 1; and (3) parties must provide **gender-sensitive reception conditions, support services and asylum procedures**. Article 61 provides that the **principle of non-refoulement applies for victims of gender-based violence**.

- The [International Covenant on Economic, Social and Cultural Rights](#) (ICESR) recognises the **enjoyment of the highest attainable standard of health as a fundamental right or every individual, regardless of immigration status** (Article 12(1)). As well as health care, this includes a right to a certain number of underlying preconditions, including safe water and sanitation, food, nutrition and housing, and access to information, including on sexual and reproductive health. The right to health must be fulfilled at each stage of the migration process.

All EU Member States are parties to the Refugee Convention, CEDAW and ICESR, whilst 12 have [ratified](#) the Istanbul Convention.

Gender aspects of EU law and policy

Mirroring international law, the [EU legal framework](#) has evolved to give increasing recognition to the gender aspects of migration and asylum. The key acts comprising the Common European Asylum System (CEAS) incorporate gender-sensitive elements, some of which have been expanded in recent recasts:

- Regarding the **determination of refugee status**, the [Qualification Directive 2011/95/EU](#)⁸ clarifies that **gender-based persecution and persecution by non-state actors are valid grounds** for refugee status and that gender, **including gender identity and sexual orientation should be considered when defining a particular social group** (recital 30). Member States must also consider 'child-specific forms of persecution' when assessing applications from minors (recital 28) and provide subsidiary protection status for individuals who are not eligible for refugee protection, but demonstrate 'substantial grounds' for believing that they would face real risk of serious harm if returned to their country of origin (Article 20).
- With respect to **asylum claims**, the revised [Asylum Procedures Directive 2013/32/EU](#) aims to ensure that all Member States apply a common, high quality standard when examining applications. From a gender perspective, this includes an **obligation to identify applicants who might require specific procedural guarantees because of their age, gender, sexual orientation or sexual identity** (recital 29), and to **ensure substantive equality between female and male applicants** (recital 32). **Procedures are to be gender sensitive**, which means, in concrete terms, that interview conditions should allow applicants to speak about gender-based persecution (ibid.), that family members should not be present (Article 15), that applicants should have access to an interviewer of the same sex (ibid), and that staff dealing with claims should have training (ibid) or access to gender expertise (Article 10). Any procedures based on the concept of 'safe third country' or 'safe country of origin' must take account of the complexity of gender-based persecution (recital 32). Those in need of special help due to age, disability, illness, sexual orientation, torture, rape or other serious forms of psychological, physical or sexual violence, are to be given support and time to explain their claims (Article 24).

- Concerning the **conditions in which asylum applicants are to be received**, the [Reception Conditions Directive 2013/33/EU](#) regulates access to housing, food, health, medical and psychological care and employment while claims are examined. The category of '**vulnerable persons**' requiring **specific protection**, which initially included pregnant women, single parents of minors, and victims of torture, rape or other forms of physical, psychological or sexual violence, was extended in the recast to include **victims of human trafficking and FGM**. For these persons, Member States are required to conduct individual assessments to identify specific reception needs, and provide access to psychological support. The Directive also sets out common rules on the detention of asylum-seekers, including **restrictions on detention for vulnerable persons** (Article 11). Article 18 stipulates that gender and age-specific concerns must be taken into account.
- In addition to the CEAS directives, the [Victims Directive](#) requires that support be provided to all victims of crime and can be [interpreted](#) to apply to asylum seekers.
- With regard to **family reunification**, which can affect women differently from men, as principal applicants and dependents, the [Directive on the right to family reunification](#) (2003/86/EC) stipulates that the right to family reunification must be implemented in respect for the rights of women and children (recital 11). The [Communication on guidance for application](#) (2014), clarifies that under Article 15(3) the particularly difficult circumstances where an autonomous residence permit may be given, include domestic violence, forced marriage and risk of FGM.

Gaps in protection

There are vast and worrying disparities in the way different EU States handle gender-related asylum claims. As a result, women are not guaranteed anything close to consistent, gender-sensitive treatment when they seek protection in Europe. Women seeking asylum are too often confronted with legislation and policy that fail to meet acceptable standards, while even gender-sensitive policies are not implemented in practice.

Source: [Gender-related asylum claims in Europe](#), European Parliament, 2012.

Reservations have been expressed about aspects of the EU legal framework and its transposition and implementation at national level, which are contributing to protection gaps for women and girls.

Regarding the legislative framework itself, there are [concerns](#) about the extent to which the Qualification Directive will provide consistent protection for gender-related claims. There are also issues regarding proper consideration of claims in the kind of '[accelerated](#)' [asylum procedures](#) which began to be introduced in the European Union in the mid-2000s and which have recently been further emphasised in the context of the current influx of refugees. Although the planned [common list of 'safe countries'](#) may lead to comparable standards, generalising about safety risks could lead to specific instances of persecution being disregarded and women's rights are often unreferenced in assessments of safeness.⁹

In **relation to asylum**, a number of sources, specifically studies for the United Nations ([2004](#)), the Council of Europe ([2010](#)), the European Parliament ([2012](#)) and recent academic research ([2014](#); [2015](#)) have pointed to continuing divergences between European countries when it comes to the integration of gender in asylum policy and practice, with many disparities in the way EU Member States handle claims. Not all countries recognise women as members of a social group under the 1951 Geneva

Convention. Sexual violence, and specific forms of harm, such as trafficking and [FGM](#), are not always recognised as persecution.

On **reception conditions across the EU**, an evaluation published in 2014 [illustrated](#) that here too, even before the current pressures, there was considerable disparity across the EU and further efforts were required to ensure appropriate standards for vulnerable persons. A [report](#) published by the Centre for European Policy Studies (CEPS) in September 2015 notes that several countries are currently 'failing abysmally to meet their standards'. As of [September 2015](#) infringement proceedings were pending against 19 Member States. Research from 2015 also [documented](#) unacceptably high risks of sex and gender based violence in reception centres across Europe.

As yet, there are no EU wide gender guidelines on refugee status, asylum and reception that could enable harmonised gender-sensitive asylum systems to be implemented although gender-sensitive guidelines have been introduced in some sectors. Within the remit of EU humanitarian assistance, which is [coming into play](#) in the refugee crisis, all projects funded through the EU humanitarian budget are now expected to follow the [European Consensus on Humanitarian Aid](#) and related gender [guidelines](#) (2013). The European Asylum Support Office (EASO) has introduced a training module on 'Gender, Gender Identity and Sexual Orientation' and a gender mainstreaming throughout the curriculum. EASO has also issued gender-sensitive Country of Origin (COI) information for [Chechnya](#) and [Nigeria](#), and on [LGBT issues](#). A workshop on FGM is planned for June 2016, looking towards a possible COI publication on this topic.¹⁰

Without European rules, UNHCR guidelines should help to ensure common standards, yet the study published by the European Parliament in 2012¹¹ [found](#) that they were overlooked in all the countries researched. Where national gender guidelines existed, they were not always implemented. Thus, as noted by Freedman (op cit.) even where specific guidelines exist, this may not be sufficient to ensure protection in practice.

In the current refugee crisis, reports by international organisations, human rights groups and women's and refugee organisations have spotlighted severe systemic failings in the response to the risks faced by women travelling to and through Europe including:

- Inadequate planning, which has led to a hastily designed response and to dangerous conditions along the route, especially for the most vulnerable among the refugees: single women traveling alone, female-headed households, pregnant and lactating women, adolescent girls, unaccompanied minors and persons with disabilities; ([Women's Refugee Commission](#) (WRC), 2016)
- A failure to identify vulnerable groups and ensure that they can register and get proper access to basic services such as food and health care; ([Human Rights Watch](#), Lesbos, October 2015).
- A dearth of all services that specifically respond to the needs of women and girls, such as separate distribution lines for food, separate [WASH](#) facilities, separate accommodation for specific groups, including single women and female headed households and safe spaces to leave young children; (WRC, [2015](#))
- A lack of prevention and response services for SGBV, including: a lack of trained staff to inform, identify and support victims, too few female interpreters, a complete absence of clinical care and no formal case management or coordinated cross-border response (WRC, [2015](#) and [2016](#)).

Stakeholder positions and recommendations

In view of the above, the UNHCR has [called](#) for further action to protect women and children on the part of European governments. On the basis of the assessment missions in 2015 and 2016, UNHCR, the United Nations Population Fund and Women's Refugee Commission have also issued a number of [concrete recommendations](#) to the EU and national governments regarding the improvement of conditions in transit camps, support for victims of SGBV and the development of long-term gender-sensitive asylum, protection and integration systems, including mechanisms for family reunification.

Amnesty International has strongly criticised the failure by governments and aid agencies to provide protection to women, [stating](#) that, 'if this humanitarian crisis was unfolding anywhere else in the world we would expect immediate practical steps to be taken to protect groups most at risk of abuse, such as women travelling alone and female-headed families. At a minimum, this would include setting up single-sex, well-lit toilet facilities and separate safe sleeping areas'.

Following up [previous work](#) on gender and asylum, the European Women's Lobby (EWL) has [called](#) for a clear EU response to women's rights in the current situation.

EU positions

At EU level, the [Council Conclusions on migration](#) of 12 October 2015 express a commitment to upholding the human rights of women and girls. In its [work on immigration and asylum](#), the European Economic and Social Committee has set out [recommendations](#) for long-term integration of migrant women.

On 8 March 2016, the European Parliament is due to vote on an own-Initiative [Report on the situation of women refugees and asylum seekers in the EU](#) from the Committee on Women's Rights and Gender Equality (FEMM) (Rapporteur Mary Honeyball, S&D), which calls for urgent action to improve safety and security and steps to ensure that all asylum policies and procedures are made gender sensitive. Specifically, it urges that safe and legal routes to the EU be made available for those fleeing conflict and persecution; that all EU countries sign and ratify the Istanbul Convention and recognise gender-based violence as grounds for claiming asylum and that a comprehensive set of EU-wide guidelines be adopted as part of wider reforms to migration and asylum policy. These standards should include safe and adequate reception facilities, trained staff and female interviewers and interpreters and avoidance of detention for vulnerable women, including survivors of sexual violence. The report also calls for consideration to be given to measures such as access to education, training and childcare to promote the integration of women asylum seekers and refugees and urgent action against people smugglers. The FEMM Committee has also conducted fact-finding missions in refugee camps across Europe and has made the issue the focus for the [events](#) marking International Women's Day in 2016.

I fled my country because of the persecution I had been subjected to because of my activism against excision and my political engagement to promote the rights of women.

Halimatou Barry; Source: [Too Much Pain – the Voices of Refugee Women](#), UNHCR, 2014

Main references

[Female refugees and asylum seekers: the issue of integration](#), Silvia Sansonetti, Policy Department C, European Parliament, February 2016

[The reception of female refugees and asylum seekers in the EU – Case Study Germany](#), Anne Bonewit, Policy Department C, European Parliament, February 2016

[No Safety for Refugee Women in the European Route: Report from the Balkans](#), Women's Refugee Commission, January 2016

[Initial Assessment Report: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis Greece and the former Yugoslav Republic of Macedonia](#), UNFPA, UNHCR and Women's Refugee Commission, November 2015

[Female refugees face physical assault, exploitation and sexual harassment on their journey through Europe](#), Amnesty International, 18 January 2016

[Taking action against violence and discrimination affecting migrant women and girls](#), IOM, 2013

[Gender-related asylum claims in Europe: A comparative analysis of law, policies and practice focusing on women in nine EU Member States](#), Study for the European Parliament, 2012

Endnotes

- ¹ For definitions of refugee, asylum-seeker and migrant status, see: [Refugee status under international law](#), EPRS, 2015. UNHCR has [highlighted](#) that current migration flows into the EU are 'mixed', i.e. they comprise both people fleeing from war, conflict and persecution and individuals moving for other reasons, who share the same migration routes and risks. Accordingly, migration in this paper includes the movement of refugees, displaced persons, economic migrants and persons moving for other purposes, including family reunification. The focus is on 'irregular migration' and a gendered analysis of the protection needs of refugees and asylum-seekers. However, the analysis also touches on certain areas, such as [family reunification](#), which fall into the area of 'legal migration' into the EU.
- ² [UNHCR: Refugees/Migrants Emergency Response – Mediterranean](#) provides detailed and continuously updated data. According to Eurostat figures, as at 26 February 2016, a total of 1 297 420 asylum applications were registered in the EU in 2015. Data for October, November and/or December 2015 are still missing for certain Member States.
- ³ Further information on trafficking and the EU response to it can be found in [The gender dimension of human trafficking](#), S. Voronova, A. Radjenovic, EPRS, 2016. The European Parliament's Committee on Women's Rights and Gender Equality (FEMM) is considering a [draft own-initiative report](#) on the gender dimension of the implementation of EU Directive (2011/36/EU) on combating trafficking in human beings (rapporteur: Catherine Bearder, ALDE, UK).
- ⁴ [Comparative analysis of gender-related persecution in national asylum legislation and practice in Europe](#) (UNHCR, 2004); [Gender-related asylum claims in Europe](#) (EP, 2012); and [Gendering the International Asylum and Refugee Debate](#), (Jane Freedman, 2015). Shortcomings included inconsistent reporting of gender-disaggregated data, particularly on the number of asylum appeals and their outcomes. Beyond the numbers, the lack of reporting on the types of gender-related persecution in applications and decisions, which would help to indicate how gender-sensitive asylum systems are in practice, is a crucial gap.
- ⁵ Figures accessed in December 2015 from the continuously updated [data on arrivals](#) published by UNHCR. As of November 2015, the figures, cited in a UNHCR–UNPF–WRC report, were 16% women and 20% children.
- ⁶ [The IASC Gender Handbook \(Women, girls, boys and men – different needs, equal opportunities\)](#), December 2006: Detailed analysis showing how each incorporates gender and women's rights, is set out on pages 15-26.
- ⁷ For an extensive list of the forms of harm recognised as persecution on the basis of gender and gender-sensitive interpretations of the Convention Grounds see the [Guidelines for protecting women and girls during first entry and asylum procedures in Greece](#), UNHCR and Government of the Hellenic Republic, 2011, pp. 13 – 14.
- ⁸ The recast Directive is binding on all Member States except for the United Kingdom and Ireland, which will continue to be bound by the 2004 Directive, and Denmark, which is bound by neither.
- ⁹ Jane Freedman (2015), op. cit. p. 141
- ¹⁰ Source: statement received from EASO on 29 February 2016.
- ¹¹ See note 2.

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