

## Chapter 2: Women Forced to Flee

*I was an organizer and educator of peasant groups in Magdalena Medio, the heart of the oilfields in northern Colombia. I was in the office when a videotape was delivered to me. I saw on the tape a colleague of mine being tortured and killed. The message was clear: If I continued with my activities, I'd be next. I ran to the police and asked for their protection but they told me there was nothing they could do. I was afraid for my own life, and for my co-workers. I fled to Bogotá.*

*Maria, a community organizer*

Maria was living with friends on the outskirts of Bogotá when we met her. She had become one of the approximately 40 million people – an estimated 80 per cent of whom are women and children – who have fled their homes because of armed conflict and human rights violations.<sup>1</sup> Approximately 12 million of these displaced persons are refugees, which means they have crossed an international border. Some 25 million have been forced to flee but remain within their own nations and are considered ‘internally displaced persons.’<sup>2</sup>

Armed conflict, political violence and civil unrest forcibly uproot hundreds of thousands of civilians every year. Communities are being torn apart by the routine tactics of war. Intimidation, terror, murder, sexual violence and forced displacement drive people out of their homes, leaving them without food, shelter or health care. This is often not an indirect effect of war but a careful calculation by combatants. As Secretary-General Kofi Annan said in his report to the Security Council on protection for humanitarian assistance to refugees and others in conflict situations, “the forced displacement of civilian populations is now often a direct objective, rather than a by-product, of war.”<sup>3</sup>

During our visits, we met with many women who shared with us the horrors that had led to their displacement. The circumstances are unique in each country, but the stories are similar. In places such as Afghanistan, Angola, Bosnia and Herzegovina, the Republic of Chechnya, Colombia, the Democratic Republic of the Congo (DRC), East Timor, Guinea, Haiti, Indonesia, Liberia, Sierra Leone, Somalia and in the occupied Palestinian territories – whose people constitute the longest-standing and largest refugee population – women have been forced from their homes and exposed to indiscriminate violence while searching for a safe haven.

In a refugee camp in Guinea, we met Rebecca, a 45-year-old mother. Three years earlier, two of her seven children had disappeared in the scramble to escape from rebel troops. “In 1998, we ran away from our town in Bo [Sierra Leone],” she told us. “A group of rebels caught us and murdered my husband. They made me take off all my clothes and lie on the ground. I was sure they were going to kill me, but one of the rebels was a boy from my village, and he asked the others to leave me alone.”

As with all aspects of war, displacement has specific gender dimensions. Women are more likely to end up as displaced persons and to become the sole caretaker for children. Women and girls have to learn to cope as heads of household, often in environments where, even in peacetime, a woman on her own has few rights. And having fled, they may find themselves vulnerable to attacks and rape while they are escaping and even when they find refuge. They may become trapped between opposing factions in areas

where there is no humanitarian access, as was the case in the DRC.<sup>4</sup> In a hostile environment, without access to basic services, women are expected to provide the necessities for themselves and their families. After talking to women in many different countries, we learned that this may mean being forced to provide sexual services in return for assistance or protection. Other times women may have no choice but to become prostitutes in order to support their families.

*A refugee is a person who, as a result of well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion, is outside the country of his [or her] nationality and is unable, or owing to such fear is unwilling, to avail himself [or herself] of the protection of that country.*

*1951 Geneva Convention on the Status of Refugees, Article I.A.(2)*

*Internally Displaced Persons are persons or groups of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of, or in order to avoid the effects of, armed conflict, situations of generalized violence, violations of human rights or natural or human made disasters, and who have not crossed an internationally recognized State border.*

*Guiding Principles on Internal Displacement*

## **The Responsibility to Protect**

In accordance with international law, the obligation to protect forced migrants lies first and foremost with the government of the State in which the displaced persons are living. Armed opposition groups also have legal and moral responsibilities not to assault civilians or subject them to human rights abuses and to protect the rights of the displaced people in the territories under their control.<sup>5</sup> These rights, however, are regularly violated. Humanitarian agencies can only assist displaced people if the host country allows them access. Some armed opposition groups may refuse access, afraid that their human rights violations will be exposed, even if a government has promised help to people in need.<sup>6</sup> The question of who provides protection and assistance, and when, is one that is hotly debated.

In September 1999 Secretary-General Kofi Annan proposed a new course, calling upon the Security Council to intervene to protect civilians threatened by war. He argued that survival in the 21st century will depend on a broader definition of national interest – one that unequivocally supports basic human rights.<sup>7</sup> In September 2000 the Secretary-General expanded upon this theme and challenged the governments of the world to reject the narrow interpretation of sovereignty that has prevented the international community from providing assistance unless a government asks for it: “If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that affect every precept of our common humanity?”<sup>8</sup>

In response to the Secretary-General’s challenge, the Canadian Government assembled an independent panel of experts in September 2001 which supported the position that the international community must act to protect civilians if a state cannot, will not, or is the perpetrator of “conscience-shocking events crying out for action” such

as “large scale loss of life or large scale ethnic cleansing, whether carried out by forced expulsion, acts of terror or rape.”<sup>9</sup>

### **Internally Displaced Persons: Whose responsibility?**

During the last decade and a half, the nature of displacement has shifted dramatically. The growing number of internally displaced persons, who generally do not have access to international aid, has created what is being called a ‘crisis of displacement’. There are many reasons for the surge in internal displacement. Because of border closings, many people who would have become refugees are trapped inside a country at war. The breakdown of the rule of law and of democratic governance has led to national and regional conflicts and economic chaos. Basic services like water and electricity are disrupted; food supplies are cut off. People fear the violations of international human rights and humanitarian law that have become endemic to many of these wars. Under such conditions, people flee wherever they can. More often than not, they end up somewhere within their own country, although many displaced people can be internally displaced at one stage, then become refugees and then in some cases return to their native country but still be internally displaced. In many cases, the same conflict will create refugees and internally displaced persons. After the referendum for independence in East Timor in 1999, violence and armed conflict forced nearly two-thirds of the total population from their homes: Of an estimated 850,000 East Timorese, more than 200,000 fled or were forced across the border into West Timor, but an even larger number, around 300,000, were uprooted from their homes but remained within the country.<sup>10</sup>

As of 2001 an estimated 13.5 million people were displaced internally in various nations in Africa, 4.5 million in Asia and the Pacific, 3.6 million in Europe, 2.2 million in the Americas and 1.5 million in the Middle East.<sup>11</sup> While refugees are entitled to assistance and protection under international law, the internally displaced have no institutional or legal mechanism for receiving international assistance.<sup>12</sup> The key legal document safeguarding refugee rights is the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol. Under the Convention, States are expected to cooperate with the United Nations High Commission for Refugees (UNHCR), which provides protection and assistance in partnership with governments, regional organizations and non-governmental organizations (NGOs).

The situation for internally displaced persons is less clearly defined. Although international humanitarian law guarantees all civilians the right to protection and assistance, the fact is that humanitarian agencies can only assist internally displaced people if the host country allows them access. In addition, since there is no single agency within the United Nations mandated to provide for internally displaced persons, it can take time to raise the funds, and set up and coordinate the aid programmes they need.

Ultimately, many internally displaced people must fend for themselves, or rely on poorly run, often dangerous camps that are not always under the protection of international agencies. Many of the internally displaced disappear into cities, doubling up with family or friends, struggling to survive on their own. Some, like a group of displaced farmers in Luanda, Angola, have banded together in empty buildings or fields, and receive some food and medical aid. In the Kivu province of the DRC, civilians have fled into nearby forests to escape rebel armies, militias, and the Rwandan army. In 2000, it

was estimated that out of 200,000 people who had fled their homes because of unrest, only 60,000 were in areas where aid workers could reach them.<sup>13</sup> The others struggle to survive in the forests of south Kivu. According to humanitarian workers, these people are destitute: “They don’t have anything human except the shape of a body. The feet are inflated, with several wounds, an empty look...[there are] a lot of cases of mortality in the forest for lack of health care.”<sup>14</sup>

In Colombia an estimated 1.5 million people have been displaced internally by a conflict that has been going on for decades; nearly 80 per cent are women and children. Many of them go to towns or cities hoping to escape armed groups – despite the fact that these groups are based in cities as well as rural areas.<sup>15</sup> Human rights organizations that we met with in Colombia told us that the paramilitaries were responsible for the majority of forced displacement in the country. The Colombian government has recognized this as well, according to the Global IDP Project, which states, “according to the government, in 2000, paramilitaries were responsible for 71 per cent of forced displacement.”<sup>16</sup>

For those internally displaced who have access to camps, provisions are minimal. There are rarely organized methods for distributing food or shelter, and families must devise their own ways to earn money to get these necessities. When we visited Kinshasa, a woman told us that as many as 100 girls from a camp for the internally displaced, desperate for money to buy food, would go “to a certain point on the river, every evening at 5:00 p.m., and bathe naked so that men can choose them.” Most sold themselves for 20 Congolese francs, which amounted to only a few US cents. And in an Indonesian camp for the internally displaced, Masmudeh, who is among the more than 1 million internally displaced persons in the country, said she and her two children had been living since 1997 without basic services or any way to support themselves: “There is not enough money here to buy things that people need like soap. We can’t plant any food to sell or eat. I want to go back to Sambas but I can’t until it’s safe.”<sup>17</sup>

In response to the vast numbers and needs of internally displaced persons, the UN Secretary-General in 1992 appointed a Special Representative on Internally Displaced Persons, Dr. Francis M. Deng, to develop a framework to protect their rights. In collaboration with a team of international legal experts, Deng developed the *Guiding Principles on Internal Displacement*.<sup>18</sup> One of the hallmarks of the principles is that they call for specific recognition of the needs of women. They acknowledge the situation of female heads of households; emphasize women’s physical and psycho-social needs; reaffirm their need for access to basic services; and call for their participation in education and training programmes. Over the past five years, humanitarian agencies have promoted the *Guiding Principles* and used them as a framework for providing assistance and protection to the internally displaced. In addition, a number of countries with internally displaced populations, including Burundi, Colombia and Georgia, have indicated their willingness to use the *Principles* and to adapt national laws to reflect them.<sup>19</sup> Yet, when it comes to the vast majority of the internally displaced, the *Guiding Principles* are not implemented. In our view, these *Principles* are a useful tool that must be adhered to and implemented by all States. Beyond that, these *Guiding Principles* should be enshrined in a binding international instrument, although many of its elements are covered in international humanitarian and human rights law.

The lack of binding principles has led to a situation described in a study by the United States General Accounting Office in 2001 as one in which officials lack “knowledge and

techniques regarding protection considerations and assistance activities in the field.” The study also found that 79 per cent of the 48 countries surveyed reported that they had not taken any action to set up and manage camps for internally displaced persons, or to prevent attacks on women, “such as ensuring that vulnerable female-headed households are not isolated to remote areas in the camp.”<sup>19</sup> The Secretary-General, with the support of other relevant agencies, has created within the Office for the Coordination of Humanitarian Affairs (OCHA) an Internal Displacement Unit that has called for increased attention to protection issues including rapid deployment of protection officers in displacement situations, but there has been little response.

Because there is no framework that guarantees the right of the international community to step in and help the internally displaced, donor nations continue to operate on a case by case basis, largely based on political and economic interests. The indecision about how to increase protection for internally displaced people is exacerbating the crisis. In addition, it has been extremely difficult to raise money for internally displaced persons through international channels.<sup>20</sup> In March 2000 UNHCR said that as a matter of policy it would provide more aid to internally displaced persons, but the number of IDPs it assisted actually declined, from 5 million in 2000 to 4 million one year later, because it did not have the funds to meet the need.<sup>21</sup>

### **Violence against Women in Camps**

Camps for displaced people offer help in desperate situations. But camps can become extremely dangerous places for women. The majority of women we met, whether refugees or internally displaced, told us that they did not feel safe in camps and did not have access to basic necessities. In most camps there are not enough protection officers or female staff. Domestic violence increases, and women and girls face sexual violence and discrimination in the distribution of everything from food to soap to plastic sheeting.

Despite the fact that policies to prevent violence against women are in place, they are not being implemented. It has been particularly shocking to learn that even some humanitarian workers are contributing to violence against women. In April 2002 UNHCR and Save the Children-UK issued a report in which the authors cited numerous stories of sexual violence and exploitation committed by peacekeepers and humanitarian workers in camps in Guinea, Liberia and Sierra Leone. More than 1,500 people were interviewed, and most told similar stories: “If [a girl] refuse[s],” said one woman, “when the time comes for the supply of food items, you will be told that your name is not on the list.” A man in Sierra Leone told interviewers: “If you do not have a wife or a sister or a daughter to offer the NGO workers, it is hard to have access to aid.” The report describes an incident in which a group of peacekeepers banded together to have sex with a child; many girls were forced to sell themselves for as little as US10 cents, enough to buy only a handful of peanuts.<sup>22</sup>

The United Nations Office of Internal Oversight (OIOS) was asked by the UN High Commissioner for Refugees to conduct an investigation into the allegations in the UNHCR/Save the Children-UK report. OIOS could not substantiate any of the cases in the consultants' report, or any allegations against UN personnel. They also looked into 43 additional cases of alleged sexual abuse and were able to substantiate 10 of these cases. The report confirmed that conditions in the camps and in refugee communities in the

region make refugees, especially young women, vulnerable to sexual and other forms of exploitation.

In our visits to the same area, we met girls, the majority between 13 and 18 years old, who said that they too were forced to exchange sex for all manner of aid, including cooking oil, wheat, medicine, transport, loans, educational courses or skills training. In Guinea, we spoke with an international aid worker who admitted that many women were required to have sex with humanitarian workers to obtain what was theirs by right.

The impact of this sexual exploitation is devastating. The teenage pregnancy rate in the camps is estimated at 50 percent.<sup>23</sup> Girls are dropping out of school. And, on a continent that has been ravaged by HIV/AIDS, these girls and women are at grave risk of infection and have little or no hope of receiving proper preventive care.

Women can be subject to many other types of violence in camps. They may be attacked by militia or members of different ethnic groups. And they risk abuse from their own relations. Domestic violence is a severe problem in many camps. Increased spousal battering and marital rape often reflect the stress that displacement inflicts on the family unit.<sup>24</sup> In Macedonia a man said to us, “You need to understand. I am so stressed because of the war. It is inevitable that I beat my wife. That’s just life.” In Angola displaced men and women attribute increasing rates of domestic violence to boredom and frustration and alcohol consumption.<sup>25</sup> At the Gihembe refugee camp in Rwanda, Congolese women gathered around us during a meeting and talked about the domestic violence they saw everywhere:

“There can be conflict in the household. For instance, if I sell part of the camp rations to get food for a younger child, the husband will blame me if he is hungry, or he will take a young wife in the camp,” Ephrace, a farmer, told us.

“The violence we have here only arises because of the way we are living here in promiscuity and poverty,” added Suzanne, an older woman wrapped in a thin faded cotton cloth. But a third woman said the problem was not only in the camps. When she spoke of what she wanted for the future, the group of sixty or seventy women sitting on their wooden benches all nodded vigorously. “Once our children are educated, the girls will know they do not have to submit to violence in order to have a husband.”

Generally, there is no legal redress for victims of domestic violence living in camps; many countries simply do not recognize it as a crime, and humanitarian groups administering camps have not always insisted on the necessity of dealing with the problem. According to the Women’s Commission for Refugee Women and Children, there are no effective guidelines for UNHCR staff specifically on how to respond to domestic violence,<sup>26</sup> although the agency is in the process of revising its guidelines on sexual and gender-based violence, and will incorporate a clearer statement on domestic violence. In the meantime, some staff reportedly have refused to do anything about domestic violence, considering it a ‘private’ family matter.

UNHCR first issued its *Guidelines on the Protection of Refugee Women* as far back as 1991, but as our visits and various other reports indicate, these *Guidelines* have not always been effectively implemented and need to be updated to deal with current conditions.<sup>27</sup> According to the Women’s Commission, the greatest success of the *Guidelines* has been in raising broad awareness among staff and implementing partners to women’s specific needs and strategic interests. But “overall, implementation of the *Guidelines* was found to be uneven and incomplete, occurring on an *ad hoc* basis in

certain sites rather than in a globally consistent way.”<sup>28</sup> UNHCR *Guidelines on the Protection of Refugee Women* are in the process of being revised, as are the *Guidelines on Sexual and Gender-based Violence*. In addition UNHCR’s Agenda for Protection addresses the protection concerns of refugee women, which include safety and security, equal access to humanitarian assistance, registration and documentation, gender-sensitive application of refugee law and procedures and trafficking in women and girls.

UNHCR has initiated several programmes to address the violence against women in recent years. In its Burundian refugee camps inside Tanzania, the agency hired two sexual and gender-based violence assistants and two Tanzanian lawyers to address all cases of violence against women, including domestic violence. It has also hired an international security liaison officer to train police in the camps.<sup>29</sup> In Kenya UNHCR is helping the government to provide mobile courts that travel from camp to camp.<sup>30</sup>

Some camps have set up committees of camp residents to address the violence. In Ngara, in western Tanzania, a sexual and gender-based violence (SGBV) project was established in 1999 by the aid agency Norwegian People's Aid (NPA).<sup>31</sup> UNHCR is also working with the Government of Tanzania to provide better police protection in refugee camps,<sup>32</sup> and is recommending that all humanitarian agencies place more female staff in camps. The agency is considering other actions as well, both broad and specific: These include reviewing humanitarian assistance to determine whether it meets minimum requirements and basic needs; improving the monitoring of aid once it is delivered; increasing support to girls most at risk; improving ways of distributing aid; informing all staff of the code of conduct; and creating channels for refugees to lodge complaints. According to Ruud Lubbers, the High Commissioner for Refugees, UNHCR has prohibited all sexual relations between humanitarian workers and recipients.<sup>33</sup>

A number of these actions come in direct response to the UNHCR/Save the Children-UK report on sexual abuse in the Mano River camps. In addition, the Inter-Agency Standing Committee (IASC), which brings together the humanitarian community, including UN Agencies, the Red Cross movement and NGOs under the chair of the United Nations Emergency Relief Coordinator, established a Task Force in March 2002 on Protection From Sexual Exploitation and Abuse in Humanitarian Crises. The Task Force adopted a Plan of Action outlining steps toward implementing a ‘zero-tolerance’ policy of sexual exploitation and abuse by humanitarian workers. The Plan of Action includes core principles that must be incorporated into agency codes of conduct; situation analysis and assessment of vulnerability to sexual exploitation among displaced groups; improved camp governance that empowers women and children, including in the distribution of food and other assistance; the development of accountability measures and mechanisms; and avenues for reporting abuse and seeking legal, judicial and community-based recourse. The Task Force committed all its members to provide services such as psychosocial support, health care and safety and security measures, and articulated the need for improved monitoring and supervision.

However, at the same time that UNHCR is attempting to institute greater protection and support for women in camps, it is suffering from an overall drop in donor funds to the UN, which has meant a debilitating shortfall in assistance to refugees. The agency has been faced with budget cuts even while the need for aid has been growing. In mid-2002, UNHCR experienced a 20 per cent cut in its budget. The impact of this reduction is being felt in every corner of the globe.<sup>34</sup> “Our biggest problem right now is

food," a refugee woman in a Guinean camp told us in January 2002. "We get 13.5 kilos of bulgur wheat. That is supposed to last for 45 days, but sometimes we do not receive anything for 55 or 60 days. Everyone is so hungry." We heard the same story in many camps. We visited Somalia in 2001 and conditions were dire then. In 2002, some 25,000 Somali refugees living in Djibouti were at risk of malnutrition and supplies were "rapidly running out" according to the World Food Programme (WFP).<sup>35</sup> According to UNHCR there is a strong link between falling levels of assistance to refugees and their increasing vulnerability and exposure to forced prostitution and sexual exploitation.<sup>36</sup>

Many other organizations beside UNHCR have taken on the task of improving services to women and children. The United Nations Population Fund (UNFPA) is focusing on reproductive health care while the United Nations Children's Fund (UNICEF) continues to provide services in the areas of health care, education, nutrition and sanitation. In Sierra Leone, UNICEF is providing services to girls who are victims of sexual abuse and violence, and has launched a national sensitization campaign on rape. UNIFEM has also been working in this area, providing funding to local groups working in camps through the Trust Fund for the Elimination of Violence Against Women. In places like East Timor, it has worked with local women's groups to provide rape counselling, and to help repatriate women kidnapped across the border.

But the efforts of the various agencies remain scattered and many policies to strengthen protection for displaced women have not had an impact yet. Training has been haphazard; policies are often unevenly implemented; funding has been minimal. The challenge is for the international community to fill the gap between what needs to be done and what is actually being accomplished.<sup>37</sup> The IASC has accepted that this is a major challenge and the mandate of the Task Force on Protection from Sexual Exploitation and Abuse has been extended through 2003 to ensure advice on and monitoring of the implementation of the Plan of Action. According to one UNHCR staff person, "Refugee women and children bear a disproportionate share of the suffering [but] their needs still do not receive a commensurate portion of the agency's attention and care. We have a beautiful policy on [refugee women]. We have guidelines. We have everything ... But all this is only as good as the implementation. The mere enunciation of a policy is not sufficient."<sup>38</sup>

## **Urban Displacement**

Johanna is a 24-year-old Sierra Leonean, living in the Guinean capital of Conakry, who told a typical story of life as an urban refugee. She and her 16-year-old brother fled the fighting in Sierra Leone and arrived in Conakry in 1997. "When we got here, they arrested us, accusing us of being rebels," she said. Johanna and her brother were eventually sent to a refugee camp, but when the camp was attacked by Revolutionary United Front (RUF) rebels, the two ran away to Conakry again. "I met a very nice lady who offered me work as a domestic worker and a place to stay. I was glad to have shelter and to be able to earn money to support my brother. But then the worst happened: Her husband used to come to my bedroom and rape me at night. This went on for four months. I threatened to tell his wife if he did not stop. I did not want to lose my job. He threatened to kill me if I ever told his wife or reported him to the authorities." Johanna felt she had no choice but to tell his wife that she could no longer work for the family.

She left to live with her brother in a makeshift camp with other refugees, and started selling doughnuts on the street, until one day the police asked to see her permit to sell. “Of course I did not have one,” said Johanna. “So they took all my money and the doughnuts. I had to start all over again. But I was lucky I was not thrown in jail, as happens to so many other refugees who have no documentation. I was planning to be an accountant before the war broke out. One day when the war is over, I will return to school to fulfil my dream.”

In recent years, many displaced people like Johanna and her brother have fled to cities where they live with virtually no assistance or protection. The reasons they go to cities rather than camps vary. Some are hoping to avoid violence in camps. Others flee to cities hoping to find jobs, training, medical help and access to other services. Human Rights Watch conducted a survey of urban refugees living in Nairobi and Kampala in April 2002 and, during random visits to refugee neighbourhoods, found that approximately half of all the displaced were women.<sup>39</sup>

Finding shelter is a major concern for those displaced in urban areas. Urban refugees and displaced persons often end up homeless, trying to survive by living and working on the streets, or they crowd together in the homes of local residents. In Kisangani, in the eastern DRC, we met with a group of women whose village homes had been destroyed by Ugandan and Rwandan soldiers. They told us that 170 families, 110 headed by women, had set up home in a building that was formerly a government office. But they were forced out by the Congolese Rally for Democracy (RCD), the rebel group that controls Kisangani, just before a visit by UN Secretary-General Kofi Annan. At the time we met them, a month and a half after the visit, the women had not been allowed back into the building, which remained empty, and were living on the streets.

Women without shelter face constant danger and are always at risk of sexual violence and harassment. One young woman told Human Rights Watch that she had left the Kakama UNHCR refugee camp to go to Nairobi hoping to get medication for tuberculosis. She slept in the streets and was attacked soon after she arrived, gang raped, stabbed and left for dead.<sup>40</sup> In Nairobi and Kampala some women camp outside UNHCR or NGO offices in the hopes of being protected.

Most urban refugees have little or no documentation. Many flee their homes without identification papers – or, if they come from rural areas, they may never have had any. Without papers, they are often unable to receive even minimal protection and assistance. In Kampala, UNHCR provides shelter and food to only 275 people out of an urban refugee population estimated at approximately 50,000. The Government of Uganda generally requires urban refugees to show documentation that they are supposed to be in the city or to sign an agreement stating they are self-sufficient and will not rely on public assistance. Often they are advised to go to a camp rather than try to get help in the city, but many refuse.<sup>41</sup>

In Pakistan, Afghan refugees in urban areas have similar problems. At least 200,000 Afghans fled to Pakistan after September 2001, hoping to escape U.S. military action. But Pakistan was already hosting an estimated 2 million Afghan refugees. According to UNHCR, the majority of the new arrivals chose not to go to camps but went to urban areas, where they received almost no assistance.<sup>42</sup> Many young girls have been forced into early marriage because their families cannot afford to care for them, or hope

they will be safer if they are married. Many suffer physical harm as a result of early sexual activity.<sup>43</sup>

## **Long-term Displacement**

Long-term displacement leads to a host of problems. Even in those places where peace agreements have been signed, families who have lost everything in flight find it hard to start over. Each new generation born into displacement reaps the bitterness of their parents and grandparents on top of the difficulty of living in crowded conditions with few services. In the occupied Palestinian territories and Angola, long-term displacement has destroyed the future of several generations. In both the Balkans and Colombia displaced women report that their children are not allowed to attend local schools because of the stigma attached to being homeless. Estimates indicate that 85 per cent of internally displaced children in Colombia do not receive even primary education.<sup>44</sup>

The hope is to return home, and repatriation is the preferred option of host countries.<sup>45</sup> But that may not be possible. Violence goes on for years in some cases and landmines may make agriculture nearly impossible. Many women are afraid to face the people they fled from, who have not been punished and continue to live in the villages and communities the women want to go back to. We will never forget the horror on the face of Aminata, a woman we met in Guinea, as she described how the rebels in Sierra Leone forced her to dance in front of her husband as they killed him. Her voice rose in hysterics as she contemplated returning, "I can't go back, they'll kill me, there's no one to help me, I am alone."

We heard similar stories in the Balkans and among survivors of the Rwandan genocide. One woman from Srebrenica described the war criminals still at large back home, "How can I go back when I can see them sitting in cafes drinking coffee and watching us? Who is going to protect me?"

Even if safety was not a concern, many widows and female heads of households have no way to support themselves if they return home. Because women in some countries cannot inherit land or other property from either their husbands or their parents, unless they have sons they have no way to hold on to property that might help support them.

When returning home is impossible, the only hope for life outside a camp may be to seek asylum in another country. The Geneva Convention establishes principles for asylum, such as not forcing someone to return to a territory where he is afraid of being persecuted.<sup>46</sup> But the definition of persecution falls short of recognizing gender-based persecution. Each country has its own laws and policies that make entry into the country and application for asylum difficult, and many of them are punitive. Asylum-seekers, women and children included, are frequently imprisoned while they go through the legal process of applying for residency.<sup>47</sup>

Large numbers of refugees are vulnerable in their countries of first asylum. Third country resettlement is at times the only viable solution for some refugees. But it largely depends on both the West keeping its doors open and UNHCR fulfilling its gatekeeper role by identifying and referring to competent national authorities an appropriate number of resettlement cases.<sup>48</sup>

There are very few nations that make it easy for asylum seekers, and almost all make it harder for women and children than for men. Even at the first step, interviewers and interpreters are often men who have little experience in understanding the special needs of women asylum seekers. Some countries register a male head of a refugee household without providing any residency protection to the family. If the man abandons the family or is otherwise not present, the wife will have a hard time proving that she and their children are legally in the country.<sup>49</sup>

Among children, it appears to be easier for boys to enter a country than girls. In November 2000 the U.S. brought 4,000 'lost boys' from the Sudan to the U.S., helping them to escape years of violence and deprivation. Not one girl was included in the effort although hundreds were roaming the countryside with no homes, no food and little hope of a safe haven. There were many girls in the same camps as boys who were taken to the U.S., but the girls were left out of the resettlement effort. "There was little water to drink, we survived on leaves and wild fruit. Some of the girls were eaten by lions," said one girl who had travelled on foot with her mother, first to Ethiopia, then back to Sudan, and then south to Kenya. The journey continued for years. At some point she lost her mother and struggled on alone, eventually arriving at a camp.<sup>50</sup> Yet there is no programme to identify these girls and increase their chances of third country resettlement. UNHCR has recently developed a 'Women at Risk' programme which is aimed at providing resettlement opportunities to women who suffer from a wide range of protection problems including expulsion, *refoulement* and other security threats, such as sexual harassment, violence, abuse, torture and different forms of exploitation.<sup>51</sup> This programme could be expanded to include refugee girls and women who seek asylum.

The United Nations must take seriously its mandate to protect displaced people. It must recognize the gender dimensions of the great tragedy that envelops people swept up in violent conflict who are forced to flee their homes. It must help women to rebuild their lives, protect them and their children, prevent the sexual exploitation of them and their daughters. It must move to provide aid and assistance to the ever-growing number of internally displaced people.

**On Refugee and Displaced Women the Experts call for:**

- 1. Strengthening of United Nations field operations for internally displaced women, and those bodies that support a field-based presence.** Protection officers from all relevant bodies, including the Office of the High Commissioner for Refugees (UNHCR), the Office of the High Commissioner for Human Rights (OHCHR), the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC), should be deployed immediately if a State cannot or will not protect displaced populations or is indeed responsible for their displacement.
- 2. Governments to adhere to the UN Guiding Principles on Internal Displacement,** and incorporate them into national laws to ensure protection, assistance and humanitarian access to internally displaced persons within their territory.
- 3. Refugee and internally displaced women to play a key role in camp planning, management and decision-making** so that gender issues are taken into account in all aspects, especially resource distribution, security and protection.
- 4. Women to be involved in all aspects of repatriation and resettlement planning and implementation.** Special measures should be put in place to ensure women's security in this process and to ensure voluntary, unhindered repatriation, and that it takes place under conditions of safety and dignity, with full respect for human rights and the rule of law.
- 5. All asylum policies to be reformed to take into account gender-based political persecution.** Women, regardless of marital status, should be eligible for asylum and entitled to individual interview and assessment procedures.