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## **Key Issues for Refugee, Internally Displaced and Returnee Populations**

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**Consultative Meeting on Migration and Mobility and  
How this Movement Affects Women**

**Key Issues for Refugee, Internally Displaced and  
Returnee Populations**

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## **I. Introduction**

Women and children represent 80 percent of the worlds displaced<sup>1</sup> and are increasingly the targets of war, including as child soldiers and victims of rape, torture and abuse. In the face of armed conflict, women and children have limited choices on where and how to flee because they lack essentials such as documentation, basic literacy, funds for transportation and access to accurate information. Leaving their homes, villages or countries is a gamble because the destination – whether refugee camps or urban areas, squatting in abandoned homes or living with friends or family – can put women and children at greater risk of violence, poverty and illness. As a result, they often experience multiple displacement and a downward spiral of insecurity and poverty. However, mobility can also bring positive experiences for displaced women and children as it may provide access to basic education, and greater safety and security.

Unfortunately, positive experiences are in the minority and progress made in supporting displaced women and girls is hampered by a range of obstacles and missed opportunities. Programs and policies that focus on women’s rights, gender approaches or poverty alleviation often overlook refugee and internally displaced populations. Agencies that focus on refugee, returnee and internally displaced populations often overlook the rights, needs and contributions of women and girls, or do not consider them a priority. State responsibility is also a key component in understanding the context of mobility and migration from the perspective of refugee, internally displaced and returnee women and girls.

## **II. Definitions/Context**

Returnees<sup>2</sup> are an important population of concern, because they represent particular needs, challenges and contributions to reconstruction and development. This paper will include reference to returnees. Also, the author was requested to reference adolescents/children and has included a section on this group in the paper.

Mobility and migration have specific meanings for refugee, returnee and internally displaced women and girls, as outlined below.

### **Migration**

For purposes of this paper, migration refers to the movement of persons. The term and related categories used to describe groups or individuals that migrate, are intertwined with legal obligations and policy issues at local, national and international levels. Definitions used have political, financial and protection implications for all populations, including women and children.

While this paper focuses on three categories – refugees, returnees and internally displaced populations (IDPs) - it is not always clear when these begin and end. First, an individual can

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<sup>1</sup> Refers to refugee, returnee, and internally displaced populations. 80 percent is an estimated figure.

<sup>2</sup> Refugees or internally displaced populations that return to their country or area of origin.

experience all three forms of migration, including multiple displacements. Second, it is important to make distinctions between forced migrants, i.e. refugees and IDPs, and other migrants because refugees and IDPs are often not distinguished among broader populations, such as: “economic migrants” (there can be refugees in this group such as Colombian women in Costa Rica); “registration with the UNHCR versus non-registered” (not everyone fleeing persecution is registered with UNHCR or another registration entity due to lack of access, fear of losing their claim or being deported); “refugee camps vs. urban settings” (populations in camps tend to be registered/have documentation from UNHCR but millions of others, including women and children living in urban settings, are not included in programs, statistics of UNHCR, UNICEF, ILO, IOM, UNDP, etc.). Third, states tend to blur or manipulate the distinction between migrants and refugees/IDPs to justify their law enforcement efforts and suit political, financial or other objectives. They may close borders, push for camps to be set up inside the country of conflict, or arrest and deport arrivals. As a result, refugees are compelled to turn to smugglers to escape persecution and get around the enforcement barriers; smuggling then creates new protection problems for refugees. Fourth, decisions made on whether a population or individual is an economic migrant, refugee or IDP has implications for the rule of law, the role of the United Nations, international and local relief and assistance agencies, and donor pledges.

The experiences of women and children are buried within, and shaped by, the above contexts.

## **Protection**

The search for protection is a driving force for the movement of women and children affected by war. The UN High Commissioner for Refugees (UNHCR) was established to provide protection to refugees in accordance with interpretations of protection at the time. The traditional focus on legal protection such as non-refoulement and separation of civilians and combatants, is now expanding to include physical protection. The latter includes ensuring equal access to quality humanitarian assistance and services, including food aid, education, shelter materials and skills building -- because lack of access to these services increases the vulnerability of women and children and creates new protection problems. Linked to the debate is the need for staff of humanitarian assistance and human rights groups to more fully embrace and implement protection strategies, including ensuring that protection is a program priority and understanding how best to provide it (approaches may include economic, physical, psychological; levels of refugee participation and decision-making).

## **Mobility**

Because women and girls do not have equal status, they have limited mobility when fleeing from conflict, during refugee exile or internal displacement and when war ends. During flight, women and girls often lack documentation (identification cards, passports, birth certificates) and money to pay for transportation or lodgings, are heads of household caring for several dependants or are pregnant - which affect their options, and decisions, on where and how to seek refuge. Social norms or policies on women’s freedom of movement, including access to exit permits and male escorts, can also restrict the options for women. For example, until 2003, Iraqis seeking asylum in Jordan were required to obtain an exit permit from the Iraqi authority before departing the country; this was contingent on their access to documentation. Iraqi women are typically

included on the passport or identification cards of their male relatives and therefore lacked independent identification documents. Their mobility and freedom to seek asylum was further restricted due to social norms including requiring a male escort to cross the border.

Women and children have specific concerns when living as refugees, or internally displaced in camps and urban settings. Their movement can be linked to levels of assistance (are adequate food, shelter and fuel and services such as health and education provided or do they need to leave the camp/home to obtain it?); ability to temporarily leave camps, especially in remote areas (some camps require refugees to obtain an exit permit; refugees often pay for transportation to the nearest market or hospital and pay hospital fees); level of safety vis-a-vis the host community; and state protection of refugee women/girls in the host country. For example, Afghan refugee girls in Pakistan lack funding for transportation to access local secondary education; when women leave refugee camps to collect firewood or grind grain they are attacked by local police or farmers; Angolan women need permission from camp authorities to leave camps in Zambia to access markets to trade; internally displaced Colombian girls are raped by paramilitary/guerilla groups on the way to school even when they try to travel in groups.

Poverty is a strong and often-cyclical push factor for mobility in internally displaced and post-conflict settings, as women and girls escape continued violence, try to avoid stigmatization or find work to support dependants. Internally displaced women and girls are among the poorest in conflict and post-conflict settings and often work as undocumented labourers in unregulated or illegal jobs, such as domestic workers or prostitution. After the war is over, many remain in camps or shanty areas because they are unable to access land or shelter. Instead of returning to their family, community or homestead, girls and women may continue to be breadwinners, remaining in cities or traveling across international borders where they experience further exploitation and abuse. Finally, returnees may find it harder to find work and survive -- depending on their experience in exile or displacement, access to land and other resources.

The situation and decisions of men also affect women's mobility. In many cases, families make difficult decisions to split up in search of survival. Males leave women and children in camps while searching for employment, which can leave women vulnerable and rarely able to reap the rewards of the incomes of husbands who are far away. States such as Iran and Pakistan arrest and deport urban refugee men and boys (as well as women, but to a much lesser extent). Losing the breadwinner forces women to work or to send children to work. When men are in the household they usually make decisions to move on behalf of the family -- at times against the wishes or best interests of the women and girls. For example, Afghan refugee women have been reluctant to leave Iran and Pakistan given the lack of security in Afghanistan and high levels of violence against women, including forced/early marriage and inadequate access to basic health care and education. But their fathers, husbands or clan leader often insist that the family return, as the needs and rights of women and girls are not considered a priority in their decision-making.

Finally, the laws and practices of host countries can dramatically affect the protection and mobility of displaced women and girls. State mechanisms and actors can promote the protection, or violate the rights, of refugee and internally displaced women and girls. Cultural attitudes and norms regarding the place of women in society influence the extent that women can be mobile or work in local markets, schools and factories. For example, in Zambia it is common for Angolan

or Congolese refugee women to engage in trade outside of the refugee camps but in Pakistan it is not culturally feasible (nor tradition) for women to do so. In Guinea, police raped Sierra Leone and Liberian refugee girls when they searched for firewood outside the camp. In Pakistan, Afghan refugee girls were raped in a refugee camp, which combined with concerns about camp security and possible closure, pressured their families to return to Afghanistan rather than remain in Pakistan - to save family honour and keep the case quiet.<sup>3</sup> Refugee and internally displaced women, particularly those in urban areas, are often caught up in trafficking, human smuggling or illegal employment, which lead to detention, deportation or further exploitative and abusive situations.<sup>4</sup> In Turkey, the UNHCR trained border guards to strengthen their role in protecting female asylum seekers. The training helped shift behaviour of the guards from ignoring or abusing women traveling without a male adult, to bringing these cases to the attention of UNHCR staff to help expedite their registration, and provide security.

### III. Trends and Gaps

Greater attention is being given to gender and the situation of women in conflict and post-conflict settings. However, there are still many gaps and unrealized opportunities to strengthen the role and increase the accountability of the international community, governments, local organizations and refugees in addressing the impact of migration and mobility on war-affected populations. The following are some trends and issues that deserve more analysis and action.

#### 1. **Increased attention to gender and women in conflict and post-conflict by UN, international nongovernmental organizations and donors.**

In the 1990s UNHCR issued a series of guidelines and strategies on the protection of women, including a *Policy on Refugee Women* (1990), *Guidelines on the Protection of Refugee Women* (1991) and establishment of the Office of the Senior Coordinator on Refugee Women. In 1994, the Women's Commission for Refugee Women and Children released a report on the lack of reproductive health services in refugee settings.<sup>5</sup> Since then, there has been tremendous growth in reproductive health programming for refugee women and girls, and greater acknowledgement and attention to gender-based violence. In 1995 (updated 2003), UNHCR released a second set of guidelines, *Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response*, and a consortium of international nongovernmental organizations (NGOs) has been promoting reproductive health for conflict affected populations.<sup>6</sup> In 2001, UNHCR announced Five Commitments to Refugee Women<sup>7</sup> based on an earlier consultation with refugee women. Commitment Number 2 is "to the

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<sup>3</sup> Some examples taken from Women's Commission for Refugee Women and Children. "UNHCR Policy on Refugee Women and Guidelines on Their Protection: An Assessment of Ten Years of Implementation." May 2002.

<sup>4</sup> See, e.g., "Traffickers Make Money Through Humanitarian Crises," in *Trafficking in Migrants*, International Organization for Migration Quarterly Bulletin No. 19, July 1999.

<sup>5</sup> Women's Commission for Refugee Women and Children. *Refugee Women and Reproductive Health: Reassessing Priorities*. 1994.

<sup>6</sup> The Reproductive Health Response in Conflict Consortium, formerly the Reproductive Health for Refugees Consortium. See [www.rhrc.org](http://www.rhrc.org).

<sup>7</sup> UNHCR. "UNHCR Commitments to Refugee Women," Geneva. 12 December 2001.

individual registration of all refugee men and women and to provide them with relevant documentation ensuring their individual security, freedom of movement and access to essential services.”

In addition to these earlier pioneering efforts to address refugee women’s needs, passage of UN Security Council Resolution 1325 on Women, Peace and Security (October 2000) helped to promote a rethinking of the UN’s agenda and pressed for the consideration of war-affected women and girls not only as victims, but also as agents of change in promoting peace and security. Recent outcomes include a study and recommendations by the UN Secretary-General and by UNIFEM,<sup>8</sup> and creation of a UN Task Force on Women, Peace and Security.<sup>9</sup> The task force has been very effective in sharing ideas and strategies among UN agencies and some NGOs on how to identify and respond to women’s needs in armed conflict. Agencies such as UNIFEM, UNDP, DPA, DPKO and IOM have also broadened their programs to look at the role of displaced and returnee women and girls in development and assistance, including UNIFEM’s establishment of an office in Kabul, Afghanistan, and its taking on a stronger presence in other conflict settings.

Yet, many gaps remain. First, participation of women and youth is weak. The UN Secretary-General’s report consistently calls for greater “consultation” with women and women’s groups. The concept of consultation with women has yet to be applied across all programs affecting women’s mobility, including information campaigns for returning refugees and IDPs. These campaigns, which help families to decide whether or not to leave their country or place of asylum, often do not cover issues of concern to women, such as security against gender-based violence, access to land, income generation or health care. This is vital, since women often lack access to information due to low literacy levels and reduced mobility.

Moreover, “consultation” implies a passive role for women’s groups in shaping and monitoring policy and programs. Instead, women’s groups should be considered as equal partners in all aspects of conflict prevention, resolution and in promoting protection during war. The Secretary-General and UNIFEM reports acknowledge that women’s groups and networks make significant contributions to development and security, have innovative strategies on community outreach (including across international borders), and serve as role models in their communities. In rare cases, women’s groups serve as “implementing partners” yet do not receive due credit for their work, or are not treated with appropriate legitimacy or authority on an issue. Too often, UN agencies and international NGOs are not aware of, let alone working with, local women’s groups and networks in conflict settings.

Second, in the UN humanitarian/post-conflict sector there appears to be a move toward using mainstreaming as an excuse to withdraw support from gender and women units and programs. Just a few months ago UNHCR eliminated its Office of the Senior Coordinator for Refugee Women and Gender Equality and Office of the Senior Coordinator for Refugee Children, citing

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<sup>8</sup> United Nations. “Women, Peace and Security.” Study Submitted by the Secretary-General Pursuant to Security Council resolution 1325 (2000). United Nations 2002; and Rehn, E. & Johnson-Sirlief, E. “Women War Peace,” Progress of the World’s Women Volume 1, UNIFEM 2002.

<sup>9</sup> UN Task Force on Women, Peace and Security. Led by the UN Office of the Special Advisor to the Secretary-General on Gender Equality and Mainstreaming (OSAGI).

that these offices are not conducive to mainstreaming. On the contrary, as outlined in an independent assessment of UNHCR's policy and guidelines on the protection of refugee women,<sup>10</sup> such offices are integral to ensuring the sharing of lessons learned, accountability and several other functions which help to guide mainstreaming. Although it is important for institutions to allow for flexibility and innovation in applying programs that reflect the local context, the agency has left it to the field offices to decide how to implement gender mainstreaming and has yet to confirm how adequate oversight will occur including at the Headquarters level. This means the protection and participation of women and children can easily fall through the cracks, and the potential loss of momentum gained in the past decade. In addition, the government of the Netherlands has recently announced plans to withdraw funds from UNIFEM, citing the state's shift toward funding "mainstreaming" initiatives.

Third, the UN is often weak in advocating for the rights and protection of internally displaced and refugee populations, and in giving priority to the needs of women and children. Several key UN bodies have reported on the needs of IDP women in Colombia and made recommendations for change – including the Special Rapporteur on Violence Against Women,<sup>11</sup> the Commission on Human Rights<sup>12</sup> and the UN Special Representative of the Secretary-General on Human Rights Defenders.<sup>13</sup> Despite these recommendations, violence against women continues with impunity. In other cases, UNHCR is aware of protection issues, such as the deportation of Afghan refugee girls and boys in Iran, but makes the at-times difficult choice *not* to advocate for change, in favour of maintaining "good relations" with the host country and pressure to "choose their battles." In such cases, the needs of women and children often fall off the agenda and can be perceived as less important than negotiating politically sensitive agreements on mass refugee returns or bilateral agreements.

UN Resolution 1325 and the principles that underpin it are significant to pushing the agenda for women's needs and participation in conflict and post-conflict settings. But implementation for refugee, internally displaced and returnee women-, even through various UN bodies, remains a challenge.

Civil society institutions - international and local non-governmental organizations, including human rights bodies and women's rights advocates – are also giving more attention to the needs of women in war situations. Human Rights Watch, Amnesty International, The International Crisis Group, Women Waging Peace and Equality Now have organized campaigns and produced reports on the impact of war on women, and women's contributions to building peace. This is a positive evolution and has had a role in pushing for systemic change at international and local levels.

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<sup>10</sup> Women's Commission for Refugee Women and Children. *"UNHCR Policy on Refugee Women and Guidelines on Their Protection: An Assessment of Ten Years of Implementation.* May 2002.

<sup>11</sup> United Nations. "Integration of the Human Rights of Women and the Gender Perspective: Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences." March 2002. E/CN.4/2002/83Add.3

<sup>12</sup> United Nations. "Report of the United Nations High Commissioner for Human Rights on the Human Rights Situation in Colombia." 24 February 2003. E/CN.4/2003/13.

<sup>13</sup> United Nations. "Promotion and Protection of Human Rights: Human Rights Defenders. Report submitted by the Special Representative of the Secretary-General on human rights defenders." E/CN.4/2002/106/Add.2\*



But it is important to acknowledge the strengths and gaps in the contributions of these groups in showing the full picture in promoting the welfare of internally displaced and refugee women. In some cases, consultation is limited to women representing the elite of society who may not be representative of exiled or marginalized groups, or may overlook the activities and contributions of local networks. In addition, some organizations have yet to fully mainstream women's rights in their work. This is important because neglecting attention to the needs of women can create new protection problems and force them to flee violence. For example, the International Crisis Group report on disarmament and reintegration in Afghanistan<sup>14</sup> (DDR) provides an excellent analysis on the needs of men ex-combatants, and includes detailed reference to economic sector reform as linked to reintegration. However the report does not mention women or children. Violence against women and impunity often increase in post-conflict settings as ex-combatants turn to substance abuse and domestic violence. While finding jobs is extremely important to promote men's 'empowerment' after conflict (and hence reduce the potential for violence against family members due to feelings of powerlessness), the analysis could have recommended psycho-social and other support for men and women, literacy and education programs for child soldiers, and consider how the demobilization and reintegration program could be monitored to ensure that violence against women is addressed. This is significant given that when the DDR report was released, the organization also released a report on peace-building in Afghanistan, which identified family disputes and the place of women as one of three main factors in fueling and sustaining conflict in the country<sup>15</sup>. These are also important considerations, because insecurity after war can push women to seek protection – and therefore become internally displaced or refugees.

## **2. Lack of visibility of displaced populations in development programs, reports and analyses.**

Programs and analyses of UN agencies, international NGOs, local NGOs and host governments are positioned to assist refugee populations, but often overlook the opportunity. Although war-affected women are often the poorest of the poor, refugees and internally displaced women and children often remain invisible.

The UN Secretary-General's Report to the Commission on Social Development<sup>16</sup> references World Bank Poverty Reduction Strategy Papers (PRSPs) as having the purpose to "place poverty reduction at the core of policy analysis and prescription." However, the interim report submitted by Pakistan<sup>17</sup> does not include a strategy for the 2.5 million Afghan refugees living in Pakistan at the time; most of these were women and children. The related IMF/IDA and World Bank Joint Staff Assessment<sup>18</sup> also neglects to reference this population. Today, an estimated

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<sup>14</sup> International Crisis Group. "Disarmament and Reintegration in Afghanistan." ICG Asia Report No 65. Kabul/Brussels. 30 September 2003.

<sup>15</sup> International Crisis Group. "Peace Building in Afghanistan." ICG Asia Report No 64. Kabul/Brussels. 29 September 2003.

<sup>16</sup> United Nations. "National and International Cooperation for Social Development, Report of the Secretary-General." 12 December 2002. E/CN.5/2003/5.

<sup>17</sup> Government of Pakistan. "Interim Poverty Strategy Reduction Paper." November 2001.

<sup>18</sup> International Monetary Fund and International Development Association. "Pakistan: Joint Staff Assessment of the Interim Poverty Strategy Reduction Paper." November 15, 2001.

2.1 million Afghan refugees remain in Pakistan; some are in camps receiving limited humanitarian assistance, but many live in urban areas.

Citing omissions of PRSPs including the role of gender inequality, the Secretary-General's report also stresses that achieving poverty eradication requires more than a PRSP process, and recommends a revisiting of the process in the context of the Millennium Development Goals (MDGs) and other commitments made at other UN Conferences and summits. But it is unclear where and whether refugee and IDP women will feature in analyses of gender equality and vulnerable groups and how this will be monitored. For example, the 2003 UNDP gender review of the UN Millennium Development Goals<sup>19</sup> builds on a series of studies highlighting the importance of mainstreaming gender concerns into the MDGs. The review assesses the extent of gender mainstreaming in the MDG Reports of 13 countries and concludes, "the opportunity to bring gendered perspectives definitely into the larger poverty debate has not been sufficiently or effectively used".<sup>20</sup> The review most likely makes an assumption that refugees/IDPs are included in the reports. This is a crucial gap as it is not clear how refugee/IDP women will be included *as a population*.

The International Labour Organization released a report on female labor migration in Costa Rica,<sup>21</sup> as part of a series of case studies on women in migration. The report indicates Costa Rica experiencing an increase in immigrant sex workers and cites the pull factor of the demand generated by sex tourism. However, the report could have also explored the push factor of armed conflict and impunity against violence, since it references the involvement of Colombian women in the sex trade. The report also found trafficking of sex workers related mainly to Dominicans and Colombians and cites some evidence that women are contacted for recruitment in the sex trade "just after crossing the border". Again, further exploration could have indicated whether these were women fleeing persecution or violence by the guerillas, paramilitary or government and thereby included recommendations regarding their asylum eligibility. It is acknowledged that the report's focus was on the situation of women migrant workers, and practices of government and a wide range of social actors to assist and protect women migrants against exploitation and abuse, and to prevent them from being trafficked. Because the report was one of several case studies informing the development of practical tools for protecting and promoting the rights of female workers, identifying the 'push factors' for Colombian women and whether they were more likely to turn to smugglers or traffickers could have helped inform the development of the tools, such as how to identify asylum seekers among migrant women, and how to meet their needs.

### **3. Mapping the links between emergency assistance, post-conflict development and poverty from the experience of displaced women.**

There is a growing awareness that decisions made in the emergency phase, as well as in long-term refugee environments, has an impact on the post-conflict phase and agencies have been exploring strategies on the best way to bridge between them. Human rights groups have also

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<sup>19</sup> UNDP. "Millennium Development Goals: National Reports A Look Through a Gender Lens", May 2003.

<sup>20</sup> Ibid., page 9.

<sup>21</sup> International Labour Organization. Costa Rica: Female Labour Migrants and Trafficking in Women and Children. GENPROM Working Paper No. 2. [Date not indicated].

contributed to the evolution. This is significant because decisions made at the outset of a conflict – such as issuing documentation, attention to gender based violence, identification and collaboration with local women’s networks or leaders – can have a major impact on the protection and safety of women in the emergency phase as well as when the war is over.

In the past decade, institutions have been grappling with the extent to focus on “emergency” and “development” in terms of programs, mandates, expertise and funding, and where to place post-conflict initiatives in this context. For example, UNHCR’s Women’s Initiatives (Bosnia, Kosovo, Rwanda), community-based programming, and investing in basic literacy and female income-generation programs are important in advancing women’s empowerment, which supports their contributions to development and enhances their options for safe mobility and migration. Also, “development” agencies such as the World Bank and UNDP are exploring and implementing initiatives in “conflict” and “post-conflict” environments -- including the role of gender programming and women’s participation.

Yet there is insufficient analysis of the impact of these programs in terms of promoting or eroding protection, and in terms of forcing women to remain as refugees, internally displaced, or continuing to flee. Decisions made by donors and assistance agencies operating in Sierra Leone during the emergency phase may have contributed to the extent to which girls and women have turned to prostitution, why there remain high levels of rape of girls in Freetown, and why some who have borne children by “rebel” husbands are reluctant to return home.<sup>22</sup> UNHCR’s Rwanda Women’s Initiative may have contributed to the progress of the Rwandan government in its work to include women and youth in political processes<sup>23</sup>.

Donor agencies seem to be experiencing similar challenges. For example, in accordance with policy requirements, several U.S. agencies and offices (Agency for International Development; Office of Transitional Initiatives; Office of Foreign Disaster Assistance; Department of State/Bureau for Population, Refugees and Migration) are involved in funding and program decisions for forced migrants, and do not always agree on the focus or priorities. Mapping smooth transitions between phases of conflict and sharing lessons on best strategies can be a challenge. Also, it is less clear how women’s rights and protection are housed in these agencies and what priority is given to promote empowerment such as literacy programs, documentation and direct participation.

Returnees also bring specific needs, challenges, and contributions. Some are forced to return due to pressures in the host country or displaced camp such as a decline in assistance or increase in protection problems. Returnees may have experienced violation or trauma while in exile and/or experience exclusion from their returnee community after spending many years in exile or marrying outside their ethnic, religious or social group and thereby perceived as outsiders or traitors. In some cases, returnee women can contribute to reconstruction because they have

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<sup>22</sup> Women’s Commission for Refugee Women and Children. “Precious Resources: Adolescents in the Reconstruction of Sierra Leone.” September 2002.

<sup>23</sup> Powley, E. “Strengthening Governance: The Role of Women in Rwanda’s Transition.” Women Waging Peace Policy Commission. September 2003.

higher levels of literacy and skills, such as Afghan girls educated in Pakistan camps and schools, or press for grassroots female empowerment such as in Central America.<sup>24</sup>

Finally, deciding that a conflict has moved to “post conflict” and the push factors this brings has major implications for displaced women. Often the funds and assistance dry up but the most desperate remain behind until starvation or abuse in their place of asylum is equal to the danger of returning home or fleeing again. In Pakistan, the consolidation of camps and bulldozing of urban settlements is pressuring refugee women heads of household to return to Afghanistan. Some are moving to urban settlements in Pakistan, negotiating ways to crowd in with others in rented rooms, for they cannot afford to rent property, have no place to live in Afghanistan and cannot afford Kabul’s high cost of living. In Herat Afghanistan, families in an internally displaced camp complained that recent closure of bakeries and bulldozing of abandoned shelters and latrines were reducing their capacity to survive.

#### **4. Internally displaced persons: lack of focus and support<sup>25</sup>.**

The situation of women in IDP settings is exacerbated by the lack of an international monitoring body to provide protection or to advocate for the protection and welfare of this population. Governments are often unwilling or unable to protect IDPs, while those agencies that seek to provide assistance or protection are forced to curtail their activities due to a severe lack of access to the population, as they may be situated in an area of intense fighting, in constant flight or restricted by government-imposed restrictions. This increases women’s and children’s poverty and vulnerability as they seek jobs or survival strategies that are open to exploitation and abuse. The lack of presence of the international community also impedes the ability of women and girls to seek protection such as accessing legal redress through court systems or local monitoring bodies. This forces them to move, and at times to live in hiding from perpetrators, including armed elements. Women leaders and activists are often targets of violence and are forced to live in hiding. In Colombia, members of ANMUCIC (local IDP indigenous women’s organization) have been threatened, abducted, raped and killed. Several members who were working on women’s protection at the border of Venezuela and in many other areas where guerilla, paramilitary and government soldiers are the oppressors, now live in hiding in Bogota often without the support of family members, and without adequate funds for survival.

#### **5. Adolescents/Children.**

The burden of war is often placed on the shoulders of the young, as children and adolescents are forcibly conscripted, become heads of household, separated from parents or guardians. Many are pushed into working to support parents who are disabled, ill or not earning sufficient income to support all members of the family. Displacement increases children’s vulnerability to sexual exploitation as traditional protection mechanisms (family, community) break down and children have few options or avenues to seek assistance and support for basic survival.

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<sup>24</sup> Women’s Commission for Refugee Women and Children. “UNHCR Policy on Refugee Women and Guidelines on Their Protection: An Assessment of Ten Years of Implementation.” May 2002.

Displaced children are often in the same living conditions as the poorest of the local population. But they are more likely to be abused by local or state authorities and less likely to turn to these entities or access human rights protection agents for assistance and protection.

Addressing the movement and needs of unaccompanied minors (UAMs) has gained attention in the past decade. Agencies, including UNICEF, UNHCR, the International Rescue Committee, the International Committee of the Red Cross, Save the Children, International Catholic Migration Commission and World Vision, have instituted small programs in conflict and refugee areas to reach out to these individuals. Some agencies, such as the International Organization for Migration, are starting to investigate and document trafficking of minors. Yet these programs do not nearly meet the demand and are severely under-funded.

The exploitation and deportation of refugee child workers – including those who are *not* UAMs or heads of household – is also not receiving sufficient attention. There are important linkages between forced child labor and poverty in post-conflict or war situations, as the following case indicates.

During an October 2003 visit to Islam Kalah, Afghanistan at the border crossing with Iran, the Women's Commission interviewed teenage boys whose family paid a smuggler to take them to Iran, as they searched for employment. Ten days after arrival in Iran, they were "arrested" by Iranian authorities (as "illegal economic migrants"), placed in detention for one week, given one meal per day. Those who could not pay the authorities to remain in Iran (a bribe) were put on a bus that dropped them at the Afghan border. UNHCR has a small presence at this border crossing point; the boys must voluntarily report to UNHCR which then assists them in returning home. Others as young as age 10 were living with families in Iran but were still deported. A smaller number of Afghan girls are being deported; most have family members in Iran. It is a challenge for the UN and implementing agencies to reunite them with family because the girls fear punishment for being deported (some are runaways) and it requires negotiations with the Iranian authorities – which are reluctant to continue to host the Afghan population<sup>26</sup>.

Refugees and asylum seekers also send children to work as a survival strategy in short and long-term refugee settings. In Turkey, Iranian and Iraqi boys may sell gum or candy in the streets, and girls work in factories while families await asylum claim decisions. In Pakistan, Afghan children work in bondage in brick kilns and many refugees, as well as Pakistani children – the poorest of the poor – collect garbage in the streets or weave carpets for more than 12 hours a day.

Displaced girls and boys are also forced into sex work and the illicit exploitation of natural resources. In the Democratic Republic of Congo and Colombia<sup>27</sup> girls and boys are forced to work in illegal mining of gold, oil and diamonds. Girls are forced into sex work to 'serve' persons working in these illegal industries.

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<sup>26</sup> Interview by Women's Commission for Refugee Women and Children, Herat, Afghanistan. 22 October 2003.

<sup>27</sup> For further information, see Watchlist on Children and Armed Conflict. "The Impact of Armed Conflict on Children in the Democratic Republic of Congo". 16 June 2003. Also, report on Colombia (forthcoming).

There is a lack of consistency among non-governmental organizations, UN agencies and other actors in monitoring, coordination and evaluation of the above. When reports and recommendations are made on the rights of refugee and displaced children, enforcement and monitoring are severely lacking – in part because no single agency or body, has responsibility for this work.

## **6. Other Considerations.**

There are additional issues regarding refugee, returnee and internally displaced women and girls that deserve attention but are not covered in detail by this paper. These include:

- A major shift by resettlement and refugee receiving countries from programs and funds which facilitate asylum claims and ensuring safe havens, to those combating “terrorism.” This shift is creating more barriers for all asylum seekers (closing of borders; expedited deportations; reduced staff, including those with expertise in interviewing women) and a major threat to the ability of women and children to reach and live in safety.
- Legal considerations at local, national and international levels. Regarding the definition of protection in terms of gender-based persecution (application of the 1951 Refugee Convention), state jurisprudence should continue to evolve toward a wider acceptance of gender as a social group, one of the recognized grounds for refugee protection. However, some states are seeking to narrow the interpretation of social group to preclude consideration of claims based on gender or based on persecution by private actors. The danger is this development would preclude consideration of claims such as domestic violence and rape. Regarding the application of the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) and possibly other instruments, such as the Convention on the Rights of the Child, there is a need for greater attention to state reporting on internally displaced populations, as well as refugee populations. CEDAW Committee members have raised concerns about refugees in concluding remarks of country review sessions, for example regarding Colombian refugee women in Ecuador (2003), but there is a lack of reporting by States on these populations in general. For countries emerging from or currently experiencing conflict it is also a challenge to determine how and when instruments such as CEDAW can be best applied and monitored.

## **IV. Statistics and Resources**

### **Statistics**

UNHCR headquarters and field offices should be able to provide disaggregated (sex and age, including adolescents) data on the numbers of refugees and internally displaced. In addition, some of the agencies below may have data on specific geographic or thematic groups. These numbers are generalizations because they may reflect only those being assisted by the agency, or rely on host country tabulations -- which have different levels of expertise in data collection, or may manipulate numbers to serve political/economic interests. As mentioned earlier, agencies may not be identifying refugee populations in their analyses. This is not a comprehensive list.

## Resources

Amnesty International  
Brookings Institution (and Brookings-SAIS project on Internal Displacement)  
Global IDP Project and Database  
Human Rights Watch  
International Catholic Migration Committee  
International Crisis Group  
International Rescue Committee  
Refugees International  
Save the Children Alliance  
US Committee for Refugees  
Watchlist on Children in Armed Conflict  
World Bank  
Women's Commission for Refugee Women and Children  
Women's International League for Peace and Freedom  
Women Waging Peace

United Nations and affiliated:

Brookings Institution (Special Representative to the UN on Internal Displacement)  
International Organization for Migration  
International Labour Organization  
UNHCR  
UNOCHA  
UNICEF (Emergency Program Branch)  
UNIFEM  
UNHCHR  
Special Rapporteur on Violence Against Women

State Reports

Submissions to CEDAW (and Committee remarks)  
Poverty Reduction Strategy Papers (eg. Azerbaijan references IDPs)

## V. Conclusion

Mobility and migration have a specific meaning for displaced populations, with protection and security the driving forces. But the plight and power of women refugees and IDPs are often buried or not harnessed because states do not recognize them in national development plans and development agencies do not consider identifying them among populations such as migrant or undocumented workers. This is particularly vital for urban refugees, and others who may not be receiving assistance from UNHCR.

UNHCR has primary responsibility for refugee protection. The agency has made some progress in its mandate regarding women and children, but must continue the momentum and improve gender equality – as this is the best method for promoting protection and reducing flight. In

addition, agencies such as UNOCHA (in particular, the Office of the Emergency Relief Coordinator/ERC which serves as the focal point for issues of internal displacement at the headquarters level, and the IDP Unit, which was established to assist the ERC in his task) should learn from the experiences of UNHCR in applying gender approaches to IDP contexts.

Further attention should be given to understanding the push and pull factors of the movement of war-affected women and children including the impact of relief programs on reintegration and post-conflict reconstruction. In part, this can be achieved by reaching out to local women's groups at the onset of conflict, and centering humanitarian assistance programs toward what women and children need in order to make informed choices, such as access to and quality of information, education and protection so that they can live in safety, rather than be forced into a cycle of poverty and vulnerability.

States have been erecting barriers to the free movement of refugees including closing borders, restricting placement of camps on their soil and increasing detentions and deportations. For women and children in particular, this leaves them vulnerable to further exploitation and abuse as they turn to traffickers and smugglers or become the breadwinners in unregulated industries.

At the same time, more attention is being given to gender mainstreaming, including the role of women, in national and international institutions. Human rights organizations are also contributing to the momentum. But the progress and responsibilities of the international community are not systematic and several challenges and opportunities remain in ensuring that refugee, returnee and internally displaced women and children – 80 per cent of the war-affected – are protected.

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*The Women's Commission for Refugee Women and Children is a US-based non-governmental organization that advocates for policies and programs to ensure the rights and protection of refugee women and children and to provide them with services including health care, education and livelihoods.*