

# Situation of women refugees and asylum seekers in the EU

2015/2325(INI) - 08/03/2016 - Text adopted by Parliament, single reading

The European Parliament adopted by 388 votes to 150, with 159 abstentions, a resolution on the situation of women refugees and asylum seekers in the European Union.

Parliament recalled that women account on average for one third of people who apply for asylum. Between the start of 2015 and November of the same year, some 900 000 people crossed the Mediterranean to reach Europe's coasts, and women and children accounted for around 38 % of the total. The United Nations High Commissioner for Refugees (UNHCR) reported that, as of January 2016, women and children account for 55 % of those reaching Greece to seek asylum in the EU.

**Safe, legal routes:** Parliament believe that, to improve the security and safety of women and girl refugees, safe and legal routes to the EU must be made available for those fleeing conflict and persecution. There is an urgent need to immediately open safe and legal asylum routes, in order to counter smuggling networks and to increasingly enable women, children, the elderly and people with disabilities to seek refuge without risking their lives.

Parliament considered that women refugees should be registered individually and issued with the documents which guarantee their personal safety, freedom of movement and access to essential services. Specialised trauma counselling and psychosocial care for women who have experienced gender-based harm should be guaranteed.

**Frontex:** Parliament urged the EU to address human rights violations committed by Frontex, Member States and officers of third countries when cooperating with Frontex, as called for in Parliament's [resolution](#) of 2 December 2015 on the Special Report of the European Ombudsman in own-initiative inquiry OI/5/2012/BEH-MHZ concerning Frontex. All EU migration and asylum policies and measures should take into account gender in their design, implementation and evaluation.

**Gender dimension of refugee status determination:** Parliament called for a **new, comprehensive set of EU-wide gender guidelines** to be adopted as part of wider reforms to migration and asylum policy, which take full account of the social, cultural and political dimensions of persecution and include reception and integration measures. Even in countries deemed safe, women may suffer gender-based persecution, while LGBTI people may also be subjected to abuse, and thus have a legitimate request for protection. Gendered forms of violence and discrimination, including but not limited to rape and sexual violence, Female Genital Mutilation (FGM), forced marriage, domestic violence, etc. constitute persecution and should be valid reasons for seeking asylum in the EU and that this should be reflected in new gender guidelines.

Members urged the Commission to develop interpretative guidelines on FGM which clearly outline Member States' obligations.

The Commission's proposal to establish a common EU list of safe countries of origin was noted. This approach shall be consistent with the **principle of non-refoulement**. Parliament stated that any list of safe countries of origin should not result in less favourable procedural treatment for women whose claims for asylum are based on fear or experience of gender-based violence.

Overall, it called for more objective and gender-sensitive approaches to credibility assessment in all Member States. It stressed **credibility assessments** can never be completely accurate and **should not be used as the only basis for a negative asylum decision**.

In parallel, Member States are called upon to:

- provide women with information on asylum procedures, their rights and the specific services available to women applying for asylum;
- fully implement [Directive 2011/36/EU](#) on preventing and combating trafficking in human beings;
- increase their police and judicial cooperation, including with Europol, Frontex, Eurojust and the European Asylum Support Office (EASO) in order to effectively combat smuggling and trafficking of migrants.

**Needs of women in asylum procedures:** plenary urged the Member States to duly inform women seeking asylum about their rights and in particular about the right to request a female interviewer and interpreter and to have a personal interview separately from any **third parties**. Parliament also urged the Member States to deliver comprehensive and mandatory training for interviewers and interpreters on sexual violence, trauma and memory. Member States are urged to ensure that these rights are being respected and that the Member States comply with provisions in the Asylum Procedures Directive.

Parliament also urged the Member States to ensure:

- full access to sexual and reproductive health and rights, including access to safe abortion;
- women's protection and assistance during their stay in refugee camps.

Recalling the importance of the Council of Europe Istanbul Convention on preventing and combating violence against women and domestic violence, Members called for women asylum seekers and migrants to be granted an **independent legal status from that of their spouse**. They stressed the need for family reunification procedures to afford individual rights to women and girls joining their families in the EU.

Parliament strongly condemns the use of sexual violence against women as a weapon of war.

**Reception and detention:** Parliament called for all detention of children in the EU to stop, and for parents to be able to live with their children in appropriate tailored facilities while awaiting their asylum decision. In general, it underlined that the detention of asylum seekers should be avoided, and should only be applied where it pursues a legitimate purpose and has been determined to be both necessary and proportionate in each individual case, and should never be justified in the case of anyone **under 18 years of age**.

It highlighted that many women asylum seekers and refugees have experienced extreme violence and that detention may exacerbate their trauma. It therefore urged all Member States to reduce the maximum limits on the duration of detention prior to removal to below the limit stipulated in the Return Directive. Members called for an immediate end, in all Member States, to the detention of children, pregnant and nursing women and survivors of rape, sexual violence and trafficking, and for appropriate psychological support to be made available. Appropriate medical advice and counselling, including in cases resulting in pregnancy, should be provided.

As regards reception hubs, they should be equipped with appropriate areas enabling them to support and look after their children. They should be better monitored in order to prevent the harassment of women and children from continuing also in the country of arrival.

Further measures are called for, such as:

- the needs of vulnerable people such as women victims of violence and girls, in particular unaccompanied girls, should be prioritised;
- those to prevent forced marriages from being imposed on women and girls once they have obtained refugee status by men hoping to secure safe access for themselves and who would otherwise not be entitled to such access;
- working together with civil society and human rights organisations to alleviate the plight of refugees surviving in makeshift conditions.

**Social inclusion and integration:** Member States are called upon to develop and implement specific measures to **facilitate labour market participation** of women refugees and asylum seekers. Parliament called on the Commission and the Member States to make funding and other resources available for civil society and human rights organisations that provide assistance, promote inclusion, and monitor the situation of refugees and asylum seekers in the EU.

Member States and the Commission were called upon to give women leaders who were persecuted in their countries of origin and are now refugees assurances that they can carry on their political and social activities in favour of women's rights and gender equality in safety in the EU.

Moreover, Parliament encouraged the Member States to make use of the Structural and Investment Funds in addition to the Asylum, Migration and Integration Fund to promote refugees' integration into the labour market.

Lastly, it called for comprehensive and adequately resourced programmes to address the unmet short- and long-term health needs of women refugees, including psychosocial and trauma counselling.

It is also noted that an alternative motion for resolution proposed by the EPP was rejected in plenary by 260 votes to 394, with 44 abstentions.