

2. Barbara-Prammer-Symposium

„FRAUEN.FLUCHT.SOLIDARITÄT.“

Mo. 18. Jänner 2016, 10.00 – 16.00 Uhr

Keynote

„WOMEN, REFUGEES, SOLIDARITY“

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It is a great privilege to address this Symposium. Barbara Prammer was a truly inspirational woman, a great political leader and a passionate advocate for gender equality. Given her lifelong commitment to enhancing women's equal participation, it is very appropriate that the symposium is focusing on women, solidarity and refugees.

There are over 60 million refugees and displaced people in the world today: that is over seven times the entire population of Austria. One million asylum seekers arrived in Europe last year, and already some 15,000 arrivals have been recorded this month. Over half of the world's refugee population are women and girls, and very often they bear the brunt of the human suffering. Looking at the refugee problem through a gender lens is critical, if we are to turn chaos into coherence, compassion into concrete action both in Europe and around the world.

The figures are worrying, the stories and pictures are deeply moving. It arguably the biggest humanitarian challenge that Europe has faced in recent years. But it is also a political challenge and I fear that we are at a dangerous turning point. If the right policy choices are not made, years of gains made for women – in terms of human rights as well as socio-economic development - could be jeopardized. The refugee crisis is symptomatic of a bigger crisis of values.

My thesis is two-fold: the plight of refugee women hides a bigger challenge to women's human rights and gender equality. How Europe responds to the refugee crisis and to refugee women could have enormous impact on peace, development and gender equality. Women, refugees and solidarity are deeply inter-linked.

The International Development Law Organization – IDLO - which I now have the honor to lead is the world's only multilateral organization devoted exclusively to promoting the rule of law. We are an inter-governmental organization and Austria is a Member Party of IDLO. The rule of law promotes good governance – transparent, accountable institutions, equal access to justice and respect for human rights - and so is an essential ingredient of sustainable development. A core principle of the rule of law is equality – we are all equal in the eyes of the law, equally protected by the law and equally accountable to it. The rule of law, properly applied, is the best antidote for gender inequality.

Unfortunately, for millions of women and girls the world is a very unequal and unfair place. Although in recent years, there has been progress in a number of countries on girls' education, maternal health, women's political participation and employment, far too many girls still drop out of school, far too many women die in childbirth, or toil at the bottom of the employment ladder in poorly paid and insecure jobs.

Laws and institutions often not only fail to protect women and girls, they actively discriminate against them. In too many countries of the world, laws and institutions restrict women's rights and freedoms and subjugate them to their husbands, fathers, brothers or

sons and including on such fundamental issues as what they can own or might inherit, whom they might marry or divorce, their relations with their young children, what control they have over their own bodies, where they may go with whom, and even what they can and cannot wear. Where gender discrimination is widespread, gender based violence is pervasive.

So, my first point is that any discussion on women refugees must take into account the inequality and vulnerability which women suffer in their countries of origin. We cannot effectively protect refugee women if we are not ready to combat gender discrimination globally. Development strategies promote gender equality but political, legal and social barriers persist. They must be removed, and that will require stronger political mobilization and activism.

I quote from Barbara Prammer that it is not enough to try to eliminate gender gaps, one has to “transform the structural factors that underpin the persistence of gender inequalities, gender based violence, discrimination and unequal development progress between men and women.” That is as true today, as when it was she spoke those words in 2013.

It took the UN only 3 years to draft a Convention to Eliminate Racial Discrimination, and 13 years to adopt the Convention on the Elimination of Discrimination Against Women. There was a massive show of solidarity against racial apartheid in South Africa. Where is the solidarity against countries that promote gender apartheid? Can we talk about solidarity with refugees without also showing solidarity for gender equality? Sexual terror on the streets of Cologne was a reminder of the sexual terror perpetrated against Egyptian women in Tahrir Square. We need global protests against local attacks – any woman’s dignity and safety should be every woman’s – and man’s – concern.

My second point is that while the plight of women does not begin with refugee status, being a refugee brings additional and significant dangers. The most widespread and serious threat is sexual and gender-based violence. Rape as a weapon of war has been documented in many conflicts. During flight or in refugee camps or during exile women and girls continue to be exposed to the risk of rape, sexual assault, harassment and exploitation by traffickers and smugglers, soldiers and rebels, unscrupulous camp officials, police and immigration officers or even men from their own communities and families. A very high proportion of women refugees coming to Europe have suffered gender based violence during their journey. The New York Times ran the story of a man who sold his wife to the smuggler to pay the way for the family to be brought to Europe and then

abused and abandoned her for what he had forced her to do. Women from conservative societies may be unwilling to articulate their concerns, and experience shows that in many European countries refugee women find themselves isolated and excluded.

But even as we are horrified by such stories, let us remember that only 19% of the refugees coming to Europe are women. Most the world's refugee women are still living in their own regions in refugee camps or communities where they face very serious protection problems. In addition to sexual violence, they face racist attacks, high levels of crime and domestic violence. Women are unable to get justice for wrongs committed against them. The police often do not listen to them. Women have no say in camp justice systems which are run by men. They do not have the money, education or legal awareness or legal aid seek justice in formal courts. They may lack identity papers.

Protection challenges are interconnected: a failure to address one issue can perpetuate others. High levels of physical insecurity in refugee camps can induce under-age marriage as a way for parents to safeguard their daughters. Inferior and over-crowded shelters can create health problems, provoke domestic violence or expose women and girls to risk of sexual abuse. The lack of adequate sanitary materials causes health problems and can force girls to miss school and women to absent themselves from work. Without registration and an identity card, refugee women may not be able to get food rations, or shelter, healthcare or education. If they have no rations, money and no work, they may resort to selling sex to feed themselves and their children.

We know that education and employment are the way to a better future for girls and women. But schools in refugee camps are overcrowded or of poor quality, and girls may not be permitted by their families to go to school. Women may not have the training or skills to get good jobs and could end up being exploited by employers in the informal sector.

Solidarity towards women means we need to both support refugee women who are coming to Europe as well as helping those who have chosen to remain nearer their home countries.

Neither Austria nor Europe is a stranger to receiving refugees fleeing conflict and persecution. If we only look at relatively recent times – in 1956-57 180,000 Hungarians fled to Austria, in 1968 160,000 Czechs and Slovaks found safety in Austria from former Czechoslovakia, in 1980 when martial law was declared in Poland, 33,000 refugees arrived in Austria. With the beginning of the war in the Balkans, 13,000 refugees fled from Croatia to Austria in 1991, in 1992 the first of the 90,000 refugees started to come from Bosnia, and in 1999, when the conflict in Kosovo escalated, Austria accepted more than 5,000 refugees on a temporary basis. For a country the size of Austria, these were not

insignificant numbers. However, many of them did not settle in Austria – they moved elsewhere or returned home.

So, what is different about the current refugee problem? The refugees are coming from outside Europe. They are largely Muslim Arabs and raise questions of cultural integration and security, especially in the wake of the Paris attacks and the New Year eve incidents in Cologne and some other European cities. There is no European solidarity, no clear shared strategy, much internal feuding and ad hoc and inadequate policy making. Europe's most cherished achievement – freedom movement within its borders has come under pressure. Trust among the Member States is at an all-time low – with countries seeking to push the blame – and the asylum seekers – elsewhere. There is a dangerous shift in public opinion, especially after Cologne.

The appeal to European values and moral duties has not been consistent – while on the one hand, operations to rescue people at sea have been strengthened, on the other hand, haphazard and harsh land border controls have been imposed, shifting the problem from one country to another and increasing human suffering. The European common asylum system failed to respond to the demand for burden sharing – and just about every States – whether on the frontier, in transit or as the destination of asylum seekers – felt they were disproportionately burdened. The redistribution figures are clearly inadequate and will be difficult to implement, as shown by the very few numbers of people who have so far moved.

The focus is now on tackling the smugglers and supporting neighboring countries of first asylum and transit. Critics have pointed out the weakness of the strategy. Unless action against smugglers is accompanied by a relaxation of legal ways of reaching Europe, it will only drive up the price of smuggling and make it more hazardous for refugees but will not deter those who are desperate to move. UNHCR says in 2015 967,000 people needed to be resettled – European countries have pledged only 22,000 places! European countries could be more flexible and generous with the humanitarian visa regime. Furthermore, EU-wide rules on family reunification define family narrowly as spouse and minor children – which does not match the cultural definition of families which include unmarried daughters and sisters no matter of whatever age and mothers dependent on their sons. Slow or insufficient resettlement quotas and restrictions on family reunion by European countries are counter-productive for vulnerable women stranded in the refugee camps.

Some human rights groups have also expressed concerns about agreements between the EU and Turkey and other first asylum or transit countries. The fear is that Europe might look the other way if Turkey in turn prevents refugees from Syria or Iraq from crossing its border, or that refugees may be trapped in untenable situations in some transit countries which do not respect human rights.

What this refugee crisis has clearly shown is that the European refugee system is broken and must be fixed. The Dublin agreement – that the first country of entry is responsible for processing the asylum application – is not a fair arrangement. Growing asylum backlogs are untenable. Ultimately the answer lies in more effective schemes for sharing the responsibilities for reception, decision-making and solutions for refugees and asylum seekers, as well as protection-sensitive border control and expanding the opportunities for legal migration of refugees.

My third point is about strengthening development both as a means of preventing and resolving refugee flows. We all know that conflict and political insecurity are the biggest obstacles to development. As the World Bank reports have repeatedly highlighted no post conflict country has been able to achieve a single Millennium Development Goal over the past 15 years. When schools and hospitals are destroyed by shelling, when education and health systems break down, when food becomes scarce and jobs are lost because investors flee the country, and destitution and displacement become entrenched, who suffers most? Women and children.

Though the sources of conflict are varied, certain themes consistently assert themselves: oppression, weak institutions, high levels of corruption, poor governance, severe discrimination of minorities, gross inequality, entrenched poverty and unemployment. The underlying factor is the absence of the rule of law and good governance.

Successful peace-building strategies need investment in institution-building, including transparent and accountable justice institutions. This is what IDLO, my organization, is doing in Afghanistan, Myanmar, Ukraine, Tunisia, Somalia, Central Asia, Horn of Africa and West Africa. Our work of building institutions is complimented by our work to increase women's access to justice and fight gender based violence.

As the newly appointed UN High Commissioner for Refugees, Filippo Grandi in his inaugural press conference pointed out, international protection of refugees must be accompanied with safe and durable solutions of refugee problems. That means investing in development – including in institutions, policies and measures that support the rule of law, respect for human rights and gender equality. That brings me to another disturbing trend in Europe by which some governments are raiding their development aid funds to pay for the costs of asylum seekers arriving in their country. This act of “robbing Peter to pay Paul, is short-sighted. It deals with symptoms, rather than the cause.

The rationale for development aid is to help poorer countries become more resilient and stable with stronger institutions and economies, so that their citizens will be deterred from migration. Of course, it is also true that development aid is not always well used and is frittered away through corruption and mismanagement. But the answer is not to reduce

aid, but tougher action against corruption, better management of aid funds to improve and enhance its use and impact.

The more donor governments are willing to invest in developing the rule of law, the less they will have to scramble and spend to address catastrophic development failures, such as refugee crises. Building resilient societies takes vision, time and money. But it is the soundest investment there is.

My fourth and final point is about the empowerment of refugee women. It is too easy and too common to see women, especially refugee women as victims in need of protection. Yes, they need protection, but they are agents of change and agents of their own destiny. When I was working for UNHCR, I recall being at the border of the Naf river when Rohingya refugees were crossing from Myanmar to Bangladesh. They were exhausted from having walked miles. As they reached the camp, the men flopped down under the trees to rest. The women on the other hand, immediately began looking for firewood and water, get the pot out and start boiling rice to feed the children, and put up some shelter for the night. Refugee women are incredibly resilient.

During the regional dialogues promoted by UNHCR, refugee women demanded space for their own leadership. They have set up women's forums and committees, and come up with concrete suggestions on how to engage men and boys in initiatives to reduce gender based violence. They proposed various ways in which to enhance community support and organize themselves.

Barbara Prammer was a strong proponent of women's political leadership. For her, the participation of women in all political decision-making committees at all levels was critical part. Fifteen years ago the UNSC adopted resolution 1325 on Women, Peace and Security calling for the inclusion of women in peace negotiations, post-conflict reconstruction, disarmament, humanitarian relief and peacebuilding. But women are still in the corridors, not at the table, when it comes to peace-making.

Gender empowerment helps women to organize – and we all that it is women's power to organize that has been the single most important factor in fighting and winning women's rights, in Europe and around the world.

We all know about the gender dividend of development – invest in women and you invest in the future generation – investing in women and girls is smart economics, says the World Bank. Empowering women and girls is smart politics, I think Barbara Prammer would say.