



*Migrant women's experiences of sexual and  
gender-based violence and help-seeking  
journeys: Focus on FRANCE*



**GENDER BASED VIOLENCE AGAINST  
MIGRANT WOMEN AND REFUGEES**

**AUTHORS**

**Sarah DANIEL**

*with contributions from*

**Dominique ANTONY**

**and Madina QUERRE**



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## List of Acronyms

APAFED : Association Pour l'Accueil des Femmes En Difficulté (association the Welcome of the Women In trouble)

CACIS : Centre d'Accueil, de Consultation et d'Information Sexuelle (Center of welcome, Consultation and Sexual Information)

CAUVA : Centre d'Accueil d'Urgence des Victimes d'Aggressions (Emergency reception center of the Victims of Attacks)

CESEDA : Code d'Entrée et du Séjours des Etrangers et des Demandeurs D'asile et Apatrides (Code of Entry and of Stays of the Foreigners and the Asylum seekers and Stateless persons)

CHRS : Centre d'Hébergement et de Réinsertion Social (Reception center and of Reintegration Social)

CIDFF : Centre d'Information sur les Droits des Femmes et des Familles (Information center on the rights of the Women and Families)

CHU: Centre Hospitalier Universitaire (University Hospital)

CNDA: Cour Nationale du Droit d'Asile (National Court of the Right of asylum)

DCAF: Center for the Democratic Control of Armed forces

DSM: Diagnostic and Statistical Manual of Mental Disorders

DRC: Democratic Republic of Congo

FNUAP: Fond des Nations Unies pour la Population (Fund of United Nations for the population)

GRAF: Groupe Asile Femme (women Asylum Group)

HIV: Human Immunodeficiency Virus

INED: Institut National d'Etude Démographique des Statistiques et des Etudes Economiques (National institute of Demographic Study of the Statistics and the Economic Studies)

IPPO: Information, Prevention, Proximity, Orientation

IOM: International Organization for Migration

ITT: Interruption Totale de Travail (Total working interruption)

MDM: Médecins du Monde (Doctors in the World)

MIPROF: Mission Interministérielle de Protection des Femmes contre les violences et de 3ish contre la traite des êtres humains (Interministerial mission of Protection of the Women against the violence and fight against the trafficking in human beings)

OFPPA: Office Français pour la Protection des Réfugiés et Apatrides (French office for the Protection of the Refugee and Stateless persons)

OQTF: Obligation de Quitter le Territoire Français (Obligation of Quitter the French Territory)

PTSD: Post-Traumatic Stress Disorder

RUELLE: Relais Urbain d'Echanges et de Lutte contre L'Exploitation (Relay Urbain of Exchanges and of Fight against The Exploitation)

UNFPA: United Nation Population Fund

SWOT: Strengths, Weaknesses, Opportunities, Threats

UNO: United Nation Organization

# Introduction

Today, around the world, people are on the move. Women represent almost half of the 244 million migrants and half of the 19.6 million refugees worldwide.

The French Service of Protection of the Refugees and Stateless persons (OFPRA) recorded 79 914 applications for asylum in 2015, an increase of 23, 3 % compared with 2014. Political, social conflicts, wars and poverty caused migrants' flow in search for political and humanitarian refuge. Migratory routes are more and more dangerous, very dangerous journeys, with long travelled distances. The development of migrants' trafficking has led to more violations of human rights and putting in danger the integrity of the people.

Women who take the risky to migrate are increasing, creating more problematic issues, because women have gender specific vulnerability. A problem of the violence to migrant women is central in the understanding of the world stakes in migration.

Better knowledge and understanding of the phenomenon of Gender Based Violence of migrant women are needed as an essential input in order to meet the challenges and opportunities that international female migration pose to the countries of the region. Migration is a complex problem because of the multiple dimensions of the violence and the specificities of the violence to the migrant women and refugees

On the initiative of a European network, which the French referent is the structure Euro-CIDES, a research on the specificities of the violence to the women migrant was realized in several countries of Europe. The aim is to have a better understanding of this complex problem and the availability of the resources of every country participating in this project, for the welcome and the support of the victims of violence.

## I. Methodology

This research is conducted by Sarah Daniel, junior anthropologist who focus her research on the thematic of gender, violence and migration.

### I.1 Objectives

**The global objective is:** to understand the specificities of Gender Based Violence of migrant woman and refugees.

## The specific objectives are:

- III.3.3 1- To identify the types and forms of Gender Based Violence of migrant women and refugees  
2- To identify the barriers on access of care services for migrant women who suffered GBV  
3 -To identify the approach and the service providers who work in the GBV of migrant woman issue  
4- To propose recommendation to improve the welcome and support for migrant women victim of GBV.

## I.2-Method of Research

### A. Data gathering: Grey literature search and report

The data gathering of the report was realized from databases, PubMed, Isidore Cairn.fr Opengrey.eu Erudit, Cedref Les cahiers du genre, and Institut du genre.

#### Topic

Migration	Violence	Violence contre les femmes/ Violence against women
Refugié /Refugee Migrant Sans-papier / Illegal person Demandeur d'asile/Asylum seeker Primo arrivants Route migratoire/ journey of migration Centre de rétention administrative Camp de réfugiés/refugee's camp	Torture / Torture Enfermement/Confinement Coups / Knocks Menaces/ Threats	Viol /rape Violence conjugale/domestic violence Mariage forcé/forced marriage Mutilation sexuelle/ female sexual mutilation Rapports inégaux de genre Gender discrimination Gender-based persecution SGBV Women at risk

In the reading of 25 reports and academic researches, the report selected are the ones which concerns the theme:

### **Gender based violence and migration.**

- **HCR, La violence sexuelle et sexiste contre les réfugiés, les rapatriés et les personnes déplacées : principes directeurs pour la prévention et l'intervention**, Genève, HCR, 2003, 56 pages.

Sexual and Gender-Based Violence Against Refugees, Returnees and Internally Displaced Persons. Guidelines for Prevention and Response.

An understanding of the ways in which sexual violence affects victims will assist those working with them to help alleviate their suffering. The UNHCR Guidelines on Preventing and Responding to Sexual Violence Against Refugees provide a primer on when and how sexual violence can occur in the refugee context and the physical, psychological and social effects it can have on those exposed.

These Guidelines highlight the fact that many, and perhaps most, incidents of sexual violence remain unreported for reasons including shame, social stigma and fear of reprisal or the case going to trial.

The Guidelines address ways to combat the occurrence of sexual violence and how to respond when incidents occur. They emphasize the need for education, training and information campaigns. The Guidelines underline the need for refugees, and in particular refugee women, to receive legal awareness training, leadership and skills training, and education.

➤ **Rapport réseau euro-méditerranéen des droits de l'homme « Violence à l'égard des femmes migrantes et réfugiées dans la région euro-méditerranéenne études de cas : France, France, Egypte & Maroc »**, Jane freedman et Bahija Jamal, 2006, 57 pages.

The aim of the research is to exemplify and to analyze these two forms of violence against the women migrant and taken refuge in the region Euromed and the impact of the politics and the programs set up to fight this violence, in particular within the framework of the program of Barcelona. This research allowed to identify deficiencies in the protection of the women migrant and taken refuge in the region Euromed and to formulate recommendations intended for the national political authorities as well as in NGO and other groups of civil society which are brought to take measures to fight these diverse forms of violence, and to offer to the migrant and taken refuge women a safer environment. This research bases itself on the research works already made by the Human Rights Euro Mediterranean Network (REMDH), which considers as a priority the promotion of the women's rights in the region.

The survey is centred around case studies realized in four countries, among which two – France and Italy – belong to the European Union, and two – Egypt and Morocco – are partner countries of the PEM. It is based both on theoretical researches and on field work. To this end, as a supplement to the analysis of reports and available statistics, the authors met and questioned the representatives of organizations of civil society as well as the official personalities (EU, UNO, IOM and representatives of the national governments whenever possible) in each of these four countries. Missions on the ground were realized in Cairo, in Casablanca, in Oujda, in Rabat, in Brussels, in Paris and in Rome.

The survey in France approaches the themes of migrant women and domestic violence, forced marriage, asylum seekers and refugees, violence against the women in detention centres and human trafficking and prostitution. The last part focuses on the answers of the French government on violence against migrant and refugee women, and NGO and associative structures for women victims of violence.

➤ **Crawley, H. & Lester, T., Comparative analysis of gender-related persecution in national asylum legislation and practice in Europe**, Genève, HCR, 2004, 174 pages



The UNHCR's Regional Bureau for Europe commissioned a time-limited research project to undertake a comparative analysis of approaches to gender-related persecution in national asylum legislation and practice across Europe.

The aims of this research were to:

- Review whether, and if so how, UNHCR's Gender Guidelines have been incorporated into national legislation and practice;
- Review any guidelines (procedural or substantive) produced by governments on assessing gender-related persecution;
- Undertake a 'mapping exercise' which provides policy makers and practitioners with up-to-date information on current practice in assessing gender-related and gender-specific persecution; and
- Provide an assessment of how the UNHCR and other guidelines work in practice, for example, in relation to initial decision-making and case law or procedures for ensuring that information about women's experiences is collected at an early stage.

This report, covers the Europe Bureau region of 42 countries. It had been the intention that most of the research and analysis would be limited to those countries which have incorporated legal interpretative guidance and/or procedural safeguards within the legislation itself or have developed policy and legal guidelines on the same for decision-makers. It quickly became apparent however that a very limited number of countries fulfil these criteria and so the research and analysis has been wide-ranging across all the countries covered by the Regional Bureau for Europe.

In addition, it undertook more in-depth research into policy and practice in four case study countries. These countries provide examples of different approaches to gender issues in RSD procedures which appear to result in different – and somewhat surprising – outcomes: UK, Sweden, Germany and Lithuania.

- **UNFPA, Etat de la population mondiale 2006. Vers l'espoir : les femmes et la migration internationale**, New York, UNFPA, 2006, 116 pages.

This vast study on women and migration examines various questions, in particular women and employment, family relations, the relations between the sexes, the sending of funds, the health of migrant women.

It contains a section on the violence against migrant women.

- **Rapport du UNHCR : « Les violences faites aux femmes pendant leur voyage clandestin : Algérie, France, France, Maroc »** Smaïn Laacher, 2010

The aim of this mission focuses on violence against migrant women during their clandestine journey. The women who constitute the population of this survey are women who left illegally their country and travelled to Morocco, in Algeria, in Spain, and in France.

To bring elements of rigorous answer to this theme we collected narratives and testimonies of migrant women having undergone the violence connected to the experience on their clandestine journey, as well as the point of view of associations and NGOs and their way to fight and prevent these forms of specific violence.

## Methodology

- 69 interviews in the following 4 countries:
- 19 interviews were realized in Morocco;
- 20 interviews were realized in Algeria;

- 10 interviews realized in France;
- 20 conversations (maintenances) realized in Spain.

The majority of the interviewed population (69) are done to sub-Saharan women.

Other interviews were with three sub-Saharan men and the rest (10 people) with persons in charge of NGOs, associations and persons in charge of the UNHCR (Morocco and Algeria).

The majority of the people interviewed in Morocco and in Algeria arise from the following countries: Cameroon; Ivory Coast; Democratic Republic of the Congo; Liberia; Nigeria.

- L'Observatoire de l'asile et des réfugiés, **Le droits d'asile au féminin : cadre législatif et pratiques**, les cahiers du social 32, 2011, 132 pages.

The survey presents at the same time quantitative data (when statistics are available) and qualitative data on the treatment of applications for asylum connected to gender specific to the women as well as an overview of the conditions of welcome and of retention of the asylum seekers in France. This analysis allowed for the identification of several recommendations with the aim of improving the consideration of gender in the legislation and the French practices and reducing the discriminations to all the steps of the procedure of asylum. Within the framework of the activities of the project Gensen, the partners led national researches concerning asylum systems in ten countries of the European Union (Belgium, Spain, France, Hungary, Italy, Malta, Portugal, Romania, the United Kingdom and Sweden) in the aim to realize a comparative survey.

- Freedman J. et Valluy J. (dir), **Persécutions des femmes : savoirs, mobilisations et protections**, Editions du Croquant, France, 2007 (book), 639 pages.

Domestic violence in the world at the persecution of women during the wars or in their sub-human status in several societies, there is a continuum, transnational, connected to the gender relationships between men and women. Rare are the ones who can escape to these gender persecutions and find refuge in other country. They collide then with the rejection generalized by applications for asylum and with the multiple denials of their experience of violence. The victims are affected by a triple illegality, socially built, which maintains silence and maintains the denials of the phenomenon: the one that bring into conflict the societies of origin transforming the women into deviants; the one that bring into conflict the host societies with refugees in general and the one that is internalized by the victims, who are often afraid of expressing their real motives for departure and mask them behind other motives perceived by themselves as more justifiable or simply easier to express.

- Thèse de doctorat en Migrations et relations interethniques, **Les frontières de l'asile en France : nouvelles migrations, nouvelles figures de l'asile : le droit d'asile à l'épreuve des demandeuses d'asile** par Isabelle Desrues sous la direction de Catherine Quiminal – Paris 7, 2007 .

This survey concerns the right of asylum in France and its incidences on the gender and in the mobility. Through women's testimonies asylum seekers, recognized refugees or refused by the right of asylum, as well as the interviews of associative staffs working in associations of help and support on the asylum seekers or in the structures of the service of welcome, completed by observations in several associations and institutions. The survey studies mechanisms of exclusion/inclusion from refugee's status.

- Thèse de doctorat en Droit : **Femmes victimes des persécutions sexo-spécifiques et droit d'asile en France aujourd'hui** (Women victims of gender related persecutions and right of asylum in contemporary France) par Jean-Paul Mopo Kobanda sous la direction de Camille Kuyu Mwissa – Paris 1 , 2009.

March 8<sup>th</sup> and November 25<sup>th</sup>, are dedicated every year to the woman. The first date tends to value their rights and places them in the company and the second to recall the fight against violence to which numerous women are subjected in the world. Protective legislations dedicated by the international community remain not applied in numerous countries - rape used as weapon of war, the sexual slavery, the trafficking in human beings and prostitution as well as the cultural violence among which the excision, the crime of honour and forced marriage, affect a large number of women in several parts of the world. This thesis is interested in women's routes, women that were forced to leave their country because of the violence undergone due to their gender. Through some concrete cases, the thesis questions the practices of applications for asylum in France today in a context of suspicion of the migratory causes.

In a context of greater selectivity of applications for asylum generally, how the narratives of the women became victims of the violence encouraged or facilitated by discriminatory patriarchal and traditional systems be legitimized in routes of access to refugee's status? The analysis of the welcome and the support of this public as well as the answers of the authorities in front of challenges put by the specificity of the problem of the kind in the asylum, occupies an important place in this thesis.

- Thèse de doctorat en Anthropologie sociale et ethnologie, **Le refus de la violence : vies de femmes, entre l'Algérie et la France**, par Clotilde Lebas sous la direction de Didier Fassin – Paris, EHESS , 2013.

Based on an ethnographic enquiry, realized in France and Algeria, the present study intertwines three anthropological fields of interest: gender, violence, and migration. Articulated in three parts, this work questions the reconfiguration of the irremediably transformed lives of women, consequence of the refusal of violence. Questioning the embodiment process of gender assignments, the first part shows that in post-colonial Algeria most of the women have to foresee the slightest of their action and to estimate before moving themselves in public spaces. Therefore, they have to make do with gender assignments, the only way out for women that didn't accept conjugal violence was migrating to a big city or to France. The second part concentrates on the attempts made by these women to regain a place in society, demonstrating that the reconfiguration of their existence is subject to a conservative way of thinking. On the one side, the meaning of

their escape is caught through the pre-existent categorization of victims, both in France and in Algeria. On the other side, they are relegated to the domestic sphere for their economic survival. Even though their departure didn't provoke radical changes in the social order micro changes did occur on a small scale. The third part thus analyses the changes in their appreciations of themselves. Then, it suggests ways to figure the feminine body not as a masculine object of desire but as a subject of desire and a project of the future. Through the many twists and turns of these manhandled lives, subject to masculine authority, this work explores the memories of the bodies, that bear inside themselves residues of gender technologies.

- And we also based our searches on the recent data of the qualitative research: « *Violence and women at the heart of the migration: An exploratory research about gender-based violence against migrant women in Bordeaux* », which for 6 months, finished in November 2016, realized by the association MANA, 45 pages.

It is a qualitative research, which based to the methodological tools of the search in anthropology:

- **The participant observation:** all the senses are mobilized and the reflexivity on the feelings is used for the gathering of the information. Some information is collected through the word, through the participation of the researcher in focus group about the migration thematic, in various workshop like « migration cartography with migrant women », and very important, her participation in transcultural/cross-cultural consultation in a hospital in Bordeaux. Other information is collected through corporal expression, through the participation of the researcher on workshop: healthy dancer and art therapy. The participant observation allowed identifying various modes of demonstration, forms, and types of violence. An analyzing observation grid was previously constructed and observations are transcribed on field notebook, during the research.
- Semi structured interviews were realized with various actors for collecting diverse representations of the violence and crossing information, using the triangulation of information (Olivier de Sardan, 1995). That is why semi-structured interviews were realized with:
  - Migrant women to collect their experiences of the migration
  - Professionals of the support of the women who have suffered violence, to collect the various representations of migrant woman gender-based violence and the various supports approaches to this issue.

Interview guide and analysis grid have been construed previously to the interviews. Interviews were recorded (with the agreement of the interlocutors) and they each lasting approximately two hours. All interviews have been anonymized and transcribed.

In the case of non-French-speaking women, the interviews have been conducted with a professional interpreter. Approximately 80 people were met in this research:

- About 50 refugees and migrant women was met through participant observation, there are from: Turkey, Algeria, Tunisia, Eritrea, Sudan, Democratic Republic of Congo, Congo Brazzaville, Guinea Bissau, Benin, Cameroon, Nigeria, Senegal, Cambodia, Morocco, Argentina, Albania, Angola, Occidental Sahara, Uganda., Russia, Kurdistan.
- Semi-directive interviews have been conducted with 8 women: Democratic Republic of Congo, Cambodia, Tunisia, Morocco, Turkey, Algeria, and Cameroon.

-17 interviews with professional who work with women or people who suffered violence.

- A these which does not approach the violence against the migrant women, but violence against women with a focus on Bordeaux: Thèse de 12ishonor12 n Sociétés, Politique, Santé publique. Sociologie : **Les violences de genre : analyse comparative des pratiques judiciaires et médiatiques En France et en France** (Gender violence : comparative analysis of judicial and media practices In France and Spain) par Laetitia Franquet Sous la direction de Charles-Henry Cuin et de Lluís Flaquer, 2013.

The aim of this thesis is to improve the knowledge and understanding of gender-related acts of violence. More particularly, it aims at understanding how their undertaking has emerged in the political sphere, spurred on by State feminists in Spain, and how the French and Spanish political institutions have taken up and brought this social issue before the courts. The analysis of these two national, regional and local frameworks helps to underline the evolution of judicial and media practices at different scales. This comparative study shows the financial, sanitary and social repercussions and, consequently, the interest for the State to intervene to combat the acts of violence against women within the couple. However, this social issue has not emerged the same way in France and Spain. That is why several factors can account for its integration into the Spanish political agenda: the geopolitical context, the weaknesses of family policies, the capacity of State feminism to attract people's support and its media coverage. After presenting the legislative evolution of acts of violence against women within the couple, this research brings an explanatory and comparative reading of the functioning of justice in front of situations of violence by studying the practices of Bordeaux and Barcelona courts between 2003 and 2009. Finally, it draws a contrasted portrait of two nations whose media reflection of political action, reveals quite different ways of tackle the issue. For that, it evokes the function of messages conveyed by Government communication campaigns on fights against acts of violence against women as well as the editorial ways of TV regional news about the ways gender-related acts of violence are dealt with. So, the analysis of these practices unveils the influence of a gender social policy generated from the denunciation rates and the convicts' profiles.

## **B. Field data**

### **Anthropologist of the association MANA**

Since January, data of gender-based violence against refugees and asylum seekers were collected through the participant observation during anthropologist's activities within the MANA association. The first stage consisted of activities within the structure of prevention and health mediation, and during a second, longer, stage second time within transcultural /cross-cultural consultation in the hospital of Saint André. Transcultural consultation is a clinical and therapeutic practice based on complementarity methodology of ethno-psychiatry (Devereux, 1985): that is the complementary use of two modes of interpretations and explanations of two disciplines - psychology and anthropology. In a transcultural/cross-

cultural consultation, the culture of the patients is considered as a therapeutic lever. In this specifically clinical framework, there is a principal therapist: a psychologist and co-therapist: an anthropologist, and a professional interpreter.

MANA association was created in 1998 by Claire Mestre and Alenka Kvrisky. These care services are directed at migrant women in serious social and administrative precariousness, who have suffered traumatic experiences in their country of origin, during their migratory journeys and in France.

It allowed knowing and supporting with therapeutic care women from Syria, Angola, Libya, Sudan, Albania, Eritrea, Nigeria, Democratic Republic of Congo, and Ivory Coast. This therapeutic space allows collecting women real-life violence testimonies.

## II. Definitions

### II.1 Gender Based Violence (GBV)

It is estimated that 35 per cent of women worldwide have experienced either physical and/or sexual intimate partner violence or sexual violence by a non-partner at some point in their lives. However, some national studies show that up to 70 per cent of women have experienced physical and/or sexual violence from an intimate partner in their lifetime.

Women who have been physically or sexually abused by their partners are more than twice as likely to have an abortion, almost twice as likely to experience depression, and in some regions, 1.5 times more likely to acquire HIV, as compared to women who have not experienced partner violence

**Some data of the violence against women in France:** in case of violence within the couple, every year, 216 000 women from 18 to 75 years old are physical and/or sexual victims of their intimate partner (husband, common law husband).

Council of Europe Convention on preventing and combating violence against women and domestic violence, or Istanbul Convention, 11, May 2001 condemning all forms of violence against women and domestic violence;

Council of Europe Convention on preventing and combating violence against women and domestic violence defined « *“violence against women” is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life* »

In this report « CAPTIVE: Gender based violence against migrant women and refugees», two terminologies are used:

- The types of violence to define spaces and performers of the violence
- The forms of violence to define the demonstrations of the violence

## **Types of violence**

- **Political violence:** acts of disorganization, destruction, wounds, which objects, the choice of targets or victims, circumstances, execution, and the effects, acquire a political meaning. The aim is tended to modify the honor of others, which has consequences on the social system. Political violence takes different forms: the terrorism, the guerrilla warfare, and the political repression.
- **Structural violence:** any forms of constraint of the potential of an individual because of the political and economic structures. This violence is expressed by xenophobia, racism, of homophobia, sexism, nationalism, or classism.
- **Social violence:** which origin is the dysfunction of the society.
- **Institutional violence:** the violence affects the users in the specialized, social, and medical and social institutions. It is a violence executed by people who have authority on particularly vulnerable people, Institutional violence it is any violence committed in or by an institution, or any absence of action.
- **Domestic violence:** the violence exercised in a couple, by one of the spouses. It expresses generally the domination of the man on the woman, which is executed by physical, psychological, sexual, economic, or emotional attacks and sometimes homicides. Domestic violence is an expression of the social gender inequalities and gender domination relationship.
- **Family violence:** violence within the family
- **Trafficking in persons** “The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (Art. 3(a), UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, 2000). Trafficking in persons can take place within the borders of one State or may have a transnational character.

## **Forms of violence**

- **Administrative violence:** the confiscation of documents (passport national ID card, driving licence, family book, social-security card).
- **Symbolic violence:** corresponds to the power to impose a system and legitimated this system in « dominated » population.
- **Economic violence:** the objective is to reduce the autonomy of the victim by maintaining her in a financial dependence: privation or control of the financial and material resources, the control of professional activities, interdiction to work, material privation, precise control of the expenses.



- **Physical violence:** it is the direct act which damages at the physical integrity, at life or at the freedom of a person

- **Torture:** is the voluntary use of the violence to inflict a strong suffering to a person. Torture cause, physical or psychological pain or a suffering, deliberately imposed.

- **Psychological violence:** repeated acts, which can be words by a continuation of contemptuous, humiliating attitudes, which denigrate the intellectual abilities or the appearance of the victim. The psychological violence is like the moral and emotional violence.

- **Verbal abuse:** expressed by a tone of authoritarian voice, depreciating words, shouts, which maintain a climate of tension, a state of fear and insecurity for the victims.

- **Sexual violence:** the sexual violence includes the sexual violation, the harassment, the sexual torture, the sexual mutilations, the draft, the sexual slavery, the forced pregnancy, the sterilization, and the abortion forced the intentional transmission of Sexually transmitted diseases. Any sexual act, attempt of sexual act or act exercised by others against the sexuality of a person by making use of the strength, whatever is its relationship with the victim, in any context. This definition includes the rape, defined as a penetration by the physical strength or means of coercion of the vulva or the anus, with the penis, other parts of the body or object.

- **Forced marriage:** act to marry a person against its will.

The violence against migrant women is between two legal frameworks: that of violence against women and that of the migration. Legal frameworks and arrangements of protection of the women who have suffered violence have been put in place gradually through the history. Today there are international, European, and national normative texts relative to the fight against based gender violence.

### International

The declaration on the elimination of violence against women of December 20<sup>th</sup>, 1993: article 2: violence against women includes, without being limited to: a) the physical, sexual and psychological violence exercised within the family, including hitting and sexual abuse on children and women at home, the violence connected with dowry, marital rape, genital mutilations and other traditional practices harmful to the woman, the non conjugal violence and the violence connected to exploitation; b) the physical, sexual and psychological violence exercised within the community, including rape, sexual abuse, sexual harassment and intimidation in work establishments, as well as procuring and forced prostitution. c) the physical, sexual and psychological violence committed or tolerated by the State, where such actions are practiced.

- Convention on the elimination of all forms of discriminations against the women (CEDAW) of December 18, 1979 and the optional protocol of December 10<sup>th</sup>, 1999
- Declaration on the protection of women and children in emergency period and times of armed conflicts, of December 14<sup>th</sup>, 1974
- Universal Declaration of Human Rights, of December 18<sup>th</sup>, 1948.

### Europe

**Convention of the Council of Europe on preventing and combating violence against women and domestic violence**, Convention) of Istanbul, of May 11<sup>th</sup>, 2011. It is the first mandatory European instrument creating a complete legal framework to prevent violence against women, protect the victims and stop the impunity of the authors of violence. This convention defines and criminalises different forms of violence against women (forced marriage, feminine genital mutilations, harassment, physical and psychological violence and sexual violence).

### France

- **law N°2014-873 of August 4<sup>th</sup>, 2014 for the real equality between women and men** in its chapter 1<sup>st</sup> title III contains specific provisions to prevent and fight violence against women by improving the protective mechanisms of the victims and completing the legal tools.
- **Law N 2010-769 of July 9<sup>th</sup>, 2010 concerning the violence made specifically for women, for the violence within the couple and for the incidences of the latter on the children.** It creates the prescription of protection of the victims and the penalty of her violation (decree N 2010-1134 of September 29<sup>th</sup>, 2010 concerning the civil procedure of protection of the victims of violence within the couples), the total retreat of the parental rights for the people condemned as the author, co-author or accomplice in a crime of the other parent. **This law also defines the offence of psychological violence.**

However, there are still no specific legal frameworks and arrangements that address migrant and refugees' women.

## **II.2 Contextualization of the migration of the women in France**

In a parallel to the general increase of the migratory flow, the migration of women also increases. More women take the risk of migrating, with their husband, children or alone: they represent half of the migratory contingent (FNUAP, 2006). The women correspond to 51 % of the people arriving on French ground; this proportion is stable since decades (Ined, 2013). Migration creates situations which increase the vulnerability of the people. Women are more exposed to specific vulnerabilities, from the beginning, during and on arrival of the migratory journey, because of the disparities of gender social relationships.

### **What about migrant?**

It is difficult to define a migrant person because his/her statuses can modify during a migratory path:

The same person can pass from having a worker visa, to a tourist visa, to without paper, to asylum seeker. His/her relationships with immigration policies also change (Withol de Wenden, 2014).

The International Organisation for Migration, IOM, defines “*a migrant as any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person’s legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is*”.

The various forms of migration can be distinguished by the motivations (economic, family, and/or political) or by the legal statute (irregular migration, facility emigration / immigration, forced emigration / immigration, free emigration / immigration) from concerned people.

In front of this complexity to define who is a migrant person, it is a question of referring to the international and French legal frameworks which are mainly the Geneva Convention of 1951 relative to the rights of the asylum seekers, the refugees and the stateless persons and the Code of Entry and the Stay of the Foreigners and the Right of asylum (CESEDA) which is the French general legal framework of immigration.

**CESEDA code, L. 111-1, 2005:**

« The people are considered as foreign to the sense of the present code CESEDA who have no French nationality, whether they have a foreign nationality, or whether they have no nationality »

**Convention of Geneva relating to the Status of Refugees, Art. 1A (2), 28, July, 1951  
as modified by the 1967 Protocol:**

“Refugee is person who owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country”

**Art. 1, UN Convention relating to the Status of Stateless Persons, 1954:**

“Stateless person is a person who is not considered as a national by any State under the operation of its law

However, “migrants” are not only legal categories; they travel rich in their stories and in their cultures. «To immigrate, it is to immigrate with our story (the immigration is integral part of this story), with our traditions, our ways of life, to smell, to act and to think, with our language and religion as well as all other social, political, mental orders, characteristic structures of the person, and, in common, the society, in brief with our culture “ (Sayad, 1999).

It is important to consider both the emigration and the immigration, which are inseparable phases of the same reality and cannot be understood alone.

So, there is a big diversity of migratory trajectories: the migration can be wanted or forced. The causes of the departure can be poverty, wars and political conflicts, human beings trafficking, forced marriage, refuse the condition of the women, the social violence but also the desire to try for a better life in Europe.

## Interim conclusion

In France, there is no specific legal framework for violence against migrant women

However, the migrant women can benefit from the protection of the French state for the migrant women victims of violence in the following cases:

III.3.4 If the women are asylum seekers, they ask for the protection of the French state in view of the persecutions which they lived or which they are threatened, their protection will be attributed according to term of the Geneva Convention. That is the asylum seekers will not have to arise from a “safe” country (Albania, Armenia, Benin, Bosnia and Herzegovina, Cape Verde, Georgia, Ghana, India, Yugoslavia, Maurice, Moldavia, Mongolia, Montenegro, Senegal, Serbia, Kosovo) and will have to be able to complete their asylum-seeking procedure in the OFPRA with a maximum deadline of 6 months for the standard procedure and of 15 days for the accelerated procedure.

The women must write their narrative of the persecutions and go for an interview in front of the OFPRA (French office for the protection of refugees and stateless persons) and in case of refusal, they can make an appeal in front of the CNDA (national court for the right of asylum) to try to obtain the status of refugees. During the asylum-seeking procedure, if it's possible, the women are accommodated in CADA (Reception centre for asylum seekers) and receive a financial support of the French state the ATA (Temporary Allocation of Wait). In the case of a refusal of the CNDA, the women asylum seekers are refused and have to leave the CADA within one month and lose the right for the ATA.

There are several obstacles for obtain this status of refugees, because all the violence against women is not considered as persecutions as is the case of domestic violence. However, there is an opening to obtain refugees' status connected to the sexual mutilations and forced marriage thanks to the plea of numerous NGOs which consider this violence as persecutions to the social group of women.

The law no 2015-925 of July 29<sup>th</sup>, 2015 relative to the reform of the right of asylum allowed to improve the protection of the women asylum seekers victims of violence. This law put the principle according to which aspects connected to the gender must be considered in the interpretation of 5 motives for persecution of the Geneva Convention relative to refugee's status.

There is however a big lack in this protection because the violence undergone in the migratory route, as that lived by numerous women in Morocco, in mount Sinai, in Libya, are not consider for obtaining refugee status.

**2.** Art. 515-9 of the civil code Law n°2010-769 of July 9<sup>th</sup>, 2010 relative to the violence made specifically on women, for the violence within the couples and for the incidences on the children. Modified by the law of August 2014:

“When the violence exercised within the couple either by a former spouse, a former partner connected by a civil union, or a former common law husband, puts in danger the person who is a victim, one or several children, the Family Court can deliver in urgency a prescription of protection“.

Since the law of March 7<sup>th</sup>, 2016, law for the protection of foreign people victims of violence plans the principle of the right at the first renewal of the temporary resident's permit obtained as spouse of French citizens, when the woman justifies to being victims of domestic or family violence; this is the same in case of first renewal of the temporary resident's permit granted in conformance with the family entry and settlement when the woman proved to have been a victim of domestic violence. So, if the migrant women entered France by familiar grouping, that is through the administrative procedure of their spouse, and if they live in grave domestic violence, they have the right to obtain a Prescription of protection of the Family Judge, to obtain their own papers (the temporary resident's permit carrying the mention private and family life) and to have access to the rights of the women. Before 2016, it was necessary to prove 5 years of life in France to be able to have access to a personal request of stay and thus access to the common laws and women.

To obtain a prescription of protection, it is necessary to end the procedure of complaint against the aggressor. This measure gives access to service for protection of the women victims of violence: maternal shelter, financial support of the State. If it's necessary, an access to the teleprotection service.

Besides, the law creates a new right of delivery the temporary resident's permit carrying the mention private and family life for the benefit of the foreign national who benefits from a prescription of protection because of the threat of a forced marriage.

It is however still very difficult to obtain a prescription of protection for the migrant women.

3. In the case of victims of women trafficking, according to the law of April 13<sup>th</sup>, 2016 for the fight against the system of prostitution and the support of prostitutes, the women victims of violence can obtain protection when she denounces the network of trafficking, and choose to exit the prostitution cycle and try to have social and professional integration. They can have the temporary authorization of stay, have financial support to the social and professional integration and benefiting from protective measures to assure their safety.

### **III. Mesh of violence**

#### **III.1 Gender based violence against migrant women and refugees**

The migrant women interviewed and whose testimonies were used to produce this report have the following characteristics:

<b>N</b>	<b>Country of Origin</b>	<b>Age</b>	<b>status</b>	<b>Which countries are crossed</b>	<b>Type of S/GBV</b>	<b>where</b>	<b>who</b>
<b>1</b>	Cameroon	40	Residence permit / Legal statement		Sexual, physical and psychosocial, witchcraft, forced marriage	Cameroun France	Family husband
<b>2</b>	Cameroon	30	Asylum seeker	Morocco, Spain	Sexual, physical, witchcraft	Cameroun, Morocco	Family, boyfriend, Moroccan police agent
<b>3</b>	DRC	18	Asylum seeker	Turkey, Greece	Torture, physical and psychological violence	DRC	Kabila milice
<b>4</b>	DRC	33	Refused/illegal		Rape, physical violence	DRC	Kabila milice
<b>5</b>	Cambodia	40	Residence permit / legal statement	Singapore	Physical, sexual and psychological	Cambodia France	Military forces husband
<b>6</b>	Syria	40	Refugees	Lebanon , Libya , Italia	Forced marriage, psychological violence	Syria, Lebanon, Turkey	Military forces, family
<b>7</b>	Albania	35	Refused /illegal	Germany	Sexual torture	Albania	Organized crime, mafia

8	Angola	29	Asylum seeker	Morocco , Portugal , Spain	Psychological violence, women trafficking, witchcraft	Angola , Lybia, Portugal	Husband family, Woman trafficker
9	Morocco	42	Residence permit /legal statement		Physical and psychological violence	France	husband
10	Benin	38	Residence permit /legal statement		Work exploitation	Benin, France	family
11	Turkey	35	Illegal		Domestic violence	France Turkey	husband
12	Bulgaria	36	Residence permit /legal statement		Domestic violence	France Bulgaria	husband
13	Eritrea	38	Refugees	Soudan, Italia	Rape, slavery, physical and psychological violence	Eritrea, Sudan	Military, Sudanese milice
14	Albania	32	Asylum seeker		Forced marriage, domestic violence	Albania, France	Family , husband
15	DRC	23	Refugee		Sexual slavery	DRC	Military agent
16	Nigeria	25	Asylum seeker	Morocco	Women trafficking	Morocco, France	Women trafficker
17	Ivory coast	45	Refugees	Libya	Forced marriage, sexual mutilation, physical violence	Ivory coast, Libya	Family, husband , smuggler
18	Uganda	30	Asylum seeker	Ethiopia	Sexual, physical and psychological	Uganda	family

When women become migrants they do it with their history of violence. Different contexts provoked the exile; there must be the cause of the migration of women.

In the case of the women, there are two important groups of gender violence:

- Violence that targets specifically the behaviour of the women not conforming to the standards which are imposed on them according to their gender. They are present in the so called **Socio-cultural context violent for women** such as genital female mutilation, forced marriage, domestic violence, honour crime and witchcraft attack.

- Those which are not motivated by the gender, but which take a gender form. They are present in **geopolitics conflict and war**.



### III 1.1 Socio-cultural context violent for women

#### A) Physical violence

Physical violence against women refugees can be practiced in several manners.

In the domestic sphere, they are the expression of domestic violence. Women are dominated, struck, burned, and choked by her husband or her common-law partner. This violence is caused by gender disparities and is a tool of control of the patriarchal system. The women, by the social construction of gender, are assigned to a reproductive role, in the domestic sphere, which puts them in position of vulnerability and exposed to the violence.

Moreover, physical gender-based violence can be articulate with the question of the honour of the family. The woman or girl who suffered violence rarely can find protection in her family or in her socio-cultural community. If she separated from her husband, she would have a negative reputation and this is seen as something against the honour her family (ex: Albania, Syria, Turkey, Ivory Coast). The coming of a child is decisive and condemns the woman to stay with her common-law partners or violent husband, because a child without father can to be rejected and because the role of a woman is to take care of children.

*« My husband hit me so much hard, of which I thought that he will to kill me ... Once I ran away, but he caught up me and threw me some ardent water on the leg, I got seriously burned. He used to hit me with telephone cables, in my eyes, it is because I have been operated for the cataract. When I am got pregnant of my first daughter, I knew that I cannot leave and that my family shall not help me ... “ F. Ivory Coast*

The women who we meet in this research, have suffered physical violence in the domestic sphere in their countries of origin, but in the host country too. The Turkish, Bulgari and Albanese women come in France with their husbands, the domestic violence have been worse because in the migration, they are more isolated, without their families and friends; and their administrative status depend of their husband. They felt imprisoned and that their situation was worse than before migration.

The physical violence is also exercised during the migratory journey (by the militias, bandits or agents of the Moroccan or Libyan police), for the women refugees who did the migratory route from sub- Saharan Africa.

## **B) Psychological violence**

Such as the physical violence, the psychological violence can be exercised as domestic and social violence during the migratory experience. When psychosocial violence is exercised in the domestic sphere, it can be shown by shouts, insults, daily depreciation, mockeries, blackmail which causes a social isolation and a loss of self-confidence.

*« It is too hard to be with a man who don't' speaks to you, who don't' tells you hello the morning, does not look at you, as if I am a piece of furniture “ B. Cameroon*

In the case of psychological violence within of political and social violence context in the country of origin and during the migratory route, it expressed itself by the fear of death, to be murdered or because a family can be threatened. To be confronted with the danger of death is a traumatizing experience that causes very serious consequences in the psychological health of the migrant women.

To be witness of horror, torture and the murder of close friends is also psychological violence.

*« When we were in the boat, when the maritime border guards arrived, the smugglers threw people in the water, in the sea. I lost members of my family like that ... “ G. DRC*

*« The guards arrived, they were armed, they fired in the air, they wanted to take my daughter, I shouted that they had to kill me if they wanted her. They kept shooting, I was on my knees, hands on my head I really thought that I will die in this moment. » F. Ivory Coast*

## **C) Sexual violence**

The sexual violence, and particularly rapes, expresses several intentions.

The first type is where sexual violence is connected to the relationship of domination of gender; the rape is a way of appropriating and of controlling the body of the women by the men. In case of the conjugal rapes sometimes the women, from country where the question of the sexuality is taboo, know nothing about sexual intercourse, and live the first sexual relation as a violent and painful experience. Sexual violence is exercised to maintain socially assigned and culturally justified roles and statuses of women: disposal, submission, and reproduction.

*One of the Albanese women suffered for more than ten years domestic violence. She tells that in her region in Albania, the women are very badly considered, she was exploited and suffered violence by her husband and her husband's family. She had to be ready to fulfil the desires of her husband and lived domestic rapes during numerous years.*

In the case of the homosexual women, the sexual violence has the role to repeat the place of the woman in the hetero-normative system and is used as tool of hetero-patriarchal sexual re-education.

*« My parents began to offend me, to beat myself, to treat of lesbian. They attached me in a backyard and asked to my uncle to re-educate. He came several times to submit me sexually ... » J. Uganda.*

## D) Sexual mutilation

Female genital mutilation is a violation of the fundamental rights of girls and women. It represents an infringement of their physical integrity. It is a harmful traditional practice.

The term «female genital mutilation» covers any operation or intervention on the external female reproductive organs for no medical reason. It includes:

- *Circumcision*: the complete or partial removal of the clitoris and labia minora.
- *Infibulation*: the complete or partial removal of the clitoris, labia minora and labia majora. The two sides of the vulva are then sewn or glued together, leaving only a small opening for urine and menstrual flow. A hard scar forms over the vulva, which must then be cut open for the purposes of intercourse and/or childbirth.

*« I did not know what it was the excision, one night my grandmother picked me up, I was afraid, I was told nothing, they took all the girls of the village. They took us in a big house, when the girls entered, I could hear them screaming. I was afraid, I wanted to run away but they brought down to the ground me, maintained my arms and my legs, and they cut me. There was very old woman who did not even see what she made, I very had pain and a lot of blood. » F. Ivory Coast.*

### IMMEDIATE CONSEQUENCES

- Bleeding, which can lead to haemorrhaging and even death; many young girls die following circumcision.
- Intense, unbearable pain, along with fear, anxiety and, in many cases, mental trauma.
- A burning sensation when passing urine.

### LIFELONG CONSEQUENCES FOR THE VICTIM

- Infections of the vulva, urinary tract and sexual organs, in some cases leading to septicemia, infertility and even death.
- Difficulties during childbirth: mutilated women are more susceptible to perineal tearing. Both the woman and her unborn child are at risk of death.
- Extreme pain and/or a lack of pleasure during intercourse.
- Severe psychological trauma: anxiety, fear and depression, potentially leading to suicide.

Female genital mutilation can be “repaired”.

Female genital mutilation is a criminal offence in France. The law protects all children living in France, irrespective of their nationality.

French law applies to female genital mutilation procedures carried out in France and abroad.

Offenders can be prosecuted under French law regardless of their nationality, if the victim is a French citizen or if she is a foreign citizen normally residing in France (Art. 222-16-2 of the French penal code).

*Extract from Brochure “Female genital mutilation: A criminal offence” edited by French Ministry of Social Affairs, Health and Women Rights*

## **E) Forced Marriage**

Forced marriages exist in many countries such as Albania, Cameroon, Ivory Coast and Syria, for example. It is an arrangement between the family of the girl and of the man, sometimes money is asked for. Generally, the women do not know their future husband and do not have a say in the arrangement. If she refuses, she soils the honour of her family, what is grave. After their marriage, the woman is then forced to live with the family of her husband, who is an unknown. According to the testimonies, forced marriage is a difficult experience which expresses the commodification of women; this practice is profoundly based on the inequalities between men and women. The women are not totally considered as free, but as first property of their family (and sometimes of the community) and after she become as property of her husband.

*“I did not want to get married to this man, he was older and had other woman. I was in love with another man, but it wasn't Basa, it was Bamiléké, I am Basa, then my family did not want. My parents brought me of strength at a big wizard, he knifed a chicken and banged me the body with, I had some blood everywhere, I was very afraid. This is the way I accepted, I was attached to my husband”* B. Cameroon

## **F) Human being trafficking and prostitution**

In France, there are several networks of women trafficking for the prostitution: mainly those which come from Eastern Europe (particularly Russian and Bulgarian), of sub-Saharan Africa (particularly Nigeria and Cameroon) and the Asian networks (China). Most important part of women who we meet did not know that they would be obliged to become prostitutes in France, they came to France because of a promise of legitimate work. They came in France through organized networks which pay for their passport and their plane ticket. When they arrived in France some accumulated a debt of about 40 000 Euros, which they must pay off by prostituting themselves. Generally, the women victims of trafficking are locked into criminal networks mainly through Eastern Europe and of Asia networks. For the African women, it is a little bit different because some criminal networks are connected to witchcraft. In the case of Nigeria, the victims of the networks of forced into prostitution, for the great majority, are contacted by recruiters called “trolley buses”, committed by “moms” or “mamas”, also named “Mania Loa”, which means “priestess, mom”. The girls are recruited on their workplace, or markets, and even at her home: the recruiters are sometimes a member of the circle near of their family. They promise them work in Europe which will allow the girl to pay off her debt quickly, as hairdresser or seamstress. If the girls want to leave they have to sign a contract which is sealed by a traditional rite: the “juju”, a rite of magic in western Africa. The girls must take the oath to pay their debt and to reveal no identity or information concerning the network: it is the interest of the rite there «juju». They believe is that if the victims do not respect the contract concluded,

the priest can use takings (hair, nail...) to bring down illnesses, madness, even the death on the victim or on their family.

The networks of the women trafficking also rage on the migratory route particularly in Libya, because of the corruption of the prison guards, which take the women from the detention centres for migrant to put them in networks of prostitutions in Libya. This is also happening in Morocco. The women who we met for the research testify that the sub-Saharan women particularly from Nigeria, of Sierra León and Cameroon are the most vulnerable.

*“When I was locked with my daughter into a prison in Libya, men in civilian clothes brought in and frightened us with arm, they took Nigerian girls for the prostitution. “F. Ivory Coast*

Sometimes, the migrant women told that when they travelled alone, without her husband or boyfriend, they were very deprived and have no other choice than to prostitute themselves to survive during the migratory journey.

### III.1.2 Women in War and geopolitical conflicts

In armed and geopolitical conflicts, the violence against women is not only gender-based violence, but is exerted within a gender dimension, a significant part of persecutions of the women have the aim to the control of their sexual and reproductive capacities.

#### A. Sexual violence in war

The sexual violence was also exercised to assert a power of males, but also as weapon of repression in the case of political repression, like the experiences of women from the Democratic Republic of Congo.

*“They arrested us when we walked in peaceful demonstration, they kidnapped of us and locked. When we are locked into prisons, the men rape all the women, sometimes it is ten men who pass, they rape us in front of the other women» J. DRC*

Their narrative shows that the rape in war time is used as “weapon of war and repression”, or as “method of war and repression”. According to the Centre for the Democratic Control of Armed Forces (DCAF), the word *weapons* send back to an object, while *to rape* is an action used as war method.

It is right that in women’s testimonies, the rape is being executed in specifically space (the house -dungeons) where they were locked living in dehumanizing situations, kept by men with weapons and raped in front of the other women. Thus, it is a method of war and repression aiming at several objectives, to torture, to impose a physical and moral damage, to extort information, to punish, but also to assert the power of the aggressors.

Third, in the case of armed conflict, but with ethnic, religious and political dimensions, as in the case of the Sudan, sexual violence is used as a weapon of war but with an *ethnicisation* (ethnic dimension) of the violence. The aim of the sexual violence is to soil the women from the opposite camp, their body being the « ethnical » territory conquered, particularly when a child is the result of rape. So, the opposite ethnic group is unstructured and tends to disappear through the sexual violence committed on their women.

#### B. Physical violence in war

The physical violence, the hitting and the torture are also exercised within the context of political violence by the agents of the repression of the authoritarian regime in power, in their country of origin.

*«When they arrested me, they brought me and locked into a house. We saw nothing, windows were filled, there were just bags of plastics and an iron. It stank of the death. When I struggled, they burned me with the iron” H. DRC.*

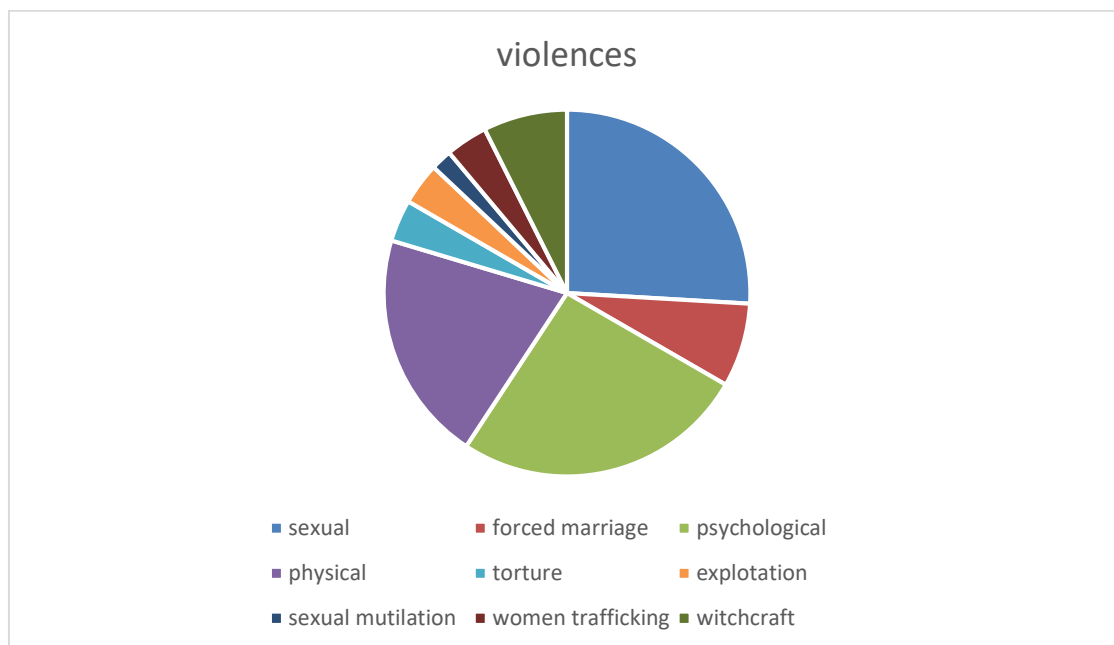
The conflict in the Middle -East or in the African continent have social, historical, political, economic, cultural and religious specifics dimensions. Is important to understand the particularity of the more important international conflicts, to be able to understand better migrant women painful histories.

### III.2 Specificity of Gender based violence against migrant and women refugees

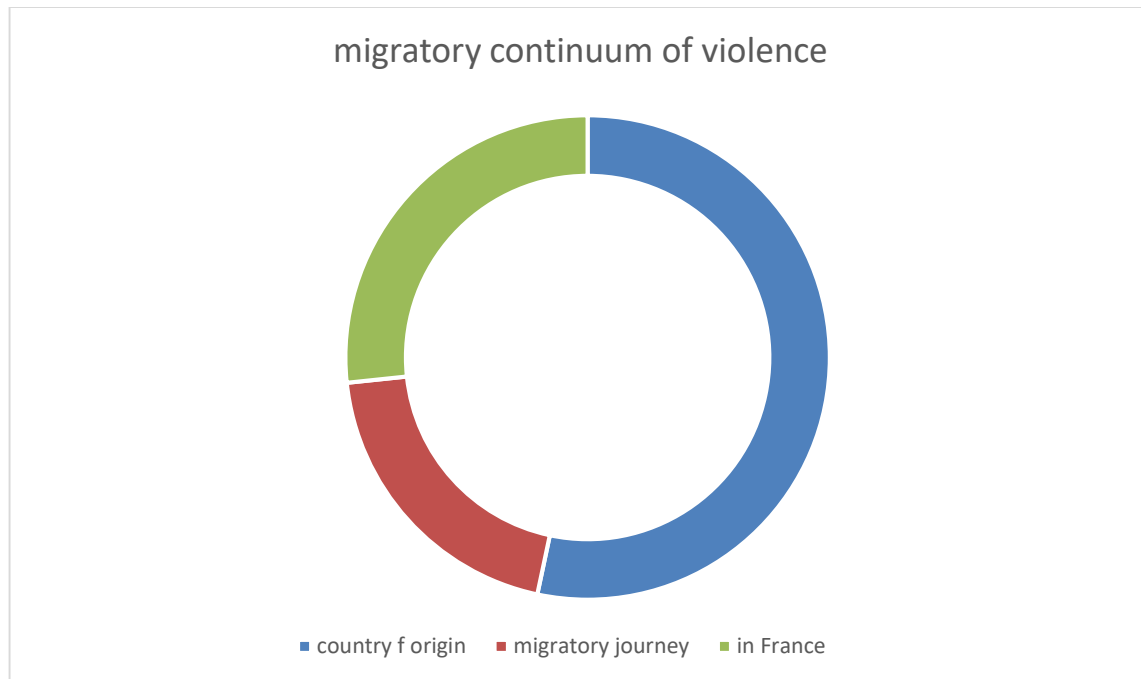
**A meshing of violence:** the various forms and types of violence articulate in a particular way to every woman, according to the gender relationship, the migratory situation (context of the country of origin, the administrative situation), to be foreign in a country (relationships of classes and of “race” or interethnic) and the social and political situations.

This meshing demonstrates existence of a triple system of domination gender, race and class which exercise numerous violence, from interpersonal to structural, against migrant women.

The intersectionality of the violence is thus inherent to the experience of the migrant women.



**A continuum of violence:** the various forms and type of violence, or the meshing of violence, are present in various stages of the migration; they articulate and accumulate from the country of emigration, during the migratory journey and on arrival in France.



### III.3 Conditions of accentuation of the violence

The violence connected to gender are present in the stories of every woman who we met, and articulate by their forms, by their intensity and by their frequency during the migratory journey.

However, the violence is increased by the conditions of departure, migratory rout and arrival in France.

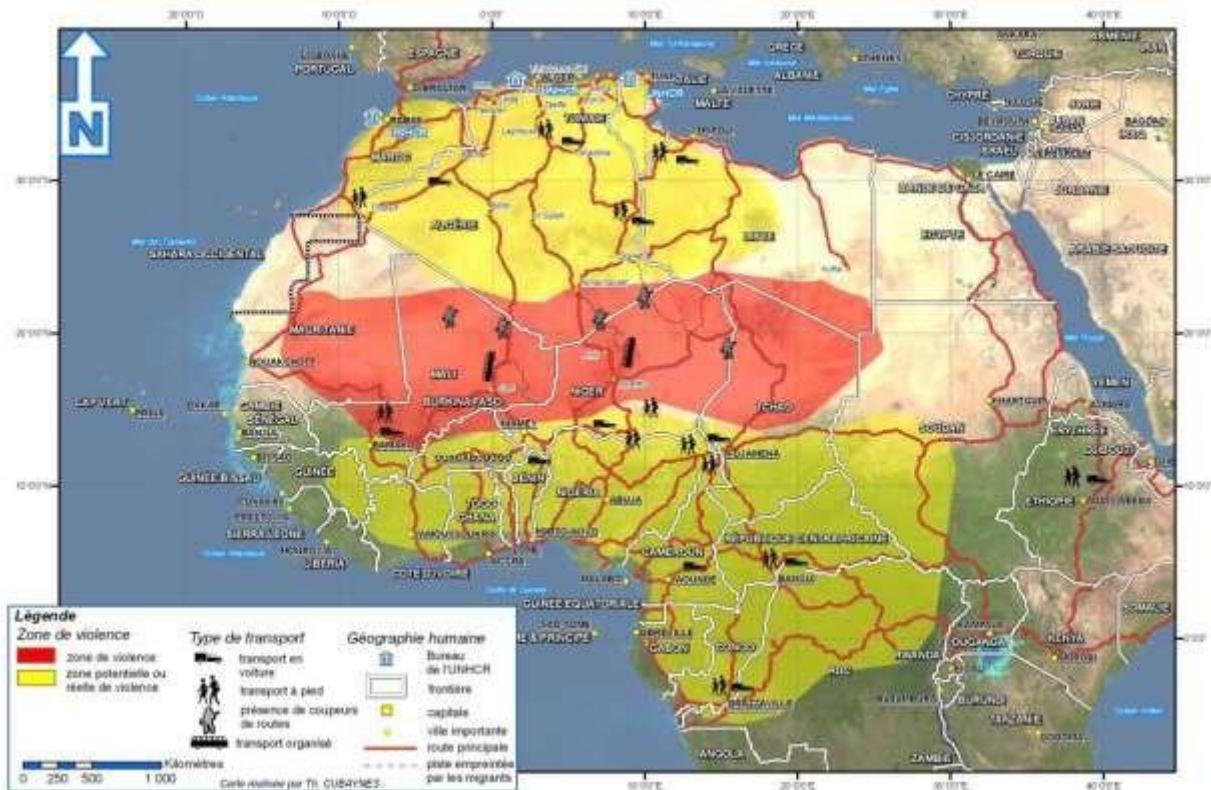
#### III.3.1 The departure

It is necessary to understand it is not a general and abstract faith, which is current as well in the North as in the South; the departure is “to leave its poor country to go in a rich country”. It is important to understand fundamental variables (the age, the academic level, the health, the sex, the family situation, the nationality, and the place of residence) which have a powerful effect on the geo-cultural zone (the Maghreb, Southern Europe, Northern Europe) and a geopolitical and socioeconomic context (poverty, civil war, armed conflict, authoritarian regime).





## International migration through Maghreb: Map of violence spaces



Map : LAACHER Smain, De la violence à la persécution : femmes sur la route de l'exil, La Dispute, Paris, 2010.

### Libya

*" In Libya, the traffickers take women, oblige them to put themselves naked, and verify their anus and vaginas to take their money; because the women roll up the money and put in them. The young men also, are searched by their body ... "*  
*" H. Angola*

In a very unstable Sahel zone, the traffic of quantities of weapons and people who fought in the Libya conflict represents a real danger for the regional security.

For Libya, the problem of the control of south borders is a severe challenge that the Minister of Defence and the Interior Minister, considering the current disorganization, conflicts of power and the complexity of the task (a border of more than 1.800 km of desert).

They are self-proclaimed militias «Shield of the desert» which take the responsibility of the control of the borders of the South, with serious consequences on the migrants.

The militarization continued in all the country with the traffic of an important quantity of weapons in the hands of groups of militiamen "*thuwar*" ("revolutionaries") who report in no authority of State. The *thuwar* acting with complete impunity, and exercises violations of human rights against the migrants of sub-Saharan origin and against the black Libyans. Since the beginning of 2000s, the confinement of the foreigners was used by

Khadhafi as a proof he cooperated with the external politics of the control of the migratory flows of the European countries.

About twenty camps of confinement exists in Libya for the migrants in irregular situation who were governed by no legal rule, without duration limited by detention, or the migrants live in sub-human conditions. The most known camps are Toweisha in Tripoli, Transit camp to Gharyan, Camp of Bourashada, Camp of Ganfuda in Benghazi, Transit camp held by Katiba "Free Libya".

*« We were caught up at sea, them to bring us in a prison. There are many women, it was very hot. We had to eat and to drink once a day. When they distributed the food, they come with weapons and shouted at the top, because everybody crowded ... » A. Angola*

### **Greece –Turkey**

The migrants, mainly from Syria, Iraq, Afghanistan, and those from the African continent, used the route between Turkey and Greece. The conditions of crossing are difficult and in Greece the migrants are often imprisoned.

The first detention centres in Greece were opened in 1998-2000. Requisitioned buildings were used in places of detention centres. Since 2004, new centres have been built, in particular on the islands of the Dodecanese (Mytilene, Chios, and Samos) and in the region of Evros, where the new center of Filakio opened its doors in 2007. This second generation of closed centres symbolizes the passage of an emergency system to a system of detention. The centres are managed by the Greek police and sometimes, by the local prefecture. Except the official centres, places of police can be used as place of confinement for foreigners. The detention is made in police detention cells and the duration of detention in these places is arbitrary.

*« We took a boat in Turkey, it was an old and small boat. We left at night but in the middle of the sea, the engine stopped, and we stayed here. The water began to enter on the boat then we have to throw all our affairs, our memories, everything. We stayed waiting in the middle of the sea, it was so much cold, I was so much afraid ... When we arrived in Greece, they put us in prison " H. DRC*

*« In Turkey, we crossed by mountains, it was really difficult, we walked for hours, it was dark and cold. I was pregnant, and I had to carry my daughter. I was so much exhausted ... We found a road, asked for help, people bring us in a camp » S. Syria*

### **France**

Thousands of migrants try to arrive to England, but find themselves blocked on the border, in the city of Calais in the North of France. The migrants settle down then in a not formal camp: the jungle (name which comes from

" dzanghal " - the pashtun word for forest). In 2015, there are more than 3 000 migrants in a new camp establishes in waste ground, with people coming from Afghanistan, Iran, Pakistan, Kurdistan, Palestine, Somalia, Egypt, Sudan, Eritrea, and Ethiopia, Syrian. The migrants are asylum seekers, refugees, and migrants without legal statuses. The conditions of life and hygiene are dehumanizing and very difficult, with a repression of the French police. There are numerous cases of rape against women in the camp and some women died by trying to cross to England, all the time trucks hunt them. No pursuit was committed in this day. In 2016 the camp of Calais was violently emptied; numerous women stay in wandering today in the street of Calais.



Photos by Sarah Daniel, 2016.



## The wandering journey

For the women who survived to the hard conditions of migratory journey, the arrival in France also is difficult. The administrative and economic precariousness increases their vulnerability social and their global health. The wandering between several cities of France or between the services is a very difficult experience for the migrant women.

*« I am from Cameroon, I travel during month, across the desert and came to Morocco. I stayed here for a long time, and when I could I crossed by boat to Spain. I decided to go in France. I am coming at the station of Bordeaux, at night. I asked for help and somebody took me to the SAMU social. There, in the Emergency medical service, they paid me a hotel room night on the other side of the river. The next day I look for the SAMU social, I am bad, my son cries, he wants to eat. I ask for a little money to a woman, she says no, that I must go to the CAF. I went to the CAF, but they can make nothing for papers. My son cries, he is hungry then, in the CCAS, they gave me two tickets for Market, for my son, but cannot make more. Then the Secours Catholic to eat, then I am put down in the CHRS, we eat, we sleep. I was left a note by the CAIO, the social worker who told me to ask for asylum. But I do not know where to sleep, I go at the hospital in the reception a social worker comes to see me. I explain he my situation. Then she finds me four hotel room nights. It was Thursday. Then on Mondays I return, but she does not work on Mondays mornings. Then told me to go to the CAIO which paid me a hotel, two weeks. But we did not enough have to eat, a person gave us apples. I decided to leave, I do not know where, wherever ... Everything came in my head. I do not have to eat, just a little for my son, apples. That's what I decide to live, I was loosed, I thought I became crazy. The police came ... I was on the edges of the Garonne river, stopping cars. A woman stopped and called the police. To call 115, but no places, I am taken to a hotel room night. Then return at the hospital, they held me to the hospital. They put my son to the nursery. But when I went out he returned with me. He goes to the school now. »B. Cameroon*

### III.3.3 Limits: how many dead women?

How many deaths during the migratory route? Nobody knows. A partial counting of Fortress Europe, in 2008 of 1 502 migrants would have died in the Mediterranean Sea and off the Western Sahara. Over the period 1998-2008, 14 639 immigrants died on the borders of Europe, among which 6 309 missing persons at sea on the borders of Europe. Deaths or disappearances mainly caused by shipwrecks (according to Fortress Europe, 7 663 migrants were killed in the Mediterranean Sea and in the Atlantic Ocean along routes for the Canary Islands), and by the crossing of Sahara (by militiamen and trafficker), by the road accidents (people hidden in trucks in), by the crossing of mountains (died by fatigue and hypothermia), by crossing minefields of Evros in Greece, and by the violence imposed by the police (in Morocco, in Turkey, in Libya, in Algeria). And among these deaths, how many are migrant women?

## **IV. Consequences of violence**

### **IV.1 For the global health of women refugees**

The various forms of violence have grave consequences on the global health of the women refugees:

- i. physical consequences: cerebral traumas, headaches, burns, lacerations
- ii. mental and behavioural health: depression and anxiety, post-traumatic stress, disorders related to food and sleep, the attention deficit disorder, hyperactivity, the behaviour of outsourcing (ex: aggressiveness, noncompliance with rules), suicidal thoughts).
- iii. sexual health: unwanted pregnancies, complication in pregnancies, gynaecological complications, not secure abortions, chronic pelvic pains, HIV and other sexually transmitted diseases, bleedings and amenorrhea.

### **IV.2 The traumas connected with the different manifestations of violence**

The violent experiences lived in the country of departure, during the migratory journey and in France, make intense tracks in the psychology and the body of the women. There are traumatic experiences connected at the same time on the condition of woman and to the migration.

Psychological trauma (post-traumatic stress disorder) are part of the American DSM IV (Catalogue of the mental affections), they expressed themselves by disorders at a person who suffered one or several traumatic events which threatened his physical and psychic integrity or other persons present, which caused an intense fear, a feeling of impotence or horror, and who developed the psychological troubles connected to these traumas.

These disorders can exist for months, years even a whole life in the absence of help. They cause intense moral suffering because of traumatic memory with the implementation of conducts of avoidance (to escape it: phobias, retreat), from conducts of hyper-vigilance to try to check them and conducts dissociates to try to auto-handle them (risk behaviours and anaesthetic addicting conducts).

The traumas touch the question of the achievement on the human dignity in their medical dimension, and in their social dimension. In an anthropological register, the traumas are also constituted by traumatic elements which are based on the relationship between the individual and the society (Kleinman, on 1997). The trauma is not only individual, it also effects the possibility of construction positive relationships with others.

Social causes can be traumatic, as the shame or the question of the honour in several societies and cultures, or as the relationship with law and order forces.

There is also a collective dimension in the traumas, because the achievement on the human dignity is a direct achievement on the social relationships.

### **IV.3. Somatization/physical expression**

Women refugee can express the violence through the pains of their body, by the process of somatization which is a medical expression which means the physical translation of a problem or a psychic conflict.

The psychic and emotional suffering can be expressed by intense headaches or a sensation of an important weight on the heart even if on the medical dimension there is no "anomaly", these pains are real.

In several cultures the body, the mental and the feelings are united, we speak about connected body (Massé, 1998). The physical, mental and emotional expression, are the main modes of expression of the suffering.

For example, in case of sexual violence, the reproductive system is blooded, and the woman dignity is soiled, the women survivors are often afraid of losing their fertility which symbolizes the loss of their femininity and the fear of not being anymore a woman. The physical expression of the sexual violence is expressed by pains in the reproductive system, bleedings, the stopping of menstruations and weight gain.

In the case of weight gain issue, for the women suffered sexual and physical violence and the tortures, we can say that the metaphor «the migration transforms» is embodied: there is a metamorphosis of the woman in migration caused by the exile and the trauma

## **V. Barriers to the access to healthcare in France**

### **V.1 Language barrier**

Most of the women who arrive in France are confronted with a language barrier. For the non-French speaking it is very difficult to understand the French health system and have access to care or to ask for protection, in case of violence.

For example, in the case of domestic violence, one Bulgarian woman who does not speak French took the decision to lodge a complaint, but it is necessary to go first to a doctor to establish ITT (Total Interruption of the

Work), which will serve as a major piece in the investigation. She testified the great difficulty to describe the physical abuse and her pain to the doctor. This woman did not want to be accompanied by another person nor by her children to help in the translation, because she wanted to guard her secret. Then this woman had to go and lodge a police complaint, but without an interpreter she was not able to express herself correctly, her file is to remain closed and no intervention of social services and police were set up to allow her protection. However, this woman decided to ask for psychological assistance to be able to become stronger and be able to defend herself, but similar, without translator, she cannot express her suffering and fear to the professional, the support is a failure. At the time of the meeting with this woman, she was very depressed and too discouraged to be able to find help.

Furthermore, to express the violence can be complicated, because of the socio-cultural specificities sometimes the violence is a taboo subject, and especially because violence sends at the feeling of shame and of weakness. According to the degree of psych-traumatism at the migrant women, and her psychic mechanisms of defence, it is complicated to verbalise the experience of violence, and even more with the language barrier.

The words which express feelings are intrinsically connected in woman representation of the world, which language is an expression of this. So, verbalise the violence in French, for the non-French-speaking person, is not adapted in case of multiple violence.

In case of the women who suffered violence were interviewed in the OFPRA or CNDA, there existed the risk of Retraumatization. The retraumatization occurs when an event causes the victim to be overwhelmed by memory and feelings from the previous trauma. It has been described as the psychological equivalent of having a scab torn off. It is painful and can deplete what little emotional resources the victim has built up.

## **V.2 Precarious administrative and social situations**

In France, to have legal status is essential to have access to protection and to care of women victims of violence.

Generally, the absence of residence permit prevents women who suffered violence to have access to care, because these are afraid of being arrested and of being deported in their country. This is the case of the asylum seekers refused by the OFPRA (French Office of Protection of Refugees and the Stateless persons) and the CNDA (National Courts of the Right of Asylum) and who have an OQTF (Obligation of leaving the French Territory).

To have access in the care service, when a migrant woman is an asylum seeker, she has access to the CADA (Reception centre for asylum seekers) for accommodation and she had the right for the CMU (free universal health care) for a social security cover. In the case of violence, it is generally the social workers of the CADA that identify



the situations and the women victims of violence and accompany them towards the services of protection and care.

However, in some cities, housing in CADA is insufficient and the women victims of violence find themselves in the emergency housing system, they are generally accommodated in hotels and find themselves without social support, which is an obstacle in the access to healthcare.

In the case that the woman obtains refugee status, she has access to the laws and to the same procedures of protection and social assistance as the French women: in the case of domestic violence, they will have access to emergency housings for women victims of violence, and legal and social support.

But in the case the refugee's status is refused, the women are refused "*déboutées*", they lose their legal status in France and are obliged to join the emergency system. They do not have any more right for the ATA and for the CADA, must look for emergency housing by calling 115 every day, which, if there is room, can propose an accommodation for some nights, to the women and to their children in emergency shelter or hotel rooms. But in the cases where there is no more room, some women must sleep in the street.

The *refused* women also lose the CMU and have right only for the AME (Medical aid of State) which helps only for basic cares on the condition of proving a residence of more than three months in France and resources; if the women have no access to the AME, she can only go to the PASS (Office of Access to the Care of Health), which is a free service, if there is in the city in which the women are.

The women met during this research, and who were *refused* live this experience with a lot of pain because they are living a social situation of very important vulnerability, it is a question for them of assure their survival and that of their children daily. They look for help with the charitable structures and sometimes with religious organization. These women are very distant from care services and from protection because their survival is often the priority of help for violence. And, this economic, social and accommodation precariousness increase risks of living violence.

In the case of women who followed their husband or common-law partner, and who depend on him administratively and financially, when they suffer violence, they do not denounce him because of the fear of losing their residence permit. Since June 2016, a new legislation plans to attribute an individual residence permit to the women victims of domestic violence; however, it requires a prescription of protection delivered by the judge of family affairs, is not easy to obtain this prescription because of the language barrier and because sometimes the women are afraid to denounce their husband because of the community control like in the case of Turkish and Bulgarian women.

For the victims of trafficking of the women, they can obtain a residence permit; however, only if they show the commitment not to prostitute themselves anymore and to denounce the network which they are victims of. The women are often afraid of denouncing these networks considering the dangers which they represent for them and their families, and the debts which the women must pay.

### **V.3 Sociocultural and communities' barriers**

Two migrant women, who are Turkish and Moroccan, arrived in France 5 years ago to come to join their husband who were working in France. These two women live grave domestic violence putting their lives and their children's live in danger, however it is difficult to them to lodge a complaint or to ask for help from the assistant service for GBV victims.

They are afraid of the rumours and the prejudices of their community, in whom to be a divorced woman is very badly seen, considered as a failure in the feminine duty, which risks excluding them of their community.

To denounce their husband is considered an infringement of the honour of their family and the honour of their community which would risk exposing them to violent reprisals; they are afraid to be rejected, beaten, that the shame settles down on them and on their children or to be sent back in their country of origin. So even if these women have conscious of the violence which they live, they prefer to remain rather than face the moral and physical penalties of their community.

For some women, as one from Albania, it is the relationship with the services of protection and with the police that is blocked by the negative experiences in their country. Indeed, this woman had already tried to lodge a complaint in Albania, but because of the corruption of the Police, her husband was fast released and returned even more violent. Since then, this woman does not trust the services for victim of violence and thinks that it's useless to lodge a complaint as this can worsen the violence.

So, the appeal in the service of care and in the service of protection of the women victims of violence also depends on community pressures in which the migrant women live and on their relationship to the institutions of the State.

### **V.4 Symbolic and institutional violence**

Other factors of institutional sphere and symbolic sphere create more difficulties to access the care and the rights for the migrant women and refugees.

For example, the administrative labyrinth of applications for asylum and absence of preparation for the OFPRA's and the CNDA's interviews, is a barrier for the access to the common rights. If the women want to have a chance to obtain refugee's status, she must be able to recount exactly, on time and detail, the fact of the violence, which she suffered.

But, sometimes women are too profoundly traumatized by this violence to be capable of it, and then they are not trusted by CNDA or OFPRA judge. Moreover, women must explain their experience of violence, in front of unknowns' people, generally men, who show a septic attitude. This experience is extremely testing for the women.

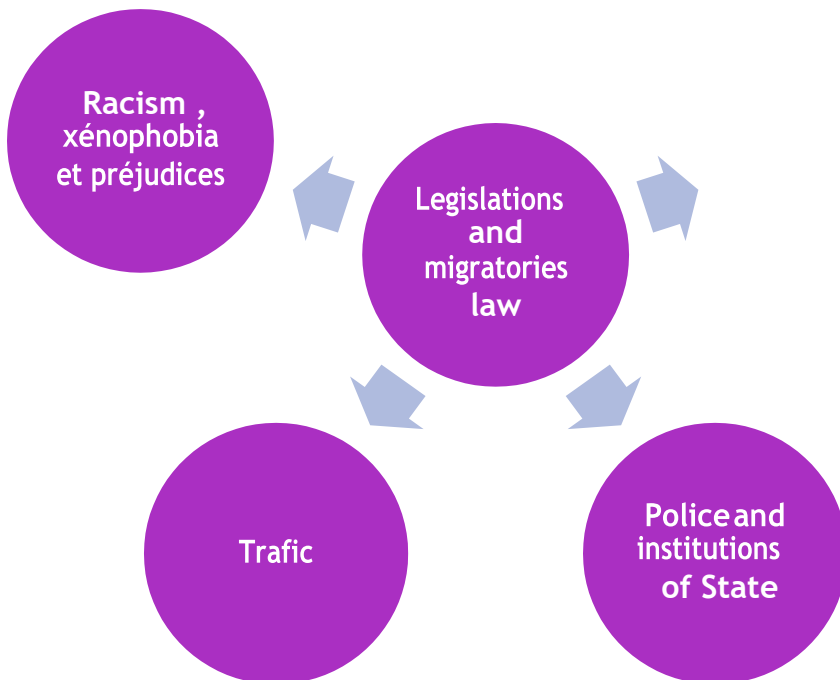


The refusal of the granting of refugee's status is a violent decision for the migrant women.

*"I am discouraged, I know what passed, the violence that I lived, but they did not believe in me, why? I very feel bad, I am sad and angry, I am afraid, what will arrive to me now, I am really very bad" H.DRC*

The prejudices to the migrant women (educational lack, prostitutes, lacks intelligence, archaic, submitted to the men and to the religion, there are liars, there are thieves), the xenophobia and the racism is increasing in the French society, are symbolic violence which have repercussions on the access to healthcare and on the access to the rights for the migrant women and refugees.

To conclude this part, the violence suffered by the migrant women comes from several spheres:



Plan inspired by: *"violence against the migrant women and refugees, in the Euro-Mediterranean space"*, Jane Freedman and Bahija Jamal

## **VI. The initiatives of welcome and support of migrant women and refugees**

### **VI. 1. France**

In France, there are not sufficient specific structures to welcome the migrant women who suffered violence. The issue of the access to the right and to the health of the migrant women is crossing between two legal frameworks and approach of welcome: that of the women who suffered violence and that of the migrant populations.

There is a lack of coordination between the associations of support of the migrants and the refugees and the associations of support for women victims of violence. Generally, the associations which help the migrants do not worry to define projects or specific measures according to the conditions of gender, women's associations that fight against violence against women consider enough the specific situation of the migrants and the refugees.

There is however a group of associations which consider this double specificity of gender-based violence and migrant women: the GRAF (Group Asylum Women) created in 2004, in Paris. This group is active on the defence of asylum seekers and refugees. The GRAF have been composed with associations specialized in the defence of migrant's right and others specialized in the defence of the rights of women: Cimade Ile de France, COMEDE (medical Committee for the exiles), FASTI (Federation of the associations of solidarity with the migrant workers), national Federation solidarity women, Women of the earth, migrant Women up, Get to join forces Iranian women for the democracy, and Rajfire (Network for the autonomy of the migrant women and refugees).

In Ile-de-France, there exists an association named the federation GAMS, fighting against all the forms of violence against women and migrant girls, and more particularly against feminine sexual mutilations, forced marriages and/or premature marriages and the other traditional practices which are detrimental for the health of women and girls.

## VI.2. Zoom on Bordeaux

In Bordeaux, city in which this study mainly focuses, several different service providers working specifically with existing migrant populations, some of them are particularly involved with females. These services provide various activities such as occupational integration, training, access to information and to rights, collective workshops, social, psychological and legal supports and others.

All these structures developed specific actions in regards to migrants and we will present them hereunder but maybe the most important thing to notice is that, talking with them, they all agreed that there is a total lack of coordination between all their services that are quite numerous and finally work by small sub-networks often ignoring one from the other, even if knowing them more or less, while at the same moment they refuse hierarchy from/for any eventual coordination.

While meeting 27 among the 54 service providers we identified, based on individual meetings\*, we discovered a lot of professionals involved in the thematic of migrants, but not specifically in S/GBV on migrant women even if some of our professional interlocutors mentioned some cases they had and to who they provided either services or more often guidance towards other specific services such as police, hospital emergency, lawyer.

The first thing to show here is probably that rights of migrant women, in regard of S/GBV, are not different from rights of any women suffering from S/GBV except the fact that these migrant women have particularities that come in addition to the violence committed on others, as example we can observe that often they do not speak French (so they cannot explain their problems/feelings/violence), and/or they are often too without administrative rights to be and stay in France (no papers, no housing,...).

Meeting these professionals along interviews, we discovered too that a lot of these interlocutors who daily welcome migrant people are not formally trained to the specificities of original cultures while differences between them are various. These professionals all are social workers (often experienced and graduated) for sure, but their training did not prepare them to these particular and specific populations. Introducing the future 30 hours-online course (for free) that CAPTIVE partners have as one of many goals to realize during CAPTIVE project development, all of them expressed their deep interest to train there either their staffs or themselves as management team sometimes.

Now the more important thing to write here is that S/GBV violence against women in France, whatever is his/her nationality (French, European from other EU country members, third country nationals), fall under national policies that fund their competence from the French State which delegates its prevention and protection actions

in regional counties through its public service called Prefecture, the Prefect as legal and moral person having the responsibility to disseminate national decisions from the President of the French Republic to who s/he has to refer. In June 2017, when the subject of S/GBV on female appears like a priority in France (mainly due to the high rate of women who daily die from gender/domestic violence, but maybe also because just changing our national presidency) the preventive policy to fight S/GBV violence was passed from the Prefecture to the Women rights delegations in regional areas. There again, it is important to underline that there is no difference between rights of French women, female foreigners or migrant women facing S/GBV. National laws and rules are the same for all, so there is no need to create specific services, laws, ... the main challenge being to add some efficient assistance to women who are under insecurity because of language, troubles, ... so to cover the gap between the ones who know their rights, have network, are able to explain and the others with less faculties.

We met the person in charge of S/GBV policies in Bordeaux / New Aquitaine area and she was clear. There are no differences between females whatever is their origin and/or statutes when S/GBV acts are committed. The procedure for claiming reparation, for getting help and/or reparation is the same. They all have to go first to the police department to declare the facts that have to be registered so to start any procedure. Then in regard of their identified needs (justice, health emergency, social, housing...) they will be told how to proceed. For what concerns the migrant women, often the language barrier stops them from further steps ahead (and we have been told that Police department' professionals are not too much opened mind to these persons, in Bordeaux at least). With this new orientation of national policy, leaded on regions, the local delegate to women rights explained that there are no differences between women, migrant or not, in regard of S/GBV. The local delegated person started to give life to one pole with several service providers that were originally initiate some years ago as a "collective" by Médecins du Monde. When we met her, she was just starting with this mission from the Prefect and it was too early to analyse any effect or impact from this shared national policy.

What shall we write about our French national procedure to support women suffering from S/GBV?

First, they have to report to the Police Department (urban cities) or Gendarmerie (rural towns) to make their claim officially registered to open a judicial procedure (we know that a lot of women never declare any form of violence they are suffering for various reasons -children, family, community, no financial issues to face freedom...). If they agree to go further, they can be protected through laws, they can receive health assistance (injuries, psychological support...). Their rights will be defended by lawyers in court (for example, husband can be constrained to not approach wife and children). Being migrant women, refugees or not, all victims of S/GBV, the procedure to respect their rights is the exactly same but we can observe differences that will turn over the action. Not speaking French, they cannot express themselves when welcomed at the police department (depending of the hour of the day/night, they will not find any translation help so that they will be sent back home; depending of the culture of the community, they will not ask help to a neighbour from their community as they do not want to

be “disowned” by their family, friends...); they do not know where to go, they are frightened by any help with unconsidered assistance regarding to their culture of origin... and these types of problems can be reproduced in any type of services (police department, hospital, court). As it’s possible to see, the problem is not linked to the violence but to the profile of these women.

Since May 2016, France voted a law to protect women declared victim of S/GBV. If they are migrant (even with no formal administrative status) by going through the procedure, in regard of the law, they can be protected by the Court of Justice who will deliver a decision of justice. When we met justice service mid-2017 (since the law was voted) their service only received one claim and the decision of protection was pronounced, only one case within 14 months. This shows that in the majority of violence cases on women, they do not decide (or do not know how) to go to Court. In fact, to have benefit from this law, after declaring the act of violence in Police department/Gendarmerie, the woman who is victim of S/GBV has to go to the regional hospital to meet the CAUVA (Emergency unit for any victim of violence, not only gender base, not only female) and, further, it is with the formal declaration from Police/Gendarmerie added to the finding of injuries/traumas/psychological hurt ... that the woman victim of S/GBV will be able to engage in justice services for further protection.

Hereunder, you’ll find a short presentation of the main local service providers (Bordeaux and its surroundings) with their specificities but other exists too in Bordeaux and its surroundings like ASTI – France Horizon – “Mother-Child” network at the hospital centre - Mobile team of psychiatry and precariousness – Maison de Simone -.... Depending the county/area all around France, women victims of S/GBV can find help through service providers but their names will not always be the same even if their aims are identical.

#### ➤ **Service providers working specifically for women and work with GBV**

- The **CIDFF** (Information Centre on the Rights of the Women and Families) is an NGO and an essential relay of the action of public authorities in the access to the rights for women, in the fight against sexist discrimination and the promotion of the equality between women and men. The CIDFF proposes services for the access to the rights of women, the fight against violence, employment and training, family life and support in parenthood, education and citizenship, and health and sexuality. The team consists of social workers, psychologist and jurists. The CIDFF welcomed and informed 967 women and accompanied 370 women in 2015.

- The **APAFED** (Association for the Welcome of the Women in trouble) is an NGO which work only with women victims of domestic violence. APAFED manages only one CHRS (Centre of accommodation and Social Reintegration) for women, the CRS flora Tristan with 34 places, which are almost always occupied. APAFED proposes psychological support, a day care for women without accommodation. APAFED propose specific support: Individual interviews, collective workshops, administrative, legal, medical, social, family, professional support by a multidisciplinary team: psychologist clinician, specialized educators, and councillor in family sector.

- **La Maison des Femmes de Bordeaux**, is an NGO which proposes space where women, no matter their age, their social, economic, personal situation or their culture, can be received for an attentive care, a consideration of their situation and support. La Maison des Femmes have two missions: To be a place of welcome, listening and orientation for all women and to be a cultural area and raise awareness on the rights of women. This service proposes specific support for violence and several creative workshops for women. The team consists of volunteers. La Maison des Femmes welcomed 168 women who suffered violence in 2015.

The CIDFF, APAFED and la Maison des femmes are working specifically with women and are developing specific support services for victims of GBV. These services meet migrant women but don't work specifically with specific migrant women issues (exile, traumas, barriers of language), the teams does not work with intercultural dimensions and without professional interpreters. Migrant women can benefit from their services only if they have legal administrative status.

- **Promofemmes** is an association which welcomes women in situation of migration from more than sixty countries and have for mission to promote interculturality. The objectives of the association are to propose cultural, social and professional support for migrant women considering all the problems, which they meet but also their potentialities and their skills. They aim to improve family and professional interaction in the host country. Promofemmes proposes administrative and social support for women rights, French course, and several workshops to support migrant women in parenthood, in the access of health service, courses for professional insertion and creative workshop.

The team of Promofemmes consists of volunteers and two cultural mediators, one in the Turkish language and one in Arabic. The cultural mediator translates the workshop about health and women rights, and is involved in administrative support. More than translation, the cultural mediation permits a dialogue between both cultures and several representations – that between the Turkish and Arabic cultures and the French culture. Mediation is a important help for migrant women to understand the organization of the French institutions and citizens.

Promofemmes is working with women migrants, the team is formed on the social and cultural specificities of migrant women, but this service doesn't work with violence issue. When migrant women victims of GBV ask for help, the team accompanies them to other services providers, because Promofemmes does not have psychological support for victims of GBV. Migrant women can benefit from their services only if they have legal administrative status.



➤ **Service providers working with victim on violence, prostitution and human trafficking**

-The **CAUVA** (Unit of Emergency Reception of the Victim of Aggression), there is only one structure specialized in the welcome of the victims of attacks and this is located in the university hospital of Pellegrin.

The main objectives are:

- Offer a welcome and a multidisciplinary support as closely as possible to the traumatic event
- Facilitate legal proceedings
- Direct towards professionals of health, justice, and social action adaptability
- Work in direct relays with the services of care

CAUVA proposes a multidisciplinary coverage with a forensic doctor, a psychotherapist, a nurse, a social worker and a lawyer. The active line of the CAUVA consists of 70% of women of which 90% are victims of domestic violence.

The CAUVA meets migrant women but don't work specifically with specific migrant women issues (exile, traumas, barriers of language), the teams don't work with intercultural dimensions and without professional interpreters.

- **IPPO** (Information, Prevention, Closeness, Orientation) is an association and is working with the public in situations of prostitution with a team of salaried professionals, which proposes a multidisciplinary approach.

The aims of IPPO are:

- Open welcome areas, link, listening - individual or collective - Where the practice of the prostitution and the life story of each, can be evoked without fear.
- Warn on the risks of infectious (Sexually transmitted infections (IST), HIV, hepatitis, etc.) by favouring a better knowledge of the risks bound to the practice of prostitution and the adoption of safe sexual practices as well as how to access healthcare.
- Favour the obtaining of Residence permit when the situation allows it.
- Propose psychological support for the people who wish it.
- Propose social support to the people who wish it .
- To accompany the social and professional integration of the people who wish it

IPPO proposes social, psychological, health, legal, administrative and social supports. The team consist of a doctor, psychologist, lawyer and social worker;

The team of IPPO is formed on the social and cultural specificities of migrant women involved in prostitution, and if it is necessary they work with professional interpreters (Mana interpreter service or Intermed).

- **RUELLE** (Relay Urban Change and of Fight against the Exploitation): is an association created to fight against all the forms of exploitation of people (prostitution, begging, servitude, forced crime) within the framework of human beings trafficking. Ruelle develops actions with the aim to:

- Help the person to physically leave the place of exploitation (access to a solution in terms of accommodation, food, hygiene).
- Help the person to become emancipated of the relation of exploitation (psychological, social, legal support and workshop of artistic expression).

RUELLE proposes to the people a social, psychological and legal support assured by a professional team to bring the person to identify the link of exploitation and to become emancipated.

The team of Ruelle is formed on the social and cultural specificities of migrant women in the situation of exploitation, and if it is necessary they work with professional interpreters (Mana interpreter).

In CAUVA, Ruelle and IPPO, migrant women can benefit from their services, with or without legal administrative status.

#### ➤ **Service providers working with migrant and asylum seekers**

- **CIMADE** is an organization which aims at showing an active solidarity with the oppressed and exploited people. It defends the dignity and the rights of refugee and migrant people, whatever their origins, their political beliefs or their convictions.

The Cimade is a more important organization, which brings legal support to asylum seekers and migrants.

The team of la Cimade consists only of volunteers, which are specialised in international and national right of refugees and migrant, but they don't have any preparation in the support of migrant women victims of GBV.

Cimade don't use professional translators.

- **ALIFS** is an association acting for the family, social and intercultural bond. ALIFS participates, within the framework of the provisions of common law, to support the policies of integration by changing the behaviours, the way the people look at migrants and the representations in the society of the receiving country. It also works with migrants and their children to help them build positive, open and plural identities.

- **CADA**, Reception centre for asylum seekers, offer to the asylum seekers a place of welcome for all the duration of the study of their file of request of refugee's status. This welcome plans their accommodation, an administrative support of the asylum-seeking procedure, a social support for access to healthcare, schooling of the children, etc. and a food financial support. The CADA is generally managed by associations (Diaconate, Earth France of asylum, and Groups SOS). In Bordeaux there are 8 CADA.

Asylum -seekers women who suffered GBV are accompanied by the social workers of CADA, if necessary, a professional interpreter can be called for help and support, if the CADA don't have psychological support.

- **MANA**: is an NGO that works with migrants. It proposes a transcultural approach for support in the prevention and care of migrant people. Mana gives psychological support with transcultural methodology, social, administrative and health support with the work to Ecole des Femmes, several therapeutics and artistic workshop and a service with professional translators (60 languages). The team is salaried and multidisciplinary, consisting in psychiatrist, psychologist, anthropologist, interpreters and sanitary and social mediators.

Mana proposes one specific psychological support for migrant women, victims of violence and is developing an administrative support. The team is formed in the social, cultural and the consequence of the violence against migrant women, and in the exile and trauma therapy. The professionals of Mana use professional interpreters.

- **AMI**: Psychological Counselling and Intercultural Mediation. AMI intervenes through its skills in Anthropology, Psychology and Sociology. This mediation action makes it possible to avoid the misunderstandings, impasses and sometimes border some procedures that may exist. AMI works with professional intercultural mediators whose role is not only to "translate" speeches and acts, but also to decode cultural representations.

### ➤ **Health and Social Emergency service providers**

- **Médecins du Monde** in Bordeaux a well-known international NGO that has two missions:
  - **Le CASO**: A Welcome Centre of care and orientation, which proposes to welcome, inform and orient migrants, It gives health monitoring, support in the medical field and social assistance. It also helps with medical care, psychological support, social and legal support and assists in administrative procedures, distributes material, kits of hygiene, sleeping bags, etc. It also has material for the reduction of the risks and prevention of cervical cancer;
  - **Mission Squats**: mobile action, information and orientation, medical care, prevention and education of health, social, juridical and administrative support, Distribution of material, kits of hygiene, sleeping bags and Prevention of the cervical cancer.

The migrant women, with or without legal status, can have medical assistant in Médecins du Monde, the team is trained to deal with migration issues but not sufficiently in violence; the team use professional translators.

- **SAMU Social** is an organization with the aim to go to meet homeless people, to help their access to the devices of common law. Professional teams maintain a permanent round trip between: - work of street: in the day and an evening, - and daily welcome to the Social emergency medical service.

When the migrant women are on the street, and all other services providers are closes, they come in the SAMU social for emergency help. The team of SAMU social consist of doctors, nurses and social workers, they don't have formation in GBV and migration issue. Sometimes they call professional translators for help in the support of migrant people.

- **The emergency housing service:** the emergency housing is managed through a telephonic platform, the 115, that works with CAIO (orientation welcome and insertion centre) for find space in residential shelters or hotels, for homeless people.

In the teams of emergency housing services, there are social workers who are trained to deal with emergencies but not with GBV and migration issue. Sometimes they use professional translators through the phone but is very difficult in the night.

When the migrant women are in an illegal administrative situation, they call 115 for help in finding a place to stay with their families.

#### ➤ **State service providers**

- **OFII:** Office Français Immigration Intégration
- **GUDA:** Guichet Unique Demandeur d'Asile
- **SAEMNA:** Service d'Accueil et d'Evaluation des Mineurs Non Accompagnés

These 3 services not only focus on gender-based violence against migrant women, but they deal with all migrants. However, these might be a good source that may lead to identify situations of violence.

### **VI.3 Limits and level of the support of migrant women**

During the research, it became clear that there is a substantial lack in Bordeaux, of structures specialized in the reception and the support of migrant women who suffered GBV. The associations which work with migrant populations do not take sufficient account of gender specificities and the structures working with the women that have suffered violence do not take into account the sociocultural specificities of the migrants. There is a lack of work in networks around the specificities of the violence against migrant women (between two legal framework).

### ➤ **Insufficient use to professional translation**

During the meetings with the workers who meet migrant women, victim of violence, it seemed that most of the services do not use professional translation sufficiently. They generally ask the member of their family or friends to translate the conversations, what raises problems of confidentiality. To use children or other close relatives for translation is not ideal when one is talking about violence against women because it affects the intimate dimension of these women.

On the other hand, often, there is no translation, which raises problems in the understanding of the complex situations in which these women find themselves in.

In the statement of the violence, through their language, they are also expressing themselves, expressing their own world, feelings and experience. It is very difficult to do justice to this in translation as a word in a language could not have the same corresponding translation in another one, however the use of expressions can allow in the understanding of the central idea. In the translation it is semantics which are at stake. The professional requirement to leave the possibility of expressing themselves in their native language is also opening a door in the culture and the representation of these refugee women.

### ➤ **Insufficient understanding of influence and traumas issues**

Some professionals didn't understand why the migrant women could not go out of the cycle of the violence, why they returned again and again with their violent husband.

Indeed, in domestic violence, sometimes suffered for years, the mechanism of the relationship makes it difficult to express the violence or the separation from a violent spouse. The mechanism of this influence is explained by the cycle of violence. The cycles of violence tend to repeat, in a faster and more intense way. So, it is not easy for a woman to get out of this violence. For many migrant women, the cycle of domestic violence or circle of the influence tends to be amplified by the circles of social violence, political violence and torture. The meshing of violence on the migrant women places them in a kind of spiral in ascending order of influence (several spheres of influence) which risks their dehumanization and puts in danger their survival, attacking their basic needs. For all the women in this situation, a long time is needed, a time longer than others, to break the circle of domestic violence. Sometimes, even if they are conscious of being victims of domestic violence, they will need a very long time and maybe will never separate from their spouse. In front of this spiral of the influences, the migrant women are obliged to rank (to organize into a hierarchy) their survival probability within the violence to answer to their need and their children's need for survival, particularly the children, come before domestic violence. It is a question for the professionals of accompanying gradually these women in their long process of liberation of the social, community and conjugal influences.

### ➤ **Social and cultural adjustment**

In the support of women victims of violence, social representations and cultural understanding are part of the game both on behalf of the professionals and also on the part of the migrant women. As most of the migrant women who arrive in France have to negotiate their place in the host country and its culture, the migrant women are pulled by this inevitable movement of the acculturation and can, alternate between several models: between personal pursuit and collective pressure, from her group of origin or the host country. For example, for a woman the migration can be a possibility of emancipation, in this case it will be about a cultural interbreeding, to take elements of the European culture to win the power to act.

But sometimes in front of difficulties met as the economic, administrative, disqualification of diplomas in Europe can give the message to the woman that migration is a failure and it risk making a her resist the host country's culture. This ambivalence between various cultures where the condition of the woman is not the same, obliges the migrant women to question their place and to adjust to their environment. For this she need a lot of energy, and this process can result in fatigue and anxiety. The more the cultures differ, the more these situations of violence increase, rendering the acculturation process a difficult, slow and painful process.

Sometimes, we met professionals who have prejudices on the migrant women " *The women are Turkish, and Arabic are more submitted* " " *When they will have more time in France, the women of Niger shall leave their faith and shall make as us the French* "

These are cultural relativism or ethnocentrism attitudes. They could become symbolic violence, for example if professionals compare the fights of the women by making reference to the European context, by ranking the cultural contexts, the risk would be that a woman feels inferior, excluded from this process and takes refuge in isolation.

There exists a socio-cultural dimension of violence, which has an impact on the actions, the behaviour but above all on the perceptions of every person. This shows the importance that must be given to the representations of violence by the populations, by the service provider and very importantly by the victims. If the violence tries to eliminate the sense of humanity in the victims, referring to it as a socio-cultural dimension, basing its interpretation and understanding on the social dynamics of the migrant communities, this will be of disservice to the victims as it allows the support of the violence in the victims' thoughts.

For many workers, it is very difficult to propose long-term support for migrant women, victim of violence, especially for that women mostly in danger...the women without legal status, because they often change places of accommodations, have a loss of spatio-temporary marks because of their exhaustion and arrive late to the meetings. The problems of survival is paramount and this often interrupts the support required.

Finally, the services providers are exposed to the painful narratives of violence and suffering. They can have one of these two reactions:

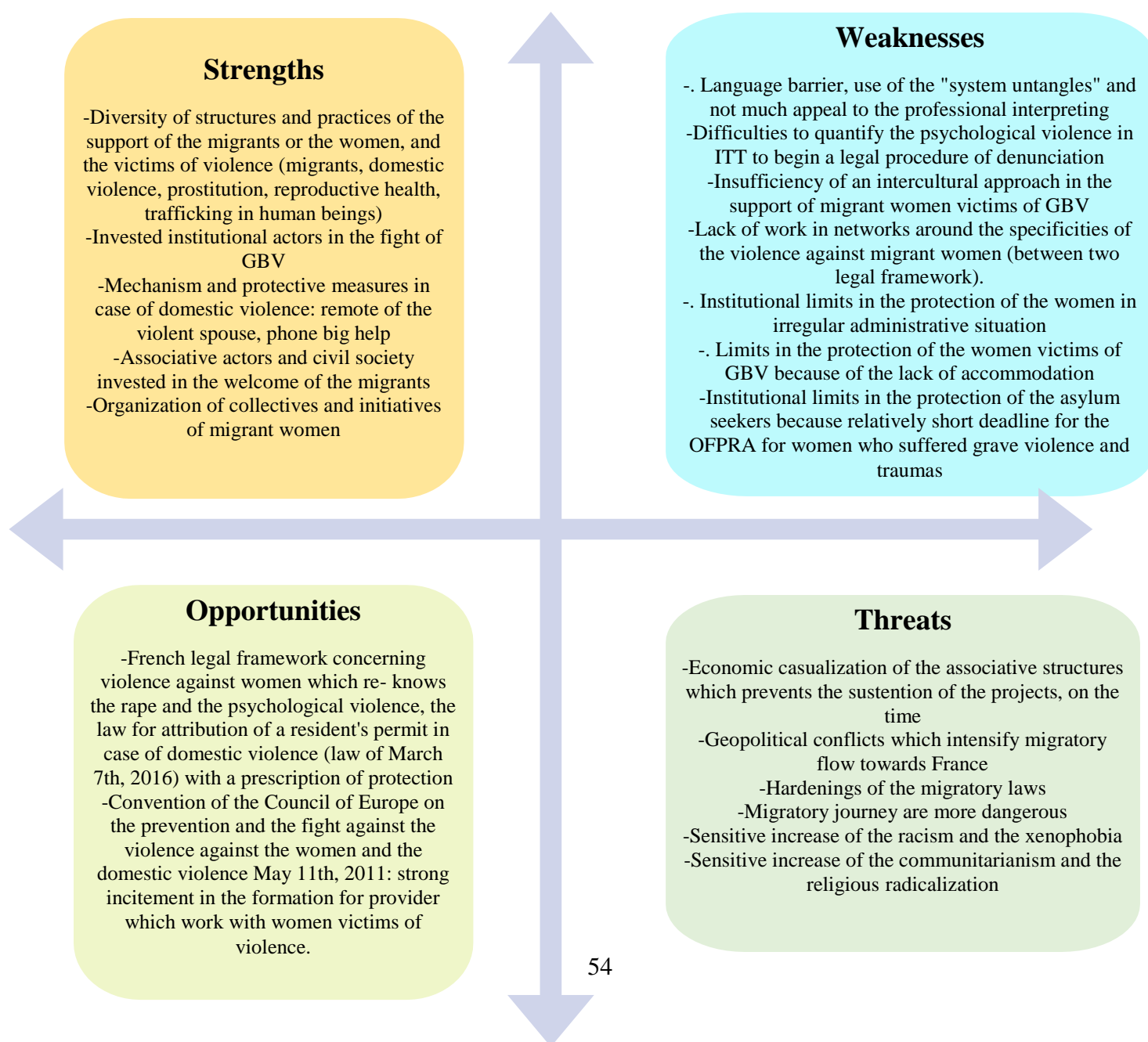
- Consternation: being completely captivated by the narrative of the client, this often shakes the professional.
- Rejection: in front of a narrative that describes acts of inhuman real-life experiences, the professionals can activate the mechanism of psychological self-defence and block the testimony of the victims.

It is thus important that the professionals can identify in themselves these mechanisms.

Sometimes the professionals can be invaded by the traumas because the traumas can be passed on (vicariate trauma).

When social workers are contaminated by the trauma, or become exhausted, they are not be able to support migrant women victim of GBV.

This research was interested in the main obstacles, the limits but also the levers in the sanitary and social support of the migrant women who suffered the violence, represented by a SWOT.matrix.



-**The notion of " system of untangles "** (Kotobi, Larchanche, Kessar, 2013) defines the approach which consists in requesting the friends of GBV victims or the bilingual professionals for the translations, what ask numerous limits relative to the ethics and the respect for the professional secrecy.

- The difficulty being able to quantify the psychological violence in ITT (Total Working interruption) for the doctor, which is necessary to begin the criminal proceedings against an aggressor. Indeed, the doctors are formed to estimate the consequences of the physical violence on the capacity to realize the daily activities of a person who suffered the violence, but not enough on the consequences of the psychological violence on this capacity.



## **VII. Recommendations**

### **VII.1 To develop a training program**

The issue of the GBV of migrant women is very complex, because it includes the personal, interpersonal, and social dimension, and because it is situated in the intersection of several disciplines, the social and human sciences, human rights, political sciences and medicine.

**1-It is essential to identify the various forms of violence and their consequences** on the global health of the women, and know the possible approaches and the legal frameworks. Is important to have a global understanding of mechanisms, which produce the violence. It would be necessary to build an interdisciplinary formation on the theme of the GBV of the migrant women for the professionals of the psychosocial, legal, and sanitary services.

**2- Considering the specificities of the violence of the migrant women, an anthropological and geopolitical formation would be necessary to approach the socio-cultural determiners of the violence.** There are all the standards, values, knowledge, and socio-cultural and community practices in connection with the violence, governing the manners to do, to say and to think the violence and its consequences on the women and their approach to resist the violence.

Understanding the socio-cultural determinants of violence can help to explaining how the cultural specificities and the social inequalities are transformed into disparities in front of the protection of the women and limit the access to the structures of support and care, in the countries of emigration, during the migratory journey and in France.

**3- This kind of formation would use an intersectionality approach of GBV** of the migrant women to have a more global knowledge of the various systems of domination of gender, class and "race" and geopolitical contexts of this violence.

**4- To be formed in identifying the various forms and type of violence.**

**5- Know and consider the traumas in the expression of violence and support.** It is necessary to approach these various traumas not only through the psychological approach but through a global approach including the social construction (Fassin, Rechtman, on 2007). To understand all the complexity of the traumatic experiences of the women, and to be able to accompany them in putting in narratives and understanding the impact of the extreme violence in the way they express or not this violence.

## **VII.2 Re-thinking practices**

**1- To develop a global approach** to take care of women victims of violence. To sensitise, inform and train all the concerned service providers and the communities on the fact that GBV on migrant women should be approached taking into account her global situation considering the political, social, economic, cultural and family context.

**2- To improve the individual multidisciplinary** sanitary and psychosocial support to respond at the complexity and the intersectionality of the GBV of the migrant women, through a multidisciplinary teamwork (nurses, psychologists, doctors, social workers, lawyers and anthropologists). It is a question of building a therapeutic and social journey for the reconstruction of the women, because the reconstruction is a process.

**3- To consider the socio-cultural determinants of the violence:** socio-cultural determinants have an impact on the actions, the behaviour but above all on the perceptions of every person. The importance that must be granted to the representations of the violence by the populations, by the service provider and very important by the victims.

**4- To build a personalized approach** adapted to every migratory journey and to every experience of the violence, which is based on the capacity of resilience and the socio-cultural resources of every woman.

**5- To develop an approach from the capacity to act / agency of women:** the notion that expresses the capacity to act beyond the determinism, the capacity to resist, and therefore transforming oneself. To recognize that the women is a lever in the therapeutic mechanism and the starting point in the social support with the migrant women victims of the violence.

**6- To organize collective activities** with the aim to the symbolic restoration of the women; it begins with the restoration of human dignity through the recognition of their experiences of violence, by the possibility of its testimony and by reconstructing a social relation. All the forms of expression are necessary: verbal, physical, written, artistic or sensory expression.

**7- To strengthen the work in network** with the partners and to improve the support by mediation and therefore decrease the institutional violence.

## **VII.3 Facilitate access to information and to prevention**

### **1-The professional medical and social meaning**

Going to a professional presupposes the respect of confidentiality, neutrality, empathic responses, and sensibility. The request of professional interpreters must be made keeping in mind the specificities of gender, the geopolitical and the socio-cultural contexts

The use of trained interpreters is essential in the statement of violence, because through language, the women are introducing and depicting their world. The professional requirement for the women to have the possibility of expressing the experience of violence in their native language opens a door in the culture dimension.

**2. Develop materials of information and raising awareness of GBV of migrant women** translated in the languages most spoken with a consideration of the legal frameworks and care available to improve the prevention and care of victims or potential victims of SBV.

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