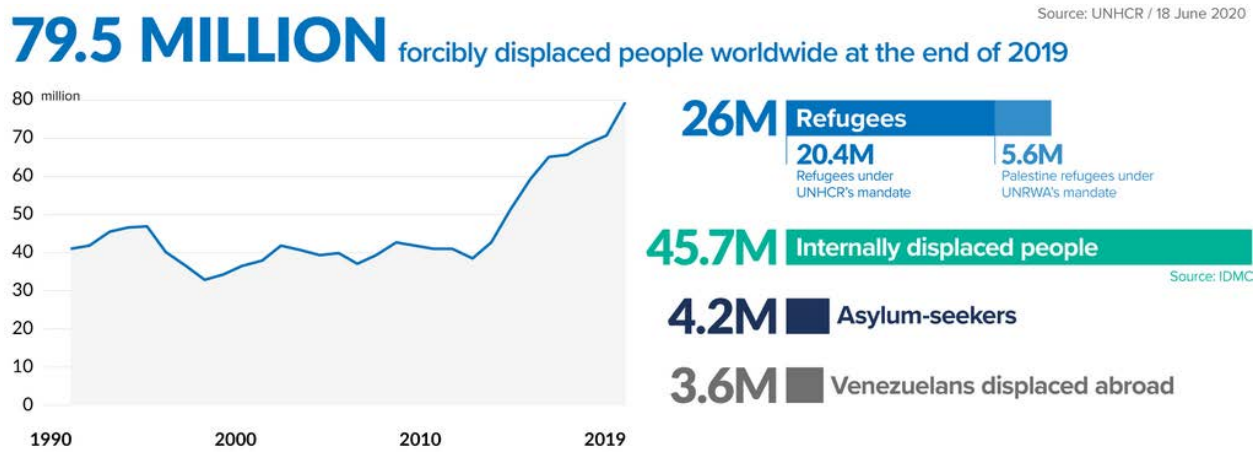
Refugee Survivors of Domestic and Sexual Violence: Barriers to Access

Global displacements have reached a record high: an unprecedented 79.5 million people, of which 29.6 million are refugees[1], had been displaced from their homes by conflict and persecution by the end of 2019. The trauma of displacement is compounded by levels of gender-based violence, especially sexual violence, women and girls face in conflict zones, during flight or in refugee camps, and during resettlement. This fact sheet identifies the barriers refugee survivors of domestic violence face and approaches that can mitigate their impact.



Definitions

Refugees are people who are outside the country of their nationality (have crossed a border), and are unable or unwilling to return home or avail themselves of the protection of their home countries because of a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion. Civil and international wars have produced unprecedented numbers of refugees – the U.S. invasions of Iraq and Afghanistan and the civil war in Syria are examples of how regional destabilization, collapsed governments, and the breakdown of the institutions of civil society drive the internal and external displacement of large numbers of people.

ONE PERCENT OF THE WORLD'S POPULATION IS INTERNALLY DISPLACED, AN ASYLUM-SEEKER, OR A REFUGEE

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Asylum Seekers / Asylees are people who cross borders to escape persecution because of their political beliefs, race, religion or for their membership in a particular class. Asylees must submit an affirmative

[1] In general, because all refugees are survivors of war and displacement, the term victims is used to describe individuals victimized by family and domestic violence.

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or defensive request for asylum in the country of their arrival. Central Americans, many of them minors, fleeing death threats and violence from gangs and *narcos* arriving at the U.S. border, are recent asylum seekers.

Internally Displaced People (IDP) are those forced to abandon their homes and leave their usual place of residence but who remain within the borders of their own country; displaced because of armed conflict, persecution, natural disasters, climate change, or large-scale development of hydraulic, industrial or agricultural projects. IDPs are also referred to as internal refugees, or even refugees but they do not fall within the current legal definition of a refugee. An example of IDPs in the U.S., applies to residents of New Orleans displaced by Katrina; international examples include IDPs due to conflicts in the Democratic Republic of the Congo, Iraq, Nigeria, South Sudan and Syria (40% of its population).

Unaccompanied Refugee Minors have received more attention in recent years, especially in conflict zones where youth are at risk of being violently or forcibly recruited as combatants or because of dangerous country conditions. Unaccompanied minors are walking to Europe from the Middle East and even Afghanistan, and Central and Latin American minors have been arriving at the U.S. border because it is safer for these minors to endure these journeys than stay in their home countries. Unaccompanied refugee minors also include rescued child soldiers; children orphaned in disasters and conflicts; raped and pregnant minors rejected by their families; and, based on anecdotal information, LGBTQ youth rejected by their families (some, after their arrival in the U.S. as accompanied minors).

OF THE WORLD'S 26 MILLION REFUGEES, AROUND HALF ARE UNDER 18

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Background

The geopolitics of conflict, warfare, and disasters directly cause large scale displacements, resulting in refugees, asylees and IDPs. They can live in refugee or IDP camps, often under deplorable conditions, for decades[2]. The race and ethnicity of these groups influence how countries respond to them – e.g., Nazi scientists were admitted to the U.S. as refugees in sharp contrast to the barriers now being thrown up for admitting refugees from the Middle East (including even the Iraqi and Afghani interpreters used by the U.S. military).

Gender-based violence in conflict and post-conflict areas, perpetrated by state and non-state actors, has increased exponentially[3]. Sexual violence, which can include rape, gang rape, violent forced impregnation or sterilization, psychological terror, humiliation, and/or bodily mutilation, is now endemic in conflict zones: "It is now more dangerous to be a woman than to be a soldier in

[2] Palestinians (comprising 5.6 m) are the longest standing refugee population, the majority displaced in 1948. Second and even third generation Palestinian refugees have only known growing up and living in refugee camps.
[3] Gender-Based Violence and Justice in Conflict and Post-Conflict Areas. Rashida Manjoo and Calleigh MacRaith. Cornell International Law Journal, Vol. 44; 2011.

modern wars"[4]. These abuses can and do continue in refugee and IDP camps, where the consequences of continually living in such dangerous proximity to one's perpetrators compounds the abuse; e.g., women and girls can be forced to marry their rapists. The cumulative trauma of living through war's dangers and losses now comes with an additional layer of GBV-related trauma that affects everyone – victims and their loved ones and communities, traumatized by their inability to protect or by witnessing violence.

Types of gender-based violence refugee communities in the U.S. experience can include: domestic violence, often perpetrated by intimates, male and female in-laws, and extended family members; sexual assault; forced marriage of minors which may include pre-marital rape by the husband-to-be; intimate- or family-perpetrated femicide; abuse of LGBTQ family or community members. Domestic and family violence among refugees in the U.S. poses intra-familial, intra-community conflicts as victims are forced to remain silent to deflect scrutiny of the community and its abusers.

Refugee resettlement is managed by the Office of Refugee Resettlement (ORR) providing grants to states, voluntary agencies[5], and Mutual Assistance Agencies to provide health and social services. Refugees being resettled in the U.S. receive a stipend of about $1,000 per individual and rent-free housing for a total of 3 months, after which they are expected to start working and pay their own expenses. They are also required to start paying back airfare costs for the entire family after this period. They receive pre- and post-arrival orientations that cover topics from how to use a washing machine to laws explaining that child abuse, elder abuse, domestic violence, sexual assault, marital rape, etc., are crimes.

Barriers to Access

Barriers for domestic, sexual and family violence victims can arise with how systems aiding refugees are set up and whether they face a welcoming or hostile climate from the communities they are resettled in. Barriers include:

- Refugee resettlement agency staff are not adequately trained to identify and address domestic or other forms of gender violence; and because they themselves often reflect and uphold traditional community norms about women and girls, their responses may not be designed for victim safety and autonomy;

- Reporting fears because domestic violence reports can lead to abuser's deportation (which is emphasized in the orientation);

[4] Major General Patrick Cammaert, Deputy Force Commander of the United Nations Mission to the Democratic Republic of Congo, 2008.
[5] Church World Service, Ethiopian Community Development Council, Hebrew Immigrant Aid Society, International Rescue Committee, US Committee for Refugees and Immigrants, Lutheran Immigration and Refugee Services, US Conference of Catholic Bishops, World Relief Corporation

- Islamophobia directed at Afghani, Iraqi, Somali, Sudanese, Syrian and other refugees from Muslim-majority countries has a chilling effect on reporting or seeking help for domestic violence;

- Racial profiling and hate crimes against Muslims compromise help-seeking because victims and supportive family members rightly fear that their partners will be treated as terrorists, despite evidence to the contrary[6];

- Racism directed at Asian and African refugees inhibits help-seeking because victims are pressured by the community and its leaders, clerics, etc., not to draw negative attention to the community;

- Racism is a barrier to utilizing social and legal services, including law enforcement;

- Patriarchal cultural norms, already bolted down more tightly by war and reinforced in post-conflict resettlement further women's subservience and devaluation and limit their autonomy;

- Economic barriers resulting from depleted family resources due to living in camps for years without access to jobs, paying off debt (e.g., airplane tickets) and expectations to be independent within few months of resettlement discourage domestic violence victims from leaving.

- Limited English proficiency, lack of adequate language access, interpretation by community members well-known to domestic violence victims, or the practices of using bilingual speakers, family members, and children to interpret

- Intra-group diversity means the one-size-doesn't-fits-all approach can lack culturally and linguistically specific services and exacerbate intra-group tensions about access to resources. Examples of diversity include: ethnic diversity (e.g., Burmese refugees are Karen, Karenni, Chin, Mon, Shan), religious diversity (e.g., Middle Eastern refugees are Muslims, Druze, Christians, Baha'is), linguistic diversity and adaptation (e.g., majority of Bhutanese refugees only speak Nepali from living so long in camps in Nepal).

- Lack of transferability of professional credentials: despite being doctors, engineers, judges, teachers, or other professionals in their home country, refugees must get re-credentialed in the U.S., often a long and expensive process. Hence, even victims with professional qualifications cannot expect to earn adequately to support themselves and their children.

- The commonly proposed intervention by domestic violence programs of leaving, based on an index of the batterer's dangerousness is in itself a barrier. For refugees, leaving is associated with profound losses – of home, jobs, possessions, an elderly parent who couldn't make the journey, etc. Furthermore, calling law enforcement or other

[6] In the 14 years since 9/11 the U.S. resettled 784,000 refugees and exactly three resettled refugees have been arrested for planning terrorist activities (two were not planning an attack in the U.S. and the plans of the third were barely credible). *Think Progress*, 11-17-2015

government agencies is associated with persecution and oppression - the very reason refugees have fled their countries. In addition, the dangers they have survived during war, in camps, in transit can pale in comparison to living in an abusive home. Most advocates are not trained to understand these contexts.

- Unreasonable time limits on refugee assistance funds as well as TANF funds, that fail to account for the multiple barriers refugees experience in becoming self-sufficient.

- Onerous paperwork and documentation requirements (e.g., birth certificate, or a household bill as proof of residence in a state) are barriers to claiming victim compensation funds.

- Multiple types of trauma compound existing barriers for domestic violence victims who are coping with chronic, vicarious, insidious, and historic trauma; PTSD; and triple trauma associated with the refugee experience (in conflict zone, during transit and in camps, and with resettlement). The pace of recovering from these varies depending on the availability of trauma-specific interventions, trauma-informed care, the time lapse between trauma exposure and trauma treatment, and how domestic violence agencies understand and address the unique cultural contexts refugee domestic violence victims face.

Approaches to Mitigating Barriers

1. Refugee service programs need training on domestic and sexual violence to identify victims and provide referrals and services. Training should include ORR staff, grantees and ORR's Technical Assistance providers. Best practices in refugee service models that integrate domestic violence should be promoted where possible.

2. Design domestic refugee orientations addressing family and domestic violence to reflect the range of culturally-specific, in-language advocacy services available and encourage victims to access them.

3. Collaboration between refugee service programs and culturally-specific domestic violence CBOs that provide advocacy for refugee victims that includes funding for the latter by the former.

4. Implementation of language access plans for ORR funded grantees

5. Train bi- or multi-lingual advocates on basics and ethics of interpretation so when they are forced to interpret, they have enough knowledge and skills.

6. Train refugees fluent in English and their native language to become professional interpreters.

7. Train immigration services providers on asylum applications for adults and accompanied and unaccompanied minors and protecting their rights.

8. Train health care providers on health problems arising from sexual violence in conflict zones, such as traumatic fistulas.

9. Train law enforcement and criminal justice system to be trauma-informed when addressing family, sexual, and domestic violence in refugee communities.

10. Policies and training to implement practices that counter the chilling effects and barriers encountered in a heightened climate of Islamophobia, xenophobia, racism, and anti-immigrant and anti-refugee sentiments.

11. Train domestic and sexual violence programs on types of trauma refugees experience and trauma-informed practices or trauma-specific interventions that integrate an understanding about mental health and illness and substance use and abuse to counter the deep stigmas held by many refugee communities about these issues.

12. Develop and systematically implement programs to counter victim-blaming, sexism and misogyny within refugee communities that engage men, women and leaders and hold them accountable for protecting abusers.

Resources

1. Bridging Refugee Youth & Children's Services (BRYCS)
    a. Refugee Portal: An online resource for newcomer parents and youth in the U.S.
2. International Rescue Committee
3. Women's Refugee Commission

The Asian Pacific Institute on Gender-Based Violence is a national resource center on gender and domestic violence in Asian and Pacific Islander communities, including domestic violence dynamics in refugee zones and language access for limited English proficient survivors. Please visit us at www.api-gbv.org or contact us at info@api-gbv.org with training or technical assistance requests.