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VULNERABILITY of MIGRANT WOMEN in the FACE of ABUSE and EXPLOITATION

Today, one of the most important problems in the world is that people who are forced to leave their homes and those who are forced to migrate from their countries. The most painful thing here is that these people have no hope of returning home, and only those who have experienced this can understand this. Having visited the refugee camps in Turkey (Syrian immigrants), Philippines (Muslim refugees in the south), Lebanon (Syrian refugees), Jordan (Syrian refugees), Iraq (Yezidis refugees) and Algeria (Western Sahara migrants) and listening the witnesses to their narratives, my grief progressed. During my visits I've observed that, the Syrian migrants and Western Saharan migrants feel themselves more fortunate for being refugees in Turkey and Algeria. Women refugees feel pain more profoundly because they are more emotional than men. The events these people have experienced through on the migration route are just like scenarios of movies. It is the instinct to protect their children that keeps women alive. If they move in groups, they can reach their destination, otherwise they will suffer a lot of damage on the migration route. They struggle to create a new life for their children and grandchildren. Migrant women have to endure even the insults, violence, rape and other worst things they encounter along the way. They are careful to stay in the group to avoid being attacked, otherwise the violence would be inevitable.

II. THE VULNERABILITY OF WOMEN IN GENERAL

General violence; is the application of the power or power possessed by a threat or personally against another person, oneself, a group or a society, which ends in injury and loss or in a way that is likely to end.²

Migrants are most vulnerable to abuse and exploitation in situations and places where the authority of the State and society is unable to protect them, either through lack of capacity, applicable laws or simple neglect. For example, migrants are highly vulnerable when fleeing situations of violence and conflict, where the State has effectively broken down and society itself is in crisis. Even once migrants have fled the immediate fighting, when people are on

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² SUBAŞI, Nükhet, AKIN, Ayşe, Kadına Yönelik Şiddet; Nedenleri ve Sonuçları, Hacettepe Üniversitesi, Şiddet Raporu, 2004; World Report on Violence, Against Women, WHO, World Health Organisation Consultation, Geneva, 5-7 February, 1996, FRH/WHD/96.27.

the move, this vulnerability persists while migrants are dislocated from community and family support structures, and are thereby typically without access to legitimate forms of employment, legal status and social protection. The risk is further increased when migrants move or work through irregular channels, where their irregular status puts them entirely at the mercy of opportunists who may seek to take advantage of their desperate circumstances.

When we ask the question that which migrants are most vulnerable, the answer will be that the issue of gender is relevant to vulnerability, with women experiencing higher rates of modern slavery in domestic work, the sex industry and forced marriage, while men are more likely to be exploited in state sponsored forced labour and forced labour in the construction and manufacturing sectors.

Studies with a global focus note the relevance of gender on patterns of victimization. The Global Estimates of Modern Slavery confirm women and girls are disproportionately affected by modern slavery, accounting for 28.7 million, or 71 per cent of the overall total. More precisely, women and girls represent 99 per cent of victims of forced labour in the commercial sex industry and 58 per cent in other sectors, 40 per cent of victims of forced labour imposed by state authorities, and 84 per cent of victims of forced marriages.³

While there are laws, policies and practices that are intended to protect migrants from abuse and exploitation, there are many gaps in these mechanisms that leave large areas where people are entirely without protection. These gaps in protection are actively leveraged by unscrupulous recruiters, agents, employers and others to extract profit or other personal reward from vulnerable migrants.

The restrictive EU asylum and migration policies prevent many refugee women from access to asylum. Especially Syrian women fail to access asylum as well. Those who could not cross the Mediterranean and have got trapped in Libya or Egypt have had no other option than working in the informal sector for extremely low wages, finding accommodation in poor and unsafe suburbs, accepting forced marriage, or doing sex work. Some of them have been deceived by the traffickers through promises of well-paid jobs and headed to cross the borders under the guidance of the human traffickers. Refugee women health reports talk about high rates of anxiety, poor self-esteem, depression, mistrust, poor cooperation, fear etc.

³https://publications.iom.int/system/files/pdf/migrants_and_their_vulnerability.pdf, Date of Access, 13.11.2020.

Psychological or behavioural disorders are common among the refugee women on the move as well.

The introduction of the Schengen zone and code followed multiplication of complex migration management policies based on tough and exclusionary visa policies and tight border regimes. This led to discriminative migration and border regimes that caused thousands of refugees and migrants to choose clandestine movements to the EU. Instead of keeping on with those enormously growing expenditures, the Euro-Mediterranean states and the EU have to challenge the regional informal and black markets that obviously grow based on social and sexual exploitation and abuse of their vital clients: the irregular migrant and refugee women.

On the other hand many types of gender-related persecution such as honour killing, rape in war etc. have often been seen as a personal or domestic issue and the victim is seen as someone who simply an unlucky victim of an ordinary crime⁴. And a further barrier to the recognition of gender-related persecution within the current definitions and interpretations of 1951 Geneva Convention is the way in which persecutory practices which may be common in “Third World” countries are assigned cultural differences. The result is that asylum applications are still operating on guesswork and immigration officials are free to decide claims based not on firm principles, but instead on their personal prejudices⁵. If we apply the universalism vs. cultural relativism debate to the refugee problem, it can be observed that a lack of respect for internationally recognized human rights standards in the name of cultural relativism can determine violations of universally recognized human rights norms and cause of refugee flows⁶.

For women fleeing from gender-related forms of persecution a major problem is the failure of receiving countries to recognise these forms of persecution as grounds for offering protection and refugee status to them. Gender is not included in the grounds for granting refugee status under the 1951 Refugee Convention, and despite the fact that UNHCR has issued specific guidelines relating to gender-based asylum claims, women may still find that their claims based on gender-related persecution are refused by national authorities. This poses severe problems for these women, who will thus become “failed” asylum seekers, will lose many of their social and welfare rights, and will be subject to measures such as detention and

⁴ SAFI, Sibel, *Death by Culture, Accountability in International Law*, chapter 4: Institutionalising social mores and the refugee context, Lambert Academic Publishing, 2013, pp.51-65.

⁵ *ibid*, p.51.

⁶ *ibid*, pp.51-59.

eventually deportation. All of these measures will obviously increase women's insecurity and vulnerability as well.

The dignity of these women who have been subjected to violence must be restored. Otherwise, it is possible to see these people with ideas and actions hostile to society. Everyone has an obligation to integrate their children and grandchildren into society. We cannot neglect them. Even talking to them and sharing their troubles contributes positively to their feelings.

III- CHALLENGES OF MIGRANT WOMEN

Difficulties in defining, opposing, seeking migrant women rights, accessing services, and teaching, cause them to experience violence. They find violence difficult to source because many women normalize violence as a file extension of gender roles.

Here we need to define violence. According to World Health Organization (WHO), violence can be defined;

" 1-at the level of threat or activity;

2-physical power deliberately directed to itself, to another person, to a group or community;

3-resulting in injury, death, psychological harm, blinding or deprivation. The possibility of the result "will emphasize.

The differentiation of the definition is natural for different domains and contexts. The definition of violence in the context of social work, naturally indicates that violence against health workers definition.⁷ Migrant women stand up to violence because they fear more severe punishment, loss of their children, or abandonment. If their residence permit is dependent on their spouse, they fear losing their residence permit or deportation. They are not aware of their rights because there are no similar rights in the land they come from. They have difficulty accessing the services because they cannot speak country's language that they live. Also, they are not aware of the services that they can have access.

⁷ World report on violence and health, WHO, World Health Organisation, Edited by Etienne G. Krug, Linda L. Dahlberg, James A. Mercy, Anthony B. Zwi and Rafael Lozano, Geneva-2002.

Reporting their husbands, fathers and brothers to the police is hurting them. They don't want to be whistleblowers. They never trust the police and institutions such as social services. They don't know the system. They fear racism or exclusion from their own society.

Meanwhile, men who are taken away from control of their daily lives in line with the demands of the new society, often feel neglected and try to have the control they cannot have in the public sphere by controlling women's behavior in their private lives.

In other words, men reproduce and strengthen their patriarchal roles in order to combat the situation they are in, which is reflected in the increase of violence against women.

The types of violence that are fed by the traditions of their own societies also differentiate migrant women's victimization and traces of violence from other women.

Women support the preservation and implementation of old patriarchal traditions and traditional forms of violence. We must explain that complaints made during and after violence will not only benefit them, but also every woman in the same situation.

I have to share my memory here. When we went to Northern Iraq. We also visited "Yazidis" who are members of a different religion. We also visited their immigrant women who were displaced and raped by Daish (a very bad organization called the Islamic state), a vile organization. We listened to their troubles. What the terrorist organization did to women immigrants was not much different from women who migrated from Africa to Europe. Dirty men, who are women salesmen who exploit and sell to Europe, do the same thing for women. The only difference is that someone was using religion and using force to exploit and oppress women physically and sexually. On the other hand, the women traffickers in Europe, benefit from women commercially and physically and abuse them as sex workers.

CONCLUSION

The biggest problem I saw in almost all refugee camps and refugee women's groups we visited privately was the following; The vast majority of them had lost their joy and resistance to life. After all that drama, their psychology was not normal either. Something must be done to return them the joy of life.

- We have to teach the beauty of life to the immigrant women. Besides the beauty of life; We must teach them to struggle in life and to apply to the police and other authorities in case of any difficulties, especially during or after violence. We must also teach that the application to

these institutions is not unfair reporting of family members. We must explain that complaints made during and after violence will not only benefit them, but also every woman in the same situation.

Everyone and especially non-governmental organizations (NGO) can contribute to these women who have been subjected to violence. It can even provide psychological support to them by listening to their troubles and sharing what they can do.

What should be the effective recommendations for policy implications;

-To take effective action to combat all forms of violence against women immigrants by providing adequate medical, legal and social support to the victims of violence, implementing social rehabilitation programmes for them, offering victims of the sex trade access to refuges, taking due account of their needs for safety and protection, and by providing preventive information to women immigrants concerning their rights in the host country would be remedial steps.

-When considering applications for autonomous legal status, to take due account of the circumstances of women immigrants who are victims of violence, in particular victims of physical and psychological violence including the continuing practice of forced or arranged marriage and to ensure that all administrative measures are taken to protect such women may be another step to solution.

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