



**ADDRESS BY**

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**CHECK AGAINST DELIVERY**

President Kanerva, Colleagues,

Thank you for this opportunity to focus attention on the gendered aspects of our work in ensuring comprehensive security for all. Today, I would like to share with you some preliminary ideas for my annual report. This year, we have seen large increases in migrant and refugee flows into many OSCE participating States. It is a humanitarian crisis unparalleled in Europe since the Second World War. For this reason, I will be focusing my report on the gendered aspects of this crisis. However, before I do that, I would like to provide an update regarding the addendum to the 2004 Gender Action Plan, which I discussed with you at the meeting in Vienna last year.

### **ADDENDUM TO THE 2004 GENDER ACTION PLAN**

As I mentioned last year, the participating States were unable to agree on a final text for an addendum to the OSCE's Gender Action Plan in December 2014. As a result, the Ministerial Council was only able to adopt a decision directing the participating States to finalize an addendum in 2015. Unfortunately, I must report that, again, there was no agreement on a final text at the Ministerial Council meeting this past December. Once more, certain states attempted to weaken the commitments in the draft document and no consensus could be reached. I was very disappointed to hear of this development. After two attempts, it appears that there may be no further efforts to agree on an addendum to the 2004 Action Plan. Though this outcome is very disappointing, I would like to recognize the efforts of the Delegation of Canada to the OSCE, as well as the delegations of the United States and Serbia for their work in promoting inclusion of language addressing the OSCE PA in the draft addendum. Marc Carillet of the OSCE PA Secretariat should also be recognized for his contributions to this effort. I only wish that I could report a more positive outcome.

### **PRELIMINARY IDEAS FOR THE 2016 OSCE PA GENDER REPORT**

It is within this context of inaction on gender issues at the Ministerial Council that I have decided to focus my report this year on the situation of some of the most vulnerable women and girls in our region: refugees and migrants. Though there may be disagreement about the way forward in promoting gender equality within the OSCE region more generally, I hope that we will be able to, at a minimum, work together to better protect these women and girls from the many risks they face in their journey to Europe and after arrival on European soil.

Gender has a significant role to play throughout the voyage of a refugee or migrant – from having an impact on who gets to leave, to experiences while travelling, to how far a person goes and what life is like upon arrival in a new country. It is important that all responses to the migrant and refugee crisis, whether we are talking about service provision for the affected individuals or security responses, consider the gendered aspects of this crisis through gender-based analysis, otherwise known as GBA. The importance of such efforts is only going to increase, as growing numbers of women and girls are fleeing violence in countries such as Syria and heading to Europe.

#### **A. Terminology**

To start, I would like to clarify the terminology I am using. First, as we all know, movements of people across the Mediterranean are mixed flows of both refugees and migrants. Refugees flee persecution, whereas migrants leave their country for other reasons. Migrants may leave to seek

better economic opportunities, reunite with families or even to flee discrimination which does not reach the level of gravity to satisfy the definition of a refugee. Both refugees and migrants may face great dangers in trying to reach Europe. I will be discussing both migrants and refugees in my report, though with a greater focus on refugees.

Second, what do I mean by gender-based analysis? GBA is a process by which laws, policies, programs and services are examined to identify the impacts on men and women.<sup>1</sup> I would like to outline the reasons I feel GBA is so important in the context of the current refugee and migrant crisis.

## **B. The Situation Faced by Female Migrants and Refugees**

The gendered aspects of refugee status start with the definition of a refugee in the 1951 Refugee Convention. Persecution based on sex or gender is not explicitly listed as a ground for refugee status in the convention and it took some time, and hard work by advocates, to integrate such persecution into understandings of the refugee definition. As you will see from my presentation, there is still much to be done to ensure that women's and girls' refugee claims are adequately addressed.

Although there are just as many female as male refugees in the world, far more men are able to reach Western countries. UNHCR reports that there were more than 1 million arrivals in Europe by sea in the Mediterranean area in 2015, with more than 3,600 dead or missing at sea. Less than 20% of arrivals were women (25% were children).<sup>2</sup> Though they remain the minority, it appears that the number of women refugees and migrants arriving in Europe is increasing, including single women and unaccompanied children. In a recent report, the United Nations High Commissioner for Refugees (UNHCR), the United Nations Population Fund (UNFPA) and the Women's Refugee Commission suggest that one possible explanation is growing perceptions that these populations will be prioritized for services and registration and may have greater success in receiving asylum.<sup>3</sup>

As they travel to their destination, the women and girls that *are* able to leave their country may experience various forms of violence that differ from men. Women and girls heading to Europe have experienced sexual assault by officials, smugglers, traffickers and other refugees.<sup>4</sup> Last fall, UNHCR expressed concern about reports that refugee and migrant women and children were facing various forms of abuse while "on the move" in Europe. The agency was alarmed by reports of "children engaging in survival sex to pay smugglers to continue their journey." Violence and abuse, including sexual abuse, have also been risks in reception sites that are overcrowded and in locations where refugee and migrants gather, including parks, train and bus stations and on roadsides, according to

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<sup>1</sup> Government of Canada, [Gender-Based Analysis](#).

<sup>2</sup> United Nations High Commissioner for Refugees [UNHCR], [Refugees/Migrants Emergency Response – Mediterranean](#); European Commission, *Compilation of Data, Situation and Media Reports on Children in Migration*, 18 December 2015, pp. 4–5 (information from UNHCR Information Portal for the Mediterranean).

<sup>3</sup> UNHCR et al., [Initial Assessment Report: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis: Greece and the former Yugoslav Republic of Macedonia](#), January 2015, p. 6 [UNHCR Assessment report].

<sup>4</sup> European Women's Lobby, "[Asylum is not gender neutral: the refugee crisis in Europe from a feminist perspective](#)," *EWL News*, 21 September 2015.

UNHCR spokesperson Melissa Fleming.<sup>5</sup> Reception centers also may lack lighting and separate spaces for women and families with children, which magnify the risks they face.<sup>6</sup>

In addition, many of the women entering Europe are unable to access basic services. Many are pregnant but are not receiving medical attention. Even basics such as sanitary products may be lacking en route. A 2015 Save the Children report notes that food distribution is often poorly organized, meaning that young men, who rush to distribution points, are accessing the food while others, such as women, go without. Women and children are put in difficult situations, having to share washrooms with men, to sleep in tents with strangers. Even the simple act of going to the washroom can be terrifying, with the risk of being assaulted on the way to the toilet.<sup>7</sup>

According to the UNHCR, “unaccompanied women and girls, women heads of households and pregnant, disabled or older women may face particular challenges.”<sup>8</sup> This is an important reminder that not all women have the same vulnerabilities.

Once they make a refugee claim, female refugees may have difficulty having their claim recognized because the activities that led to their persecution were not the same as the traditional male claims, or because they experienced gender-specific forms of persecution which are not always recognized in law or in practice.<sup>9</sup> The European Women’s Lobby has said that, “[w]ithout integrating a gender perspective throughout the asylum process, the adherence to a male adult heterosexual norm risks resulting in many women and girls, including lesbian and bisexual women and girls, being wrongfully denied refugee status and protection under international human rights and refugee law.”<sup>10</sup> This is an issue of life and death. If we do not successfully integrate a gender perspective into refugee determination processes, women and girls who have been persecuted may be returned to their country of origin with horrible consequences for their security.

The 2004 Gender Action Plan, already more than 10 years old, called on participating States to ensure “proper consideration is given to women claimants in refugee status determination procedures and that the range of claims of gender-related persecution are accorded due recognition.”<sup>11</sup> So why is this still not happening consistently throughout the OSCE region in 2016?

The situation is worrying. A 2012 study that analyzed asylum and gender issues in nine EU states concluded that, “[t]here are vast and worrying disparities in the way different EU States handle

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<sup>5</sup> UN News Centre, [UN refugee agency appeals for protection against sexual abuse of women and children on move in Europe](#), 23 October 2015.

<sup>6</sup> European Commission, p. 17 (information from UNHCR Briefing Notes 23 October 2015).

<sup>7</sup> Save the Children, [Multi-sector Needs Assessment of Migrants and Refugees in Greece](#), Athens, Lesbos, Chios, Kos, 5–18 July 2015, p. 5; see also Human Rights Watch, [Greece: Chaos, Insecurity in Registration Center: Information, Attention to Vulnerable Groups Urgently Needed](#), 12 October 2015.

<sup>8</sup> UNHCR, [“Particular Challenges and Risks,” Women](#).

<sup>9</sup> Freedman, pp. 177–178.

<sup>10</sup> European Women’s Lobby et al., [Asylum is not gender neutral: Protecting women seeking asylum, a Practical advocacy guide](#), November 2007, p. 4.

<sup>11</sup> Organization for Security and Co-operation in Europe [OSCE], [Decision No. 14/04: 2004 OSCE Action Plan for the Promotion of Gender Equality](#), 7 December 2004.

gender-related asylum claims.”<sup>12</sup> Issues relating to both policy and implementation were identified in that study. Sometimes simple changes, such as providing childcare during interviews, can make a big difference. The study found that childcare was provided in only two of the nine countries during asylum interviews, meaning that women were forced to choose whether to fully disclose their experiences in front of their children or risk withholding important information for the outcome of their claim.

This summary of the situation is not intended to put blame on particular countries. Governments and civil society actors are being put under incredible strain. However, as we seek solutions to the refugee and migrant crisis, we must recognize the gendered differences in experiences to be able to adequately meet the needs of both men and women. Currently, we are not doing that often enough and women’s and girls’ security is being put at risk.

### **C. The Response to the Crisis**

I recognize that many OSCE participating States are overwhelmed by the needs of the new arrivals in addition to their own domestic issues, but I hope that gender-based analysis will not remain a secondary concern or worse, ignored. We have all made international commitments with respect to refugees and the equality of women and girls that must be respected as we address this crisis. Along with the provision of basic needs such as food and shelter, there must be consideration of gendered differences in need. Women and girls need safe shelter separate from men. They need access to food.

But we must not see the needs of women simply as a burden. Female migrants and refugees will become contributing members of our communities and countries if we make the effort to integrate them successfully. In my country, two recent appointments to the position of the Governor General, the Queen’s representative in Canada, have been refugees: Adrienne Clarkson and Michaëlle Jean. Refugee and migrant women and girls can make significant social, economic and political contributions to their host countries, as well as playing roles in resolving conflicts in their home countries.

At the OSCE PA, I am happy to say that we have addressed migration and gender in resolutions before. For example, we included a Resolution on Gender Aspects of Labour Migration in our Istanbul Declaration in 2013.<sup>13</sup> But we can do more. Though the Baku and Helsinki Declarations include resolutions with respect to refugees in the OSCE area, unfortunately, little is said with respect to the gendered-aspects of the issue.<sup>14</sup> We must integrate gender-based analysis in future resolutions on this topic.

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<sup>12</sup> Hana Cheikh Ali et al., [Gender Related Asylum Claims in Europe](#), European Parliament, 2012.

<sup>13</sup> Organization for Security and Co-operation in Europe Parliamentary Assembly [OSCE PA], [Resolution on Gender Aspects of Labour Migration](#) in [Istanbul Declaration and Resolutions adopted by the OSCE Parliamentary Assembly at the Twenty-Second Annual Session](#), Istanbul, 29 June to 3 July, 2013.

<sup>14</sup> OSCE PA, [Resolution on the Situation of Refugees in the OSCE Area](#) in [Baku Declaration and Resolutions adopted by the OSCE Parliamentary Assembly at the Twenty-Third Annual Session](#), Baku, 28 June to 2 July 2014; [Resolution on Calling for Urgent Solutions to the Tragedy of Deaths in the Mediterranean](#), in [Helsinki Declaration and Resolutions adopted by the OSCE Parliamentary Assembly at the Twenty-Fourth Annual Session](#), Helsinki, 5–9 July 2015.

I understand the migrant crisis was discussed at the meeting in Ulaanbaatar, which I unfortunately missed due to our elections in Canada, and we are discussing it here again in Vienna. OSCE PA delegates, including Isabel Santos, Chair of the 3<sup>rd</sup> Committee, have been working hard to identify solutions to the crisis and many delegates come from countries directly affected by it. Our colleague Margareta Cederfelt, Rapporteur for the 1<sup>st</sup> Committee, addressed gender and migration in remarks at an OSCE Gender Section Expert Workshop last November in Vienna.

The UNHCR and many others have provided guidance and tools to ensure that gender considerations are integrated into decision-making regarding refugee and migrant flows. Specifically in relation to the current situation in Europe, UNHCR is calling for qualified sexual and gender-based violence personnel from governments and humanitarian agencies on the ground to improve prevention, risk mitigation and services for migrants and refugees. Female interpreters are needed. Services must be organized with the different needs of men and women in mind. The UNHCR/UNFPA/Women's Refugee Commission report I mentioned earlier provides a number of helpful recommendations for the EU, affected governments, and humanitarian actors.<sup>15</sup>

The Ministerial Council called on participating States to incorporate gender aspects to migration policies in 2009.<sup>16</sup> There is an OSCE *Guide on Gender-Sensitive Labour Migration Policies* that can be used as a resource. The guide addresses the issue from a number of angles, offering advice for consideration in both countries of origin and destination countries, and in developing bilateral and multilateral labour agreements.<sup>17</sup> We may wish to consider promoting the use of existing guides from other organizations with respect to refugee policy or even advocating for the OSCE to develop a guide relating specifically to refugees for use by participating States similar to the labour migration guide. A perfect opportunity to discuss future initiatives is happening in a few days – I hope that gender will be integrated into discussions at the upcoming OSCE Security Days meetings that will be focused on migration and security.<sup>18</sup>

Many OSCE PA delegates are engaged on the issue of migration and refugees and I encourage delegates to integrate gender perspectives in all work on this topic. Remember, these women and girls have lived through many challenges and may have suffered greatly, but they are a resource that we are gaining. They may be our future heads of state and CEOs. They may lead peacebuilding initiatives to stabilise their home regions. We must provide them with the support they need to heal from the many difficulties they have experienced and to flourish. We must work with these women, not assume that we know what they need or what is best for them.

I urge you to go back to your countries and encourage your governments and civil society organizations to integrate GBA into their response to this crisis, whether you come from transit countries, final destination countries or, like my country, Canada, are involved more in refugee resettlement. Work with the affected women in developing your responses. The OSCE can also work to provide tools and develop projects addressing this issue. We can play a critical role in improving

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<sup>15</sup> UNHCR Assessment report, pp. 13–17

<sup>16</sup> OSCE Ministerial Council, [Decision No. 5/09: Migration Management](#), MC.DEC/5/09, 2 December 2009.

<sup>17</sup> OSCE, [Guide on Gender-Sensitive Labour Migration Policies](#), 2009.

<sup>18</sup> OSCE, ["Security Days: Refocusing Migration and Security – Bridging National and Regional Responses," Events.](#)

security for thousands of women and girls coming from war-torn countries and from experiences of gendered violence who are coming to our region for safety. I also encourage all of us to consider the impact of gender in our discussions of this issue at the PA.

Many of you come from directly affected countries and I welcome the opportunity to discuss your experiences and how GBA can be better integrated in responses to the migrant and refugee crisis. Thank you.