The Hidden Violence of Asylum: How European Asylum Systems Create Gendered and Racialised Forms of Violence Against Women

Jane Freedman, Université Paris

(Summary)

The securitization and militarization of EU borders has been accelerated by the so-called “refugee crisis” of 2015 with increasing numbers of people trying to reach Europe. “Crisis labelling” was used to justify border closures, reinforcement of police and military presence, and refoulement of people arriving (e.g. through EU-Turkey agreement of March 2016). This increased insecurities for those on the move, making migration more costly and dangerous. The failure of political response to the crisis pushed a move towards humanitarian response, and also reinforced gendered and racialized stereotypes relating to vulnerability and threats. With Covid-19, “health security” was used as a justification for further securitization and border closures. States of emergency were used to sidestep EU and international law e.g., to deny disembarkation to rescue boats in the Mediterranean or to restrict mobilities by locking-down refugee camps.

The necropolitical implications of European securitisation of borders produce traumatic experiences with premature death being a constant risk – many people we interviewed had directly experienced violence, or seen people die around them as a result of border security. Bordering practices are located within the colonial histories of Europe, and the (re)production of Europe and European borders and identities occurs through enmeshing gendered and racialised discourses. Gender determines women’s access to borders but also the types of violence they experience whilst crossing them. While men are more likely to be detained (Krystalli et al., 2018) women are more often victims of sexual and gender-based forms of violence (Freedman, 2016; Tyszler, 2018), demonstrating the physical impacts of border securitisation on women’s gendered and racialised bodies (Sahraoui, 2020). Psychological or emotional violence through, for example, the threat of family separation is frequent. And the refusal to recognise experiences of violence and to register asylum claims based on gender-related forms of persecution is common.

Our research demonstrated a “continuum of violence” in countries of origin, transit and destination. Incidences of violence should be seen as connected and rooted in underlying structures of inequality. We stress the importance of understanding gender violence in migration not just as perpetrated acts of violence but also systematic discriminations and threats which are linked to gendered structures of domination (Krause, 2017). The continuum of violence is sustained by state policies of “indifference” (Davies et al., 2017) or “abandonment” (Pinelli, 2018).

Women refugees are present at borders, but their presence is often rendered invisible or ignored. If they are travelling with a “family” group, then frequently they will be assumed to be “protected” by their male travelling companions. Women are only really made visible through certain discourses such as that of the fight against trafficking for sexual exploitation. There are also narratives which have developed around the figure of pregnant refugee women who are accused of becoming pregnant deliberately as a way to "cheat" at borders and to gain entry to a European country for themselves and their families. These women are also decried as "bad mothers", putting their unborn babies at risk through their journey. And whilst pregnancy might be seen as a form of "vulnerability" it does not stop violence at borders. Pregnant women are regularly refouled and pushed back at borders.

If they do manage to cross borders, women are met by the violent conditions of (non)reception, or as Canning (2019) names it "degradation by design". Refugee camps and hostels are frequent sites of violence with no safe spaces for women, conditions made worse by the lockdowns during the Covid-19 pandemic. And in many cases there is no accommodation available. Our research in Paris found refugee women sleeping in the streets or station concourses because there was no other accommodation for them. This renders them vulnerable to SGBV and also pushes them into transactional sexual relationships in exchange for accommodation. Pregnant women stayed and slept in hospital foyers after having given birth rather than having to return to the streets with their new born babies.

The Common European Asylum System (CEAS) has in theory integrated questions of gender and should offer protection for survivors of SGBV. The Qualification Directive recognises that acts of persecution can take the form of "physical or mental violence, including sexual violence" or "acts directed against persons because of their gender". The notion of "vulnerability" and the need to protect those who are "vulnerable" has also been integrated into the CEAS. But in practice, there is still very limited protection of women asylum seekers and refugees. Moreover the notion of vulnerability plays into the gendered dichotomies and stereotypes that exist regarding refugees, where men are represented as a "threat" and women "vulnerable". This leads to problems of essentialisation in the categorisation of vulnerability, which can be experienced as symbolic violence by women so-categorised. Our research points to the importance of understanding vulnerability not as an essential feature of any group but as produced by structures and systems of inequality.

Certain forms of SGBV against asylum seeking/refugee women are highlighted in policy and public discourse e.g. FGM, forced marriage. This means that these forms of violence are more likely to be considered in asylum claims – but also creates suspicion that women will "exploit" these understandings to make "false" claims. Other forms of SGBV are ignored or understood as inevitable products of "other" cultures. This results in a lack of services for survivors of SGBV and the (re)creation of conditions where it is perpetuated.

In conclusion, our research points to the importance of making gendered and racialised violence at borders and gendered barriers to refugee protection visible. At the same time, it is important to underline that refugees have agency, and that women are not just "vulnerable" or "victims" but have their own individual and collective migratory strategies. We point to the fact that EU migration policies are violent and we need to consider both this violence and its impacts and the strategies that people on the move show for resisting this violence.

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