



# RESPONSES OF EUROPEAN UNION IN TACKLING REFUGEE'S ISSUE: A CASE STUDY OF SWDEN AND SLOVAKIA

**Zeba Rayee**

## Abstract

This paper discusses the issues related to migration crisis in Europe. Especially problems related to women and children. It is very much evident that women and children form one the most vulnerable group in the process of migration. Thus, issues related to them become imperative to be discussed and addressed. Europe has taken some initiatives in tackling the challenges related to migration crisis. This paper while discussing the case study of Sweden and Slovakia put forth the argument that Europe can handle the problems in a more appropriate way by strengthening their mechanisms and identifying the root cause of problems as a gap can be seen from the policy and institutional end. Apart from the country case studies individual case studies on the basis of interview done by various international organisations are also discussed to suffice the argument.

**Key Words:** *Migration, Refugee women, European Response, Sweden, Slovakia, Resolution Mechanism.*

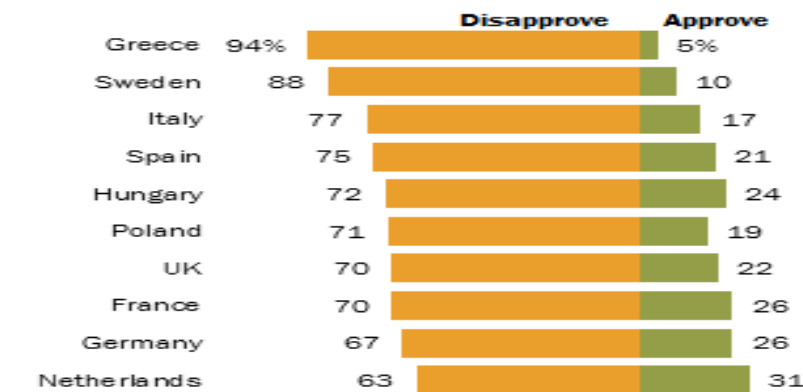
## INTRODUCTION

Thousands of refugees and migrants make attempts to move to Europe every year. Some people move due to the need to escape poverty; others try seeking refuge from violence and persecution. Their journey is full of challenges and danger. It has been estimated that at least 23,000 people have lost their lives trying to reach Europe since 2000. And those who anyhow make it to the borders of the European Union (EU) find that attaining protection and safety is a huge challenge and it remains beyond their grasp (Amnesty international; 2014). In 2015, more than 1 million individuals escaping conflict in Syria, Afghanistan, Iraq, and other nations in South Asia and Sub-Saharan Africa came in Europe. The aim of these refugees travelling from different parts of the world to Europe is to have a secure asylum. —As of January 2016, more than 55 percent of those traveling are women and children, as compared to only 27 percent in June 2015 (Women's Refugee Commission; 2016).

The European Union and its member states have built a non-penetrable fortress which will keep the irregular migrants out of their territory – without even considering their motives, regardless of their continuous measures that many are prepared to take to reach its shores.

### Overwhelming majorities unhappy with EU's handling of refugees

Do you \_\_\_ of the way the European Union is dealing with the refugee issue?



Source: Spring 2016 Global Attitudes Survey.

"Euroskepticism Beyond Brexit"

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**Table 1: The EU's refugee handling survey**

As per the reports of various international NGO's like Amnesty International, In order to protect its border from these refugees, the EU has started funding sophisticated surveillance systems, giving financial support to member states at its external borders, such as Bulgaria and Greece, to secure their borders and established an agency to coordinate a Europe-wide team of border guards to patrol EU frontiers.

Since 1999 the European Union is trying to form a common European asylum system (CEAS) and upgrade the current framework. The European Union's migration policy forms various EU legislation and legal instruments, political instruments, operational support and capacity-building, and the various programmes and projects support that is made available to numerous stakeholders, including civil society, migrant associations and international organizations. In the last two or three decades, cooperation for common EU migration and asylum policy has gained importance. Christos Baxevanis (2016) argued that the EU has agreed to the new rules like; The Revised Asylum Procedures Directive, The Revised Reception Conditions Directive, The Revised Qualification Directive, The Revised Dublin Regulation and The Revised EURODAC. These new rules will set common high standards and greater co-operation to make sure that asylum seekers are treated equally. However, the migration crisis in the Mediterranean has showed the structural limitations of the EU migration policy and it highlights on immediate needs.

To deal with the current migrant and refugee crisis, the European Union and European member states are adopting a number of steps. In this regard the European commission has reached to an operational consensus

which is reflected in the European Commission declaration, —The European Agenda on Migration is based on a simple principle: help migrants in need of international protection and return migrants that have no right to stay on the EU territory.<sup>1</sup> They have created a plan to relocate them. The EU suggested setting up an agency which will control the external borders. It is taking various political measures to contain the refugees before entering Europe. The European Union has signed an agreement with Turkey and this deal will control the influx of migrants in Europe.

How the European Union is responding to the current migrant crisis can mainly be assessed at two levels, internal level and external level. The internal and external steps adopted by the EU to accept the inflow of migrants and give them such conditions so that they can settle down in the region. The European Union should also take precautionary steps to control the influx of refugees in Europe at the same time it should take care of the ongoing crisis in middle East (Upadhyay; 2016).

## EUROPEAN RULES AND LEGAL RESPONSES

All Member States of the EU signed and ratified the 1951 —Geneva Convention on the Protection of Refugees. At the same time the European countries have also signed the —1967 Protocol Relating to the Status of Refugees, other human rights conventions, such as the —Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and —International Covenant on Civil and Political Rights. According to the 1951 convention, asylum is the fundamental right of those individuals who are facing —persecution and —serious harm in their home country.

As per the asylum and migration policy the discretion to implement the provisions of Geneva convention 1951 remains with the nation states. They can implement these provisions through their national legislations. The attempts have been made by the EU to harmonise the national refugee and asylum laws but the nation states have greater sovereignty in this matter. That is why there is a greater degree of variation in condition and benefit of refugees in different countries and the Common European Asylum System is yet to completely evolve as it is still in process. The CEAS consists of five acts:

- The qualification directives of 2011, to set out the criteria to grant asylum to refugees.
- The common procedure directives for common procedure to provide asylum.
- The reception condition directives, to provide standard conditions to asylum seekers. For example, healthcare access, education, employment, safe environment etc. However, the process of detention put this directive on test as many times it infringes the rights of refugees.
- The Dublin III Regulation for framing the criteria to decide which country will be responsible for the examining the asylum application. It also aims to do away with the phenomenon of refugee in orbit which means those asylum seekers for which no country takes responsibility.

<sup>1</sup> European Commission, “Refugee Crisis: European Commission Takes Decisive Action – Questions and Answers,” Strasbourg, September 9, 2015.

- EURODAC Regulation was established to facilitate the Dublin Regulation. It is a finger print based database where member country registers the finger print of asylum seekers and irregular migrants so that the entry point of claimant could be detected (Poptcheva; 2015).

## THE DUBLIN REGULATION

*The Dublin Regulation* was adopted in 2003 to determine which State is responsible for examining an asylum application. According to this regulation generally the State where the asylum seeker first arrives in the EU has to make sure that each claim gets a fair examination in one member state. The Dublin Regulation works on the assumption that the asylum laws and practices of the EU States are based on the same common standards and they allow asylum seekers to enjoy similar levels of protection in all EU Member States. However, asylum legislation and practice still vary greatly from country to country, causing asylum-seekers to receive different treatment across Europe. In 2008, the European Parliament noted that, in the absence of harmonization, —the Dublin system will continue to be unfair both to asylum seekers and to certain Member States. The Dublin system augments pressures on the countries having external border regions and adversely affects the lives of those fleeing to Europe for protection. —In December 2008, the European Commission proposed amendments to the Dublin Regulation, which has been welcomed by the European Parliament, ECRE and UNHCR.<sup>2</sup>

*Temporary Relocation System* is —the most disputable idea for redistribution of asylum seekers between the EU member states (Carrera & Guild; 2015). The origin of this system is based on the incapability of Dublin Regulation. The system was planned on the basis of —40 per cent of the size of population, 40 per cent of the GDP, 10 per cent of the 82 average number of past asylum applications and 10 per cent of the unemployment rate.<sup>3</sup> The relocation plan of migrant agreement was decided by voting and majority of member states voted in favour of the plan. Although, some countries like Slovakia, Hungary and Romania voted against the system (Upadhyay; 2016). Accordingly On the basis of the Commission's initiative, the member states adopted a Resolution on relocating 40,000 persons from Greece and Italy, who in clear need of international protection, on 22 July 2015,<sup>4</sup> which was complemented on September 3rd by an additional Council Decision on the temporary relocation of 120,000 asylum-seekers from Greece and Italy.<sup>5</sup>

<sup>2</sup> <http://www.unhcr.org/4a9d13d59.pdf>.

<sup>3</sup> European Commission, Refugee Crisis: European Commission Takes Decisive Action – Questions and Answers, Strasbourg, September 9, 2015.

<sup>4</sup> <http://data.consilium.europa.eu/doc/document/ST-11131-2015-INIT/en/pdf>.

<sup>5</sup> <http://data.consilium.europa.eu/doc/document/ST-11132-2015-INIT/en/pdf> <http://data.consilium.europa.eu/doc/document/ST-11161-2015-INIT/en/pdf>.

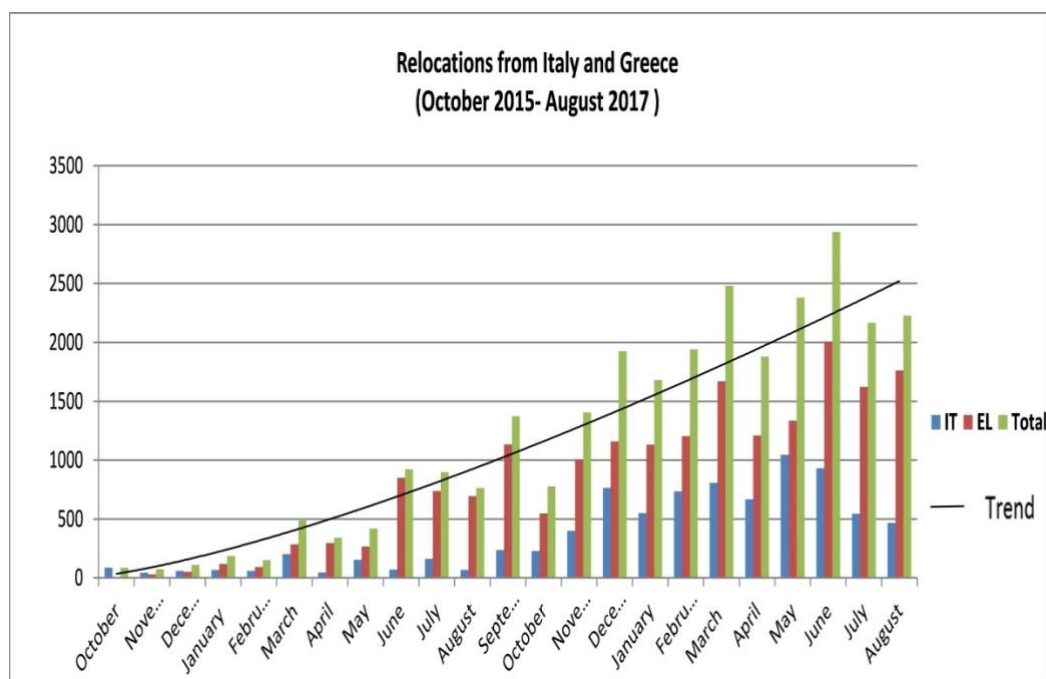


Chart 1: Relocation from Italy and Greece

Source: <https://eur-lex.europa.eu/legal content/EN/TXT/?uri=COM%3A2017%3A465%3AFIN>

The above chart showcases that the speed at which relocation is taking place is showing upward trend. Since February 2017 average relocation per month is around 23000. Relocation is taking place on a regular basis. However, the member state should take consideration of relocation from Italy and Greece and at the same time they should use their full capacity and clear the previous backlog.

*The Hotspot System* is also a relocation system, in which some specific venues are being created in Greece and Italy. In this model the expert from the Frontex, Europol and EASO is included for operational support such as ‘screening’ of third country nationals (identification, fingerprinting and registration), provision of information and assistance to applicants of international protection and the preparation and removal of irregular immigrants. This model establishes joint operational headquarters called the European Union Regional Task Force (EURTF) (Sergio Carrera, Steven Blockmans, Daniel Gros and Elspeth Guild; 2015).

*The safe country list* was suggested by European Commission to create a list of safe common EU countries of origin. ‘A country is considered to be safe on the basis of various criteria like human rights and political situation and also if a person is coming from or passing the safe country, he or she becomes liable to stay in that safe country’ (Juss; 2013). The list contains countries like Albania, Bosnia and Herzegovina, Macedonia, Kosovo, Montenegro, Serbia and Turkey. These countries are considered safe according to the criteria set out in the Asylum Procedures Directive and in total compliance with the principle of non-refoulement. Generally, the list of safe countries’ are being prepared at the national level.

*New European Border and Coast Guard* has replaced the European Union's Frontex. Presently frontex is coordinating national border agencies and loos after the national security. The New European Border and Coast Guard is expected to be the more strengthened body than frontex. As per the European Commission this new agency will be authorize to expel those people who could not fulfill the criteria for European Asylum. The response of different European countries towards this new agency is mixed as some countries support it while others are criticizing it (Upadhayay; 2016).

In addition to this, the European Union's purpose is to strengthen the role of EUROPOL as an intelligence hub which can disrupt the criminal networks and it is planning to launch Common Security and Defense Policy operations in the Mediterranean to capture and dismantle boats.<sup>6</sup>

*The EU Turkey Agreement* was signed to increase the cooperation to deal with the influx of migrants and refugees. —At its core, the agreement aims to address the overwhelming flow of smuggled migrants and asylum seekers traveling across the Aegean from Turkey to the Greek islands by allowing Greece to return to Turkey all new irregular migrants arriving after March 20. In exchange, the EU Member States will increase resettlement of Syrian refugees residing in Turkey, accelerate visa liberalization for Turkish nationals, and boost existing financial support for Turkey's refugee population.<sup>7</sup> Even after more than year of its adoption, the EU-Turkey agreement is the center of significant political turmoil (Nielsen 2016). Many migration experts and NGOs criticized the deal's provision which assumes that —Turkey is a safe third country for refugees (Peers/Roman 2016; AI 2017; Roman/Baird/Radcliffe 2016; Ulusoy 2016). The recent disruption was the result of a ruling by the Court of Justice of the European Union (CJEU) which stated that —the EU-Turkey deal was not in fact an EU act, and therefore the court would have no jurisdiction to rule on the lawfulness of the deal on the basis of an action for annulment brought by three asylum seekers that were affected by the deal (CJEU 2017).

<sup>6</sup> European Commission, Migration and Home Affairs, <http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/europeanagenda-migration/indexen.html>.

<sup>7</sup> <https://www.migrationpolicy.org/news/paradox-eu-turkey-refugee-deal>.



Children

holding placard in protest at port of Chios, Greece. Source: (AFP Photo/Louisa Gouliamaki).

In the *NATO Aegean Sea Mission*, NATO will extend its help in tackling migrant and refugee crisis. Its focus will be to control the illegal trafficking and illegal migration in Aegean Sea. It will also share critical information and surveillance to counter human trafficking. In this mission NATO will cooperate with the Natural Coast Guard and the EU.<sup>8</sup>

Other measures include cooperation with African countries, deporting afghan refugees, deporting refugees and migrants who have committed crime etc. Although the EU has taken several measures to tackle the ongoing crisis but most of them have remained inadequate as they could not respond properly to the challenges. There exists many complexities in the European Union's response and these complexities are rooted in the institutional set up, policy framework, ongoing economic slowdown, political discourse, socio religious fabric etc. The EU countries have different point of views on the collective measures to deal with the crisis. The EU lag behind in policy synergies and collective approach (Upadhyay; 2016).

## **RESPONSE OF THE EUROPEAN UNION: A CASE STUDY OF SWEDEN AND SLOVAKIA**

To comprehend the diverse responses and resultant deliverables of the responses towards refugees a case study of two different countries namely Sweden and Slovakia are needed. These two country's case study will provide the two different stand of European country on the issue of refugee crisis. In this case study Sweden will showcase the welcoming approach towards refugees while Slovakia will show the anti-refugee stand.

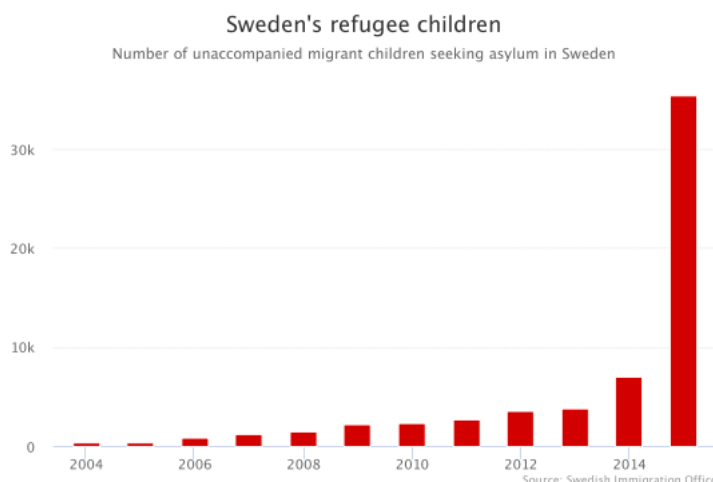
<sup>8</sup> "NATO Defense Ministers Agree on NATO Support to Assist with the Refugee and Migrant Crisis," NATO, February 11, 2016, [http://www.nato.int/cps/en/natohq/news\\_127981.htm?selectedLocale=en](http://www.nato.int/cps/en/natohq/news_127981.htm?selectedLocale=en).

## SWEDEN

Among the European countries Sweden has always been welcoming to refugees and gave them treatment as their own citizens. It believed that the human rights of refugees should be respected. The media and politicians are also pro refugees in the Sweden. In a research done by Berry, Garcia-Blanco and Moore, it was found that when it comes to have a positive attitude towards refugee, Sweden tops the list. While UK by showing the most negative attitude falls much below in the list. Both Germany and Sweden criticized the European Union for not addressing the challenges of refugee crisis properly. Many Swedish newspapers put the blame of lots of death which was taking place in the Mediterranean, on the European Union.<sup>9</sup>

The Swedish government has shifted from immigration to integration policy around 30 years ago from now, so that integration could become smoother. The main aim of this integration policy was to provide equal rights, responsibilities and opportunities to everyone (Weisbrock; 2011). In the last 4-5 years Sweden is seeing the huge influx of asylum seekers. For example, as compared to 2014, in 2015 Sweden saw the arrival of 160000 asylum seekers, which was almost double in numbers (Djuve; 2016).

One of the biggest achievements of Sweden in tackling refugee crisis is the successful integration of unaccompanied children. This was considered to be one of the toughest problems of the European Union. Sweden has handled the issue very carefully as this social group needs specific attention.



Source: Swedish Immigration Office

Chart 2: Sweden's Children Refugees

The above chart<sup>10</sup> is showing an increasing trend. In 2015 around 35,000 unaccompanied children have claimed the asylum. Sweden has always seen refugees or migrants as an asset,

<sup>9</sup> Berry, Garcia-Blanco and Moore; 2015.

<sup>10</sup> The Local; 2016



which can contribute to its economic development. Sweden uses the refugees and migrants as a resource to fulfill the scarcity of labor. Therefore, officials in Sweden believe that immigration is a long-term solution of country's progress.

## **SLOVAKIA**

Slovakia was ready to accept only limited number of Christian refugees, when Slovakia was expected to take around 200 refugees from Turkey, Italy and Greece for relocation. Even after the UNHCR's directive to adopt inclusive approach, the spokesman of Interior Ministry Ivan Netik stated that they won't accept Muslim refugees as these refugees will not feel home there in Slovakia (BBC; 2015). As per the CNS news, Slovak government in 2016 has officially ban the Islam as a recognized religion. As per the new law, to get recognition as a state religion, a religion must have 50,000 members. As suggested by the latest Slovak census the number of Muslims in Slovak is 2000 and there is no recognized mosque in the Slovakia.

A survey conducted by the CNS news in 2016, which states the population of Slovakia is 5.4 million. While breaking it down on the basis of religion the composition which was found included that 62.2% is catholic, 9% are protestant, 3.8% are Greek Catholic, 1% are orthodox, and 13.4% are atheist, while 10% dint took any stand on their religious belief (Slovak Statistical Office).

Even the young population of Slovakia has anti-immigrant stand. In the last June many young people came on the roads of cities chanting "Slovakia for Slovaks." Many Slovaks believe that refugees will augment the incidents of crime and terrorist attack also they see them as competitor for their resources (Galanova; 2016). Slovaks sees refugees as a threat to their national and cultural values. The political culture of Slovakia also plays a very significant role in deciding that what response minority will get from the majority in the society. Slovaks assume that minorities are basically a threat to majority (Chudzikova; 2011).

Thus, these two case study put forth the mixed response of European Union towards refugees. This divide among different states in tackling the issue is creating problem for the European Union. It also plays a negative role in harmonizing the European Union's migration policy, for which EU has formulated the CEAS.

Discussing the women refugee specific response of European Union is another important aspect of this chapter and this research is trying to establish that European Union's response towards women refugee have been inadequate and it lacks the proper mechanism to address the issue.

## RESPONSE OF THE EU TOWARDS WOMEN REFUGEE

Presently the gender dimension of this refugee crisis has started getting attention. It has also been recognized at the international level that the huge movement which is taking place is not gender neutral. The gender inequality lies at the root of it. Taking into account it is essential to analyze the current refugee crisis from a gender-based perspective (Shreeves; 2016).

The qualification directive/2011/95/EU states that persecution based on gender or persecution by non-state actors should be treated as a valid ground to grant the refugee status. It also asserts that while identifying any social group the identity and sexual orientation of an individual should be taken into consideration (recital 30). Recital 28 of the same EU directive emphasizes that while dealing with the application of minor refugees the child related forms of persecution should be recognized.<sup>11</sup>

The gender based perspective of revised Asylum Procedures Directive 2013/32/EU incorporates an obligation to identify those applicants who are in need of specific procedural guarantees because of their age, gender, sexual orientation or sexual identity (recital 29), and it aims to make sure that there is substantive equality between female and male applicants. It emphasizes that the process should be gender sensitive and applicant should feel free while interview to talk about gender related prosecution (recital 32). Article 10 and 15 deals with provisions like getting access of interviewer of same sex, trained staff, gender experts so that the whole process could be handled properly. The procedures dealing with the 'safe third country' must pay attention on the complexities related to the gender-based persecution (recital 32). Those people who require specific help because of their age, disability, illness, sexual orientation, torture, rape or other types of psychological, physical or sexual violence, should to be given assistance and they should be given enough time so that they can explain their claims (Article 24).<sup>12</sup>

The Reception Conditions Directive 2013/33/EU while processing the claim, deals with the criteria like access to housing, food, health, medical and psychological care and employment etc. The category of vulnerable persons which initially incorporated pregnant women, single parents of minors, and victims of torture, rape or other forms of physical, psychological or sexual violence, got extended to include victims of human trafficking and FGM. These are the people who need specific protection. Member States are expected to conduct individual assessments so that the specific need and psychological support could be provided to these refugees (Shreeves; 2016). Article 11 of the directive puts a restriction on the detention of

<sup>11</sup> <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32011L0095>

<sup>12</sup> <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32013L0032>

vulnerable persons and article 18 states that the gender and age specific criteria should be taken into account while the whole process.<sup>13</sup>

Apart from the CEAS directives, the Victims Directive deals with the support which should be provided to all the victims of crime and will be applicable to asylum seekers. Concerning the family reunification, which can influence women differently from men, as principal applicants and dependents, the Directive on the right to family reunification (2003/86/EC) states that the right to family reunification must be implemented keeping in view the rights of women and children (recital 11). The Communication on guidance for application (2014), incorporates that as per Article 15(3) in the specific difficult circumstances like domestic violence, forced marriage and risk of FGM an autonomous residence permit may be provided to asylum seeker (Shreeves; 2016).

The Council of Europe's 2011 Istanbul Convention on preventing and combating violence against women and domestic violence states that women must be provided with protection and there should be no discrimination on any grounds, including 'migrant or refugee status, or other status'. Two articles 60 and 61 of Istanbul convention specifically deals with the rights of women who want to seek asylum. Article 60 lays down that (i) States parties to the Convention must recognize through legislative framework that gender-based violence is a valid ground of persecution within the meaning of Article 1 of the Refugee Convention. (ii) States parties to this convention must provide a gender-sensitive explanation to all the other grounds of Article 1. (iii) States parties to this convention must ensure gender-sensitive reception conditions, support services and asylum procedures. Whereas, Article 61 stipulates that the principle of non-refoulement will be applicable to the victims of gender-based violence.

<sup>13</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013L0033>

## THE ISTANBUL CONVENTION

**Figure 1**



Source:

<http://www.epnetwork.eu/event/istanbul-convention-womens-empowerment-european-parliament>

The Council of Europe Convention on preventing and combating violence against women and domestic violence is based on the understanding that violence against women is a form of gender-based violence that is committed against women because they are women. It is the obligation of the state to fully address it in all its forms and to take measures to prevent violence against women, protect its victims and prosecute the perpetrators. (Council of Europe, 2017)<sup>14</sup>

A gap could be seen in the legal framework provided by EU and its implementation on the national level. As we discussed earlier that the policies get implemented on national level so there is a huge difference in the benefits which asylum seekers get from different countries. There are concerns regarding the reach of qualification directives that how well it will be able to provide protection to gender related claims. The common list of safe countries can lead to the generalization of safety risk and it could further lead to a situation where persecution is being disregarded and women's rights could go unreferenced in order to assess the safeness (Freedman; 2015). Also the EU- Turkey deal has made women refugee more vulnerable making them more prone to fall in trap of smugglers traffickers and GBV.

<sup>14</sup>( Council of Europe website)www.coe.int

Figure 2



Source: [https://reliefweb.int/sites/reliefweb.int/files/styles/attachment-small/public/resources-pdf-previews/609141-EU-Turkey-Refugee-Agreement-Failing.png?itok=jMqj\\_2xt](https://reliefweb.int/sites/reliefweb.int/files/styles/attachment-small/public/resources-pdf-previews/609141-EU-Turkey-Refugee-Agreement-Failing.png?itok=jMqj_2xt)

In the ongoing refugee crisis, reports by various international organizations, human rights groups and women's and refugee organizations have highlighted serious systemic failures in the response of EU towards the risks encountered by women travelling to and through Europe including:

- Not having an adequate plan, has led to a response which was formed in hurry to tackle the issues of dangerous conditions while migrating, focusing on the most vulnerable people among the refugees which incorporates single women traveling alone, female-headed households, pregnant and lactating women, adolescent girls, unaccompanied minors and persons with disabilities; (Women's Refugee Commission (WRC; 2016).
- While responding to current refugee crisis EU has failed to identify vulnerable groups and make sure that these refugees can register themselves. European Union is also lagging behind in providing proper access to basic services such as food and health care (Human Rights Watch, Lesbos; 2015).
- An inadequacy of all basic services which specifically respond to the needs of women and girls, like separate distribution lines for food, separate water, sanitation and hygiene (WASH) facilities, sex segregated accommodation for specific groups, including single women and female headed households and safe places to leave young children (WRC; 2015).

- European Union lacks the proper mechanism to prevent and response properly to the services for GBV. There is a scarcity of trained staff to inform, identify and support victims, very less female interpreters, negligible clinical care and no formal instrument to case management or coordinated cross-border response (WRC; 2015 and 2016).

There are more challenges which women refugee are facing and European Union is not able to respond properly. Few individual based case studies will further showcase that EU is lagging behind in tackling the issues of women refugee as these women are still in the vulnerable condition and instruments to provide protection are not enough.

This is a case study done by UNHCR in Greece. *Oumo, a young African woman who has fled to escape the conflict in her country of origin. She left her country because of political persecution of her family where her brother in law got killed and sister was missing. Fearing for her life, she was travelling alone towards Germany. While she was travelling to Greece, Oumo was involuntary forced to have transactional sex twice, the first time to get a fake passport and the second time to get passage on a boat from Turkey. "I had no choice," Oumo explained. When she arrived on a Greek island, Oumo slept outside at the port for two nights in the absence of any shelter, privacy or information about the facilities which were available to her. She was also not been able to get herself registered. "I fear that I will go crazy," she admitted.*

This case study showcases the plight of women refugee and their vulnerability. As mentioned by assessment team there was negligible GBV prevention programme for women refugee. Also there was lack of government supported system which can respond properly to these problems.

This a case study of Women's Refugee Commission conducted in Serbia, *Presevo, the WRC met Noor, she was a pregnant woman who was traveling alone with two of her children under the age of five. She was sitting in open in the cold, waiting for a train to arrive which was supposed to transport them to the Croatian border. Noor was having significant pains and she expressed her problem related to her pregnancy and also the concern about the health of her baby to the team of WRC. She was not aware of medical service providers which were accessible at just 100 feet away from the place she was sitting. She had also no idea about the arrival of train as the train was about to arrive by four hours providing her enough time to see a doctor. After talking to the Noor the WRC provided this information to her and she chose to accept the accompaniment of an NGO staff member to the nearby health center.*

This case study put forth the poor mechanism of European Union to make information easily available to people who are in need. This lack of information makes women refugee more

vulnerable to traffickers and smugglers which lead to various forms of exploitation. If refugees will be aware of things around them then the chances of their falling into the trap of smugglers and traffickers will decrease.

*This is a case study done by UNHRC. It is the story of Tehmina, a woman who was travelling through Greece when she was nine and a half months pregnant. She wanted to go to the Germany and even after having the active labour she was not willing to stop for medical facilities. As the humanitarian actors further mentioned that her family finally convinced her to move to the hospital and she gave birth to the baby in Greece. Few hours after giving birth to the baby, Tehmina and her newborn left the hospital and continued walking.*

Here we can see that women refugee are reluctant in delaying their journey or to delay their family's journey because of them. The delay in journey causes distress and frustration among women refugee and they are concerned of protection risk. The EU is not able to deal with this psychological trauma of women refugee as they lack experts and interviewers of same sex which can make women refugee comfortable in sharing their incidents.

*This is a case study done by WRC. Ravi and his family belong to a country in South Asia. Because of instability in their own country they escaped to Syria to have a new life there. However, the civil war in Syria made them flee again to Germany in order to gain protection. While they were travelling, some armed men surrounded them and took them to a remote location. Keeping Ravi at knife and gunpoint, these armed men sexually assaulted his wife and took away the family's valuables. As they escaped from these armed men they got stuck into the Serbian asylum center. After spending a long time there they finally realized that they are not able to continue to Germany and they resettled their only.*

This case study shows that the discrimination on the basis of nationality put refugees in vulnerable situation. When authorities deny the legal route to refugee they often choose the illegal routes and choosing these illegal routes make these refugee fall into the trap of smugglers and traffickers. Also not providing legal route leads refugee to compromise on their rights.

## CONCLUSION

In the year 2001, a number of instruments were developed by UNHCR, considering that around that half of refugees were women and girls, and that their risk of suffering GBV during the transit stage was high. These incorporated the creation of integrated strategies against violence, individual registration of women refugee and provision of appropriate documentation so that the individual safety could be guaranteed, it was believed that the main

aim of UNHCR's help programs should be to ensure that all women receive sanitary products to fulfil their specific needs.<sup>15</sup>

The EU lacks the particular legislation for the protection of women refugee or which could reduce the vulnerability. The reception and integration of refugees falls under the sovereignty of the member states, which reduces the ability of regional governments and also creates different level of integration. EU has took many attempts to deal with the challenges arising out of refugee crisis, however the lack of harmonization in policies at national level adversely affects the European Union's plan to formulate the common migration policy. Although EU has established mechanisms to address the issue but these mechanism has been inadequate in tackling the problems of refugees, specially the women refugee.

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