We draw focused attention to the rights and needs of women and girls facing multiple forms of discrimination, including women of Aboriginal and/or Indigenous backgrounds, women with immigration and/or refugee status, undocumented women, survivors of trafficking, women living in poverty, women with disabilities, LGBTQIA+ women, women of ethnic minorities and women enduring trauma and violence of armed conflict in post-disaster situations. In every case the inclusion of women’s voices is imperative in efforts to prevent or mitigate such violence.

Global Network of Women’s Shelters, Global Call to Action

1 Precarious Residence Status Increases Women’s Exposure to Abuse and Violence

Violence against women and girls is a human rights violation. One in three women worldwide experiences physical or sexual violence at least once in their lives, usually by someone they know.1

For women in Europe who become undocumented, or who have insecure residence status, the risk of violence increases. Most undocumented women arrive in Europe with regular, but often dependent, residence status and later become undocumented for a variety of reasons.

Lack of an independent residence status, or any status, creates challenge for these women, and increases their chances of experiences violence or exploitation by intimate partners or employers or in other areas of their lives.

Feminist Ethics of Care

Women’s rights are human rights. Every woman who has experienced violence should be able to access protection, support and services.

Protection and safety come first. No woman should be turned away from a shelter because she lacks the valid paperwork. All women should be able to approach the justice system for help, with confidence and without fear.

Give them a way out, a way forward. Migration laws and policies often create dependency and increase women’s risk of violence. Eradicating violence against women is not just about protection and support, it is also about ensuring their autonomy and agency.

Solidary against discrimination. Laws, policies and practices that limit migrant women’s access to services are discriminatory. This violates feminist values, and reflects institutionalized forms of discrimination that we must all reject.

See also: http://www.wave-stepup.org/

Abusive partners often intentionally mislabel women who experienced shared child custody, or as women who are on a family visa, as women who are on a ‘legal status’. They threaten them with deportation or separation from their children. They also use violence as a way to ‘prove’ their family status. The clinic helps women to get legal and social change to benefit women. Thirty percent of the victims are women from underserved communities who are survivors of violence, and offers legal support in family, criminal and immigration law, counseling, as well as interpretation and translation in more than 90 languages. The clinic’s specialty trained interpreters are characterized by being the client’s voice, and they also ensure that their stories are told accurately in court. This clinic also advocates for law and policy changes, in order to culture change and social change to benefit women. Thirty percent of the women who come through its doors have complex needs, which means they face overlapping legal and social challenges, such as integration status, domestic violence, access to public services and needs. And nearly half of its clientele who have experienced violence are also seeking help navigating immigration processes and obtaining support for undocumented people, which is contrary to the spirit of the Directive.

6 Access to Services for Undocumented Survivors of Violence

Undocumented women who have sought or attempted to seek shelter or legal status are reporting incidents to the authorities, but also in accessing women’s centers, counseling, legal advice and other services. This is often because the sources of Barbra Schlifer believe it is necessary to seek help in order to ensure that their stories are told accurately in court. This clinic also advocates for law and policy changes, in order to culture change and social change to benefit women. Thirty percent of the women who come through its doors have complex needs, which means they face overlapping legal and social challenges, such as integration status, domestic violence, access to public services and needs. And nearly half of its clientele who have experienced violence are also seeking help navigating immigration processes and obtaining support for undocumented people, which is contrary to the spirit of the Directive.

Civil society has a critical role to play in putting undocumented victims of crime in touch with, or providing, specialised and support services – particularly in the case of undocumented victims who choose not to report a crime, who will therefore not have contact with the criminal justice system. It is also critical for civil society organisations – whether victims support organisations, women’s organisations, organisations working with migrants or others – to coordinate and cooperate to ensure timely, adequate and appropriate responses to victims’ needs.

Legislation backing the right to access shelters is critical for undocumented victims. Most shelters depend on the payment of housing benefits to cover accommodation. But because undocumented migrants are denied a legal income and have no recourse to public funds, shelters do not have a guarantee that their stay will be reimbursed. And their lack of access to the housing and labour market means they are more likely to require long-term support. One undocumented woman trying to escape a violent situation was advised by social services in the UK to leave her child in state care, and to return to Algeria. Three hundred and eighty-nine women were reportedly denied safe accommodation in the UK in 2014, because they did not qualify for public assistance.

National Legislation and Local Initiatives Ensuring Access to Shelters

In Spain, legislation on gender-based violence provides undocumented migrant women with an immediate right to access domestic violence shelters. Those pursuing a case against their abuser in court can get housing funds and, in case of a successful conviction, receive priority in accessing public housing. Under Article 14(3) of the 2009 Organic Law, “The foreigners, whatever their status, are entitled to services and basic social benefits.” When an undocumented woman files a complaint for violence in Spain, she can ask to be accompanied by police escort to pick up her belongings or to go to the health centre. If police believe the woman is in potential danger, they refer her to specialist emergency accommodation for women and children. According to Criminal Procedures Act, a quick trial (in 72 hours maximum) will take place to determine the seriousness of the breach, and to provide the victim a protection order. From that point, Social Services will provide (local) accommodation for a maximum of fifteen days in a different shelter and coordinate locally with NGOs to find permanent accommodation.

Following almost a year of campaigning by Sweden’s “No One Is Illegal” network, the city of Gothenburg implemented an initiative addressing administrative barriers hindering undocumented women’s access to state-funded emergency shelters. On 19 February 2011, the municipality voted in favour of a motion to reimburse shelters offering undocumented women protection against violence. Non-profit shelters financially supported by the city are now compensated for activities with undocumented women, who also now receive assistance and protection from the Municipal Emergency Centre for Women. According to the “No One Is Illegal” network, cooperation with shelters has improved since they have the right to provide protection for undocumented migrants and can receive reimbursement.

For more information on the ‘firewall’ concept, see also: http://picum.org/firewall/


12 Women’s Aid, “Women’s Aid Annual Survey 2014.”
What Women’s Organisations, Shelters and Service Providers Can Do to Support Undocumented Survivors of Violence

› Join the struggles of migrant women and embrace an intersectional agenda, and empower undocumented women by supporting their cause and their rights, as well as their efforts to organise and to mobilise.

› Resist racism and the growing tendency to stigmatise and demonise migrants, recognising the gender dimension and impact of prevailing rhetoric and policies on the treatment of women, particularly women of colour or those who are perceived as “foreign”.

› Empower women’s organisations to provide quality and equitable services to all women, and ensure that they are informed of the specific challenges faced by undocumented women.

› Develop and promulgate an ethics of care that integrates feminist principles with ethical imperatives to ensure inclusiveness and to promote greater solidarity.

› Join existing campaigns, like the Women Against Violence Europe (WAVE) STEP UP! campaign to improve access to services for all survivors of violence in Europe, including women without secure residence status.

› Lobby decision makers in your locality, region or country to meet their obligations to ensure adequate funding for organisations that support survivors of violence and to create mechanisms for more inclusive and non-discriminatory funding not linked to residence or other status.

› Push your government to create legal avenues for women to obtain, or to retain, residence status so that being or becoming undocumented is not a barrier to safety.

› Create alliances between organisations supporting undocumented women and feminist organisations to foster greater solidarity and mutual understanding, and to align core messages and advocacy.

› Disseminate information among your own network and partners, and within your organisation, about the situation and rights of undocumented women.

› Push for your national government to ratify the Istanbul Convention, if it has not, or, if it has, to implement its provisions in a non-discriminatory way to end violence against all women, whatever their migration status.

› Take action at the local level to raise awareness of undocumented women’s rights and to challenge discriminatory attitudes and conduct.

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