



ENSURING FAIR TREATMENT OF WOMEN, CHILDREN AND FAMILIES SEEKING ASYLUM IN THE UNITED STATES

Every year, thousands of people who come to this country seeking safety from persecution or human rights abuses (asylum seekers) are detained by the U.S. Government. Often they are held in prisons or detention facilities until their cases are decided, which can be days, weeks, months or even years. Many of those detained are women, children and families.

The Women's Commission for Refugee Women and Children's Detention and Asylum Program works to ensure that U.S. law protects unaccompanied children, families and women who are seeking asylum and allows them to make their asylum claims. We advocate that asylum-seekers not be held in detention, but when they are, that they are not abused, that the conditions comply with human rights standards and that they are not held for prolonged periods.

UNACCOMPANIED CHILDREN IN DETENTION

More than 7,000 unaccompanied children were detained by the Department of Homeland Security's border patrol officers in FY06—more than ever before. Many of these children escaped human rights abuses, including forced military recruitment, forced marriage, prostitution, child labor or abusive families.

More than half of unaccompanied children do not have access to legal counsel and may be forced to navigate the complex U.S. justice system with little or no assistance. This means a greater risk of these vulnerable children being sent back to harmful situations.

The Women's Commission is planning to visit numerous facilities nationwide this year to assess conditions for children held in detention. The Women's Commission is also working to support passage of the Unaccompanied Alien Child Protection Act of 2007, which would ensure the provision of *pro bono* attorneys and guardians *ad litem* for these children.



The Women's Commission found prison-like conditions in a U.S. detention facility in which families are detained for months, even years.



Photos by Women's Commission/Michelle Brané

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FAMILY DETENTION

In December 2006 the Women's Commission visited two U.S. facilities where immigrant families, including asylum seekers, are detained. We found prison-like conditions in which families, many with young children, are detained for months, even years. These families are at times held in penal settings and are deprived of the right to live as a family unit, denied adequate medical and mental health care and face overly harsh disciplinary tactics. The detention of families expanded dramatically in 2006 and represents a major shift in the U.S. Government's treatment of families in immigration proceedings.

The release in February 2007 of our ground-breaking report on the two facilities garnered national and international media attention. The Department of

Homeland Security's Immigration and Customs Enforcement agency asked the Women's Commission to work with it to create national standards for family detention—none currently exist. The Women's Commission is also working to limit the use of detention to cases where it is vital for security reasons, and to promote more homelike, less punitive alternatives. Alternatives are already being used for adults in limited cases and their use should be expanded.



Many women seeking asylum have suffered violence and abuse.

WOMEN ASYLUM SEEKERS

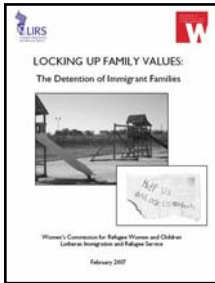
Many women seeking asylum in the United States have suffered violence and abuse, including rape, forced early marriage, trafficking, forced labor and genital mutilation. Upon their arrival in the United States, these women are held in detention centers or prisons pending the outcome of their case, sometimes for prolonged periods.

They have little access to medical care, legal resources and adequate nutrition. They receive little or no treatment for abuse they suffered before they arrived in the United States. The Women's Commission has found that these women are subject to verbal and at times physical abuse, causing further traumatization.

U.S. asylum law fails to provide a systematic way to identify women who have suffered persecution and are in danger. In addition, the law does not necessarily recognize gender-related claims, such as women who have endured domestic violence. The Women's Commission will re-examine the treatment of women in detention in the coming year.

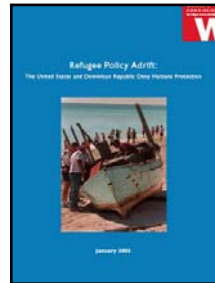
RESOURCES

For more information on the Women's Commission's work on detention and asylum, please see <http://womenscommission.org/projects/detention/index.php>



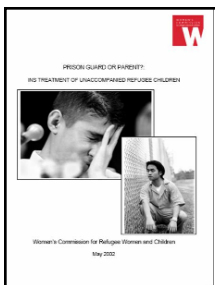
**Locking up Family Values:
The Detention of Immigrant Families**
(February 2007)

www.womenscommission.org/pdf/famdeten.pdf



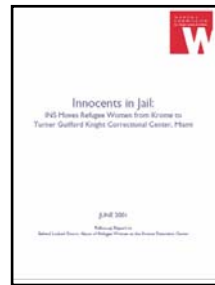
**Refugee Policy Adrift:
The United States and Dominican Republic Deny Haitians Protection**
(January 2003)

www.womenscommission.org/pdf/ht.pdf



**Prison Guard or Parent?:
INS Treatment of Unaccompanied
Refugee Children** (May 2002)

www.womenscommission.org/pdf/ins_det.pdf



**Innocents in Jail: INS Moves
Refugee Women from Krome to
Turner Guilford Knight
Correctional Center, Miami**
(June 2001)

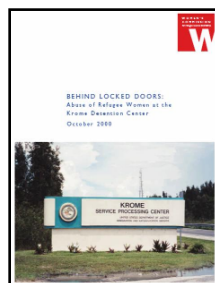
www.womenscommission.org/pdf/us_tgk.pdf

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The Women's Commission is affiliated with and is legally part of the International Rescue Committee (IRC), but does not receive direct financial support from the IRC.



**Behind Locked Doors: Abuse of
Refugee Women at the Krome
Detention Center** (October 2000)

www.womenscommission.org/pdf/krome.pdf