DISCUSSION PAPER

"LOVE IS NOT A PASSPORT TO SWEDEN":

Intimate Partner Violence against Migrant Women and the Proliferation of Rights' Statuses

No. 24, September 2018

HALLIKI VOOLMA
PROGRESS OF THE WORLD'S WOMEN 2018

UN WOMEN

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This paper is based on Halliki Voolma's PhD research at the University of Cambridge (completed 2015). Responsibility for the information and views set out in this article lies entirely with the author.

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SUMMARY

This paper investigates how women's right to live free from violence operates in the context of insecure immigration status. It is based on qualitative research addressing intimate partner violence against women with insecure immigration status in England and Sweden, analysed within a human rights theoretical framework. Empirical data were collected through in-depth semi-structured interviews with 31 survivors from 14 different non-European Union countries and 57 professional stakeholders from local, national and international organizations. The paper identifies a tension between human rights and immigration control that is present in theory, policy frameworks and migrant women's lived experiences. It contends that this tension has led to a proliferation of rights' statuses for migrant women who are exposed to intimate partner violence. A solution is offered in the form of an expansionist model of human rights whereby presence in a territory is the basis for recognition as a rights-bearing subject.

RÉSUMÉ

Ce document se propose d'analyser la manière dont se décline le droit des femmes de vivre à l'abri de la violence dans le contexte d'une situation précaire au regard de l'immigration. Il s'appuie sur des recherches qualitatives concernant les violences infligées par un partenaire intime aux femmes en situation irrégulière en Angleterre et en Suède, lesquelles ont été analysées dans un cadre théorique relatif aux droits de l'homme. Les données empiriques ont été recueillies par le biais d'entretiens approfondis semi structurés avec 31 survivantes de 14 pays différents de l'Union européenne et 57 parties prenantes professionnelles issues des organisations locales, nationales et internationales. Ce document met en lumière le conflit entre les droits de l'homme et les contrôles d'immigration dans les cadres théoriques, politiques et dans les expériences vécues par les femmes migrantes. Il estime que ce conflit a mené à la prolifération des statuts de droits des femmes migrantes exposées à la violence de leurs partenaires intimes. Ce document préconise une solution fondée sur un modèle élargi de respect des droits de l'homme par lequel on considérerait qu'une migrante présente sur un territoire serait automatiquement reconnue comme un sujet de droit.

RESUMEN

En este artículo se investiga cómo se aplica el derecho de las mujeres a una vida sin violencia en aquellas situaciones precarias de inmigración. Se basa en investigaciones cualitativas donde se aborda la violencia de pareja contra las mujeres que viven una situación precaria de inmigración en Inglaterra y Suecia, analizada dentro de un marco teórico de derechos humanos. Los datos empíricos se recopilaron mediante entrevistas exhaustivas semiestructuradas que se les realizaron a 31 sobrevivientes de 14 países no pertenecientes a la Unión Europea y 57 profesionales de organizaciones locales, nacionales e internacionales. En el artículo se identifica la tensión entre los derechos humanos y el control inmigratorio que está presente en la teoría, los marcos normativos y las experiencias de las mujeres migrantes. Asimismo, se argumenta que esta tensión ha conducido a una proliferación de casos de violación de los derechos humanos de las mujeres migrantes que están expuestas a la violencia de pareja. La solución que se ofrece consiste en un modelo que amplía los derechos humanos, por el cual la presencia en un territorio constituiría la base para reconocer que un individuo goza de derechos.

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