

REFUGEES TO NORTH AMERICA:
GENDER ISSUES AND IMPLICATIONS

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Introduction

A growing number of scholars note that public discussion surrounding refugee population movements, the needs of refugees, and refugee policy issues remains surprisingly gender neutral. This neutral discussion ignores and conceals two facts. First, refugee camps in countries of first asylum, where candidates for resettlement as refugees are presumably found, contain mostly women and children (Martin, 1992). The estimated proportion of women and children in the camps has risen over the last ten or fifteen years from 75 percent to over 80 percent (Boyd, 1994). Second, and despite the first point, adult males have been observed to predominate in the flow of refugees to Canada and the United States (Keely, 1992). This raises a question: do current refugee definitions and/or selection procedures employed by the two countries favor men over women?

The selection policies and practices with regard to gender for refugees in Canada and the United States merit attention for several reasons. These are two of the world's major resettlement countries; they play an important role both in the numbers of refugees they accept and in world leadership on refugee issues. Both countries are signatories to the United Nations Convention on Refugees, adhering to the worldwide standard for recognition and treatment of persons claiming refugee status. The two countries have different procedures for admitting refugees, but

the end results in terms of the sex composition of their refugee populations are very similar. Finally, in recent years interest groups in both countries have pushed for greater sensitivity to the special problems faced by women refugees.

This analysis employs the available data, much of it previously unpublished, to assess the imbalance between males and females in the refugee populations admitted to Canada and the United States. The first section of the paper presents data covering 1981 to 1993 on persons who applied overseas, were given refugee status there, and were subsequently admitted under programs that provide a package of benefits designed to facilitate adjustment to life in the resettlement country. This represents the managed portion of the refugee flow. In each case the government commits itself to accepting a certain number of persons needing resettlement, and the admission decisions are made overseas from a pool of applicants. In both countries the successful applicants are popularly called "refugees."

The second section of the paper presents data covering 1992 and 1993 on the portion of the refugee flow that generates more controversy precisely because it resists management: people who apply for refugee status after reaching Canada or the United States. In Canada these are called "refugee claimants" and in the United States the term used is "asylum applicants." The fact that the application process takes place in the country of destination means that for recent years the two governments have compiled data on the entire applicant population, not only those

whose applications are successful. Such data are not available for the applicant pool overseas.

Refugee Definitions and Selection Procedures

A refugee, as defined in the U.N. Convention on Refugees, is a person with a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion." For nearly fifty years, these five categories have shaped our thinking about what constitutes persecution. Critics are now asking whether this conceptual framework gives women access to favorable consideration of their claims for refugee status comparable to that enjoyed by men (see discussion in Boyd, 1994). Some have suggested that the definition should be expanded to add persecution on account of gender. Others would preserve the five categories as they currently exist but would explicitly include "women" as a social group within the meaning of the fourth category.

The possibility also exists that women may encounter certain types of persecution because of their social roles as women, either as occupants of those roles or because they are seen to have violated them. In the first instance, the wives and other female relatives of politically active males may be targeted in order to intimidate their men. In the second instance, a woman who is politically active may be punished not only for the content of her unwelcome message but also for daring to violate traditional gender roles in bringing that message. These

dimensions of persecution are not explicitly addressed in the official definition of "refugee."

Even if the current definition of "refugee" is considered to be gender-neutral, critics assert that women still face disadvantages in pressing their claims. Barriers might be encountered at any stage in the process, as indicated by the following three scenarios. First, leaving aside the possibility of overt bias on the part of persons who adjudicate claims, men might be disproportionately encouraged to file claims, or their claims might be taken more seriously. Second, if the persecution of women takes the form of sexual abuse, it may be interpreted as a private sex offense and not as political persecution in sexual form. Third, the hearing process may or may not be sensitive enough to elicit information on past sexual abuse without creating another ordeal for female claimants.

The U.N. definition of "refugee" is applied to persons who try overseas in refugee camps to gain entry to Canada or the United States as refugees and to refugee claimants/asylum applicants residing in each country. However, the procedure differs, and each country also has alternatives for designating persons overseas as refugees. A greatly simplified flow chart (Chart 1) illustrates the differing processes. If gender selectivity exists, it could operate at any of several points.

The initial flight from perceived danger may be highly selective, especially if flight itself is dangerous. Not all persons who reach a place of refuge are deemed to be refugees in

need of resettlement by the international community as represented by the office of the U.N. High Commissioner for Refugees (UNHCR). The most common example of this is persons who are displaced within their own country. Other situations exist where people establish refugee camps just over a border from home and are expected to be repatriated when conditions improve. The designation of a group of refugees by UNHCR as candidates for third-country resettlement usually represents a decision that conditions will not improve enough in the foreseeable future to let that population return home and that they cannot remain indefinitely in the place of refuge. At this point, resettlement countries such as Canada and the United States may invite applications from that group.

A significant degree of control may be exercised over access to the application process. In most overseas situations, potential applicants for refugee status in the United States are "pre-screened" to ensure that persons of interest to the United States receive priority in the scheduling of application interviews. In this way, a high percentage of the formal applicants are granted, and the system is not burdened with persons who would have no chance of being accepted. The formal application process, then, represents an intermediate step in a sequence of events, and if gender bias were operating, it could happen well before that step.

Unlike the United States, the Canadian government does not impose a comparable screen overseas. Under Canadian immigration

law, persons who met the definition of a U.N. Convention refugee and who are judged admissible are admitted as permanent residents in the humanitarian class. In Canada, the term "permanent resident" is now used by the government to refer to persons gaining landed immigrant status as a result of meeting criteria in one of three classes: family, humanitarian, and independent, the latter using economic criteria as part of the selection process. When obtaining a visa for admission as a permanent resident, an applicant signs an IMM1000 form which collects data on age, marital status, intended occupation, education, and other characteristics relevant for assessing the applicant under the regulations of the 1976 Immigration Act, subsequently amended in December 1992. As a result, data on persons admitted as U.N. Convention refugees has been collected since the enactment of the 1976 Act in April 1978, and this is part of the larger data collection system of Citizenship and Immigration (formerly Employment and Immigration) Canada.

In the United States, the approved refugee enters the country and spends a minimum waiting period of one year in refugee status before adjusting status to that of a permanent resident, legally equivalent to a person admitted as an immigrant. The U.S. Immigration and Naturalization Service (INS) does not collect data on the characteristics of the refugees until they adjust status, although information has been available from the Office of Refugee Resettlement on the sex composition of the arriving refugee population since 1983.

Alternatives exist to undergoing a dangerous escape and life in a refugee camp, and to the need to document persecution under one of the five categories. As part of its humanitarian class, Canadian law recognizes a category of refugee-like persons who do not meet the definition under the U.N. Convention but who are members of groups deemed to deserve consideration on humanitarian grounds, such as persons fleeing war or generalized violence. Canada thus distinguishes between "Convention refugees" and "designated classes." This latter category, also popularly described as "designated groups," is a term used to describe a variety of "... refugee-like situations such as mass outflows (Indochina), disproportionate punishment for violation of strict exit controls (self exiles) and the internally displaced (e.g. political prisoners and oppressed persons" (Employment and Immigration, Refugee Affairs Immigration Policy Group, 1993:3). The "Orderly Departures" program for Vietnam and the admission of persons from many Eastern European countries prior to 1989 are examples of admissions under the "designated classes." Like the U.N. Convention refugees, persons who are members of "designated classes" are admitted as permanent residents with no subsequent adjustment of status.

A similar "quasi-refugee" option exists under U.S. law although terminology and procedures differ from those used in Canada. Under U.S. refugee law, the President may designate "populations of special concern." This designation allows applicants to be considered for refugee status without fleeing

the home country. An agreement must be developed with the (presumably persecuting) government to allow access to these applicants, and as strange as that sounds, agreements for in-country refugee processing have existed for several years for applicants from Cuba, the (now former) Soviet Union, and Vietnam, among others. The United States does not apply different criteria to populations of special concern; their applications are considered against the U.N. Convention standard.¹

The greatest operational contrast to being in a "U.N. Convention refugee" designation, a "designated class" or a "population of special concern" is to be an applicant for asylum. In this case no pre-screening by an international body like UNHCR or the host country's government takes place. The would-be refugee arrives in Canada or the United States, asserts a fear of persecution, either immediately upon arrival or at a later time, and files an application. The application is considered according to the five categories in the U.N. Convention.

Approval rates in the United States are much lower than for overseas applicants, reflecting the absence of pre-screening. Approved asylees, like refugees, may become permanent resident aliens after a waiting period. Until very recently in the United States, this was the first opportunity to collect data on their characteristics.

In Canada, application information on refugee claimants is restricted for confidentiality reasons. The Immigration and Refugee Board (IRB), which hears the claims, does record limited

information on the disposition of cases. When a positive decision is reached on a case, the claimant can then file an application for admission as a U.N. refugee under Canadian immigration law. Unlike overseas refugee determined status, however, proof of eligibility is sufficient for admission. Standards of admissibility are not applied. Once the standard IMM1000 visa form has been signed, the applicant's characteristics are recorded as part of the landed immigrant database system maintained by Citizenship and Immigration Canada on permanent resident admissions.

The sex ratio of refugees in both countries at the time of arrival is illustrated in Chart 2. This chart shows that male refugees have consistently outnumbered females in both countries during the decade or so for which data exist. Until 1991, persons admitted to Canada under the U.N. Convention have had a sex ratio somewhat higher than that of Canada's "designated classes." The refugee population entering the United States has had a lower sex ratio than that in Canada, but one that also favored males. In both countries the sex ratios decline over time, indicating a move toward improved gender balance in refugee admissions (excluding the designated classes in Canada). In contrast, the number of men per 100 women in the designated classes is best described as fluctuating.² As was true for Canada's U.N. Convention refugees, the United States saw a steady downward trend during this time, so that by 1993 the sex ratio was nearing parity, at 103. In both countries, this situation

presents a contrast with the immigrant population of non-refugee origin, in which females have been in the majority in recent decades (Boyd, 1994; Houstoun et al., 1984).

The Sex Ratio Among Refugee Admissions

Does gender selectivity account for the predominance of men in the refugee flow to North America, and what does the decline over time in the sex ratio signify? We do not have data on the sex composition of the potential applicant pool or of the applicants for refugee status, which would be necessary to look at the entire process. In this section we are able to examine the sex composition of the adult refugee population upon arrival, by country of citizenship and year of arrival. Table 1 displays the sex ratios of refugees aged 18 or more³ arriving in the United States from 1983 through 1993 from selected countries.

(TABLE 1 ABOUT HERE)

The first row of Table 1 presents data on the sex composition of refugees and asylees at the time of adjustment of status in the United States. The second row shows the sex composition of the arriving refugee population from all countries, and the remaining rows present the same data for the countries that were the source of enough refugees (at least 200 per year) to make the calculation meaningful for a series of years. Because the law imposes a one-year waiting period between arrival in the United States as a refugee and adjustment to permanent resident alien status, row one should represent the

same population as row two, lagged by at least one year. We know that the median time between arrival and adjustment of status is about 18 months, and that more than 90 percent of refugees have adjusted status by the end of their third year in the country (U.S. INS, 1993). Comparison of rows one and two, appropriately lagged, indicates that women have been slightly more numerous in the arriving refugee population than among refugees becoming permanent resident aliens.

The most interesting aspect of this analysis appears when the sex ratios for different countries are compared. As the table makes clear, the sex ratios of arriving refugee populations from different countries are very different from each other and manifest different trends over time. Even refugee populations from neighboring countries, often grouped together for ease of discussion (Eastern Europe, Southeast Asia), may bear little resemblance to one another. The overall trend from a substantial majority of males to a more balanced sex ratio over time is evident for most of these countries individually, but not all, and notable exceptions exist. A brief review of the history of the refugee flow from each country is useful for understanding the dynamics of the sex ratio.

Refugees from Afghanistan began arriving in the United States in fairly large numbers in 1981, so the first two years of the flow are missing from this data series. The known sex ratio for the Afghan refugees is highest in 1983-1985, falling and rising irregularly thereafter to a level around 100. The annual

number of Afghan refugees resettled in the United States was 2,000 to 3,000 yearly from 1983 through 1988 and has averaged 1,500 from 1989 through 1993.

The refugee flow from Cuba shown in Table 1 is just a fragment of that migration, which was labeled a refugee flow in 1959 and has continued with stops and starts ever since. The early 1980s represented one of the lulls in the Cuban refugee flow; few people were allowed to leave after the Mariel boatlift ended. When a flow large enough for analysis resumed in 1987, males were in the majority, and that has continued to be the case. During this period the United States has given priority to applications filed in Cuba by former political prisoners, which probably accounts for the male majority. The yearly flow has not exceeded 3,000 during this period.

The United States began resettling refugees from Ethiopia in 1980, and that refugee flow was characterized by a large majority of men from the beginning, at a level of 2,000 to 3,000 yearly. After the Marxist government was overthrown in 1992, access to the U.S. refugee program by Ethiopians was limited to those who had close relatives already living in the United States. The drop in the sex ratio to 118 in 1993 reflects this change.

The data series for Iran in Table 1 effectively traces that refugee flow from its beginning, since only a few hundred Iranians were given refugee status before 1983. Men outnumbered women by nearly two to one at first, but the sex ratio steadily declined, and women have been in the majority for the past three

years. The numbers of refugees accepted from Iran were highest in 1987-1989 at more than 5,000 yearly but have declined to less than 2,000 yearly in 1992-1993.

Turning to Eastern Europe, Poland and Romania were the only two countries with refugee flows large enough to analyze during this period. This data series fails to capture the first two years of the significant flow from Poland, but from 1983 for several years, males were a strong majority. In these years, many Solidarity activists left Poland to avoid arrest and were resettled in the United States. Gradually over time, they were joined by wives and children they had left behind; this is shown in the sex ratio of the new arrivals, which declined to 24 in 1991 before the numbers became too small for analysis. For Rumanians also, this data series misses the beginning of the refugee flow. During the entire 1983-1992 period, males were a majority among the Rumanian refugees, with no clear trend in the sex ratio. The annual number of Rumanian refugees averaged 3,000 to 4,000 during most of this time, dropping to slightly more than 200 in 1993, when their sex ratio fell abruptly to 58.

The refugee population from the (now former) Soviet Union presents an entirely different picture, with a majority of females during this entire time period. From 1983 through 1987 the numbers represented are relatively small, but beginning in 1988 the Soviet Union (considered as one country) has been the single largest source country for refugees to the United States.

This made a strong contribution to the drop in the sex ratio of the total refugee population from 1987 to 1988.

Refugees from Southeast Asia are often treated as a single group whose refugee migration began in 1975, but the real picture is more complex.⁴ The largest number of Cambodian refugees arrived in 1981 and 1983-1984, and their sex ratio is low, confirming the impression among observers that this population contained many widows and their children. Most of the Cambodians resettled in the United States were drawn from the refugee camps established in Thailand in 1979 and early 1980 after Vietnamese invaders overthrew the Khmer Rouge government. The sex ratio among Cambodian refugees exceeded 100 only in 1988 and 1989, when this refugee flow was ending. An inspection of the detailed age tabulations from those years indicates that the excess of males was among young adults, who had lived in the camps for nearly ten years and by the time of resettlement were old enough to be included in the "age 18 and over" category.

The refugee flow from Laos has consisted of two groups, the highland tribal people, primarily Hmong, and those drawn from the majority Lao population. The Hmong have been the majority in this flow since 1987. Both populations consist largely of family groups, and the sex ratio has been relatively balanced throughout, declining in recent years. Like the Cambodians, this population has come to the United States almost entirely from refugee camps in Thailand.

In 1975 the first wave of refugees resettled from Vietnam to the United States contained about equal numbers of males and females, but when that refugee flow resumed in the late 1970s, young adult males predominated (Gordon, 1989). The sex ratio of adult Vietnamese refugees peaked in 1981 at 179, when many of the refugees had made dangerous escapes by boat. During the 1980s the refugee offtake shifted to the Orderly Departure Program (ODP) established to discourage boat escapes, and the sex ratio declined. In 1990 equal numbers of Vietnamese were resettled from the camps and through the ODP, and since 1991, only about 14 percent have come through the camps. The sex ratio of Vietnamese refugees has been balanced since 1991, even though priority is being given to former political prisoners, as with the Cubans.

Turning to Canada, sex ratios presented in Table 2 for U.N. Convention refugees (panel 1) also vary with the start and maturation of country-specific refugee movements. As a country with a population approximately one tenth the size of the United States, Canada annually admits a smaller number of Convention refugees than does the United States. Consequently, the countries in Table 2 are selected on a slightly different criterion than employed in Table 1, where countries were selected if they had at least 200 per year. The countries in Table 2 represent the ten top countries of citizenship out of the total admissions for U.N. Convention refugees between 1981 and 1993. Sex ratios are calculated when the number admitted annually is 100 or higher. The ten countries selected were 58 percent of the

approximately 100,000 Convention refugees admitted during that period.

(INSERT TABLE 2 ABOUT HERE)

Among the ten major "donor" countries for U.N. Convention refugees admitted to Canada, one group showed little evidence of a decline in sex ratios, and variations appear unrelated to the maturation of flows. These countries are Iran, Iraq, Guatemala, and Sri Lanka. Although the total admissions of persons from Iran exceeded 300 by 1982, the numbers stabilized in the 400s and low 500s until 1988. From 1989 on, there were almost always more than 1,000 with a peak of 1,632 in 1992. However, sex ratios varied over the period, and there is no evidence of an association between the maturation of a flow and the presence of women. The same conclusion also is reached for the admission of refugees from Iraq, where numbers of admissions fluctuate substantially over the period as do sex ratios. Likewise, admissions from Guatemala primarily fluctuated within a 100 to 360 range between 1983 and 1993 as did sex ratios. In the case of the fourth country in this group, Sri Lanka, the admission of U.N. Convention refugees occurred in two waves, one peaking in 1987 with the admission of 500 persons and a second in 1992 with over 4,200 admissions. Nonetheless, the sex ratio fluctuations do not follow this pattern.

For the remaining six countries, there exists correspondence between the ever-increasing numbers admitted and a move toward gender parity in sex ratios, although unlike the United States,

ratios remain greater than unity. Fewer than 50 persons per year were admitted from Afghanistan between 1981 and 1984. Starting in 1985, numbers increased and reached highs near or more than 600 persons per year between 1989 and 1991. By 1993 the numbers had declined to barely more than 100 persons. Excluding the latter year, the periods of highest admissions (1989-1991) were also those with the lowest sex ratios.

The descriptions of the increasing numbers of Afghan refugee admissions also hold for Ethiopian refugee admissions, which rose throughout the later 1980s, reaching over 500 in 1988 and peaking in 1989 and again at over 1,000 in 1992 and 1993. Compared to the mid-1980s, the latter 1980s and early 1990s saw increasing numbers of women in those flows. Near equality in numbers was reached in 1993.

Most of the admissions of Convention refugees with Lebanese citizenship occurred in the closing years of the 1980s with peak years in 1991 and 1992. By 1993 the numbers had fallen substantially from more than 1,000 to less than 500. However, a linear decline in sex ratios of admissions was evident throughout this period. A similar pattern characterizes admissions from Somalia where admissions rose from a handful in the early to mid-1980s to over 100 in 1988 and then sharply to a high of nearly 3,000 in 1992, declining to nearly 1,600 in 1993. Initially very high sex ratios fell precipitously over the period, and by 1993 women slightly outnumber men with a corresponding sex ratio of 97.

By far the largest and earliest flows consisted of persons with El Salvadorian citizenship, which was the top contributing country with 10,430 U.N. Convention refugees for the entire period. Admissions jumped sharply from 24 in 1981 to 180 in 1982 to over 1,000 in 1983, dropping below that peak between 1986 to 1990, but rising again thereafter. Sex ratios declined from the early 1980s and continued to fluctuate primarily in the 120 to 140 range. Admissions for persons with Nicaraguan citizenship were far smaller in number with peak numbers reached in 1987 and 1988 and a steady decline thereafter. Sex ratios, however, continued to decline over time with ratios of less than 100 after 1990.

In summary, examination of the sex ratios of arriving refugee groups by country of origin demonstrates that in a few cases (Cambodians and Soviets resettled in the United States) the generalization that male refugees outnumber females does not hold. In other cases where a refugee flow continues over a period of years, a common pattern is for a male-dominated flow to become more balanced over time, shifting to a female-dominated flow just before ending, as wives (and children) join husbands in resettlement.

The overall decline in the sex ratio of arriving Convention refugees from selected countries of citizenship for Canada and for arriving refugees in the United States from the early 1980s through 1993 represents at least two factors. First, the spouses and children of persons judged to be refugees may or may not

arrive in refugee status, thereby affecting the results. In Canada, principal applicants have up to one year to bring in close family members under their visas. When the specified time period elapses, they must sponsor these family members, who then usually enter in the family class. In the United States, the spouses and children of persons adjudged to be refugees also arrive in refugee status, whether they are accompanying or following to join the principal, and no time limit is imposed.⁵ In both countries, this mix of principals and dependents in the refugee population tends to obscure any bias that may exist in the selection process. Second, shifts in the sex ratio may also accompany shifts in the location of processing applications from refugee camps to the home country. Especially noteworthy is the fact that, beginning in 1991, the two largest groups resettled in the United States (Soviets and Vietnamese) have come primarily through direct departure programs, so that at least 65 percent of all refugees arriving from 1991-1993 were not selected from first-asylum camps. This change in processing seems to have reinforced the trend toward more women in the refugee flow, although it has not addressed the problem of women remaining in refugee camps.

Asylum Applicants and Acceptance Rates by Gender

The preceding analysis of the composition of refugee populations at the time of arrival sheds some light on the dynamics of refugee flows to Canada and the United States. It

does not resolve the question of whether gender selectivity exists in the application or selection process overseas. That would require data on the characteristics of the applicant pool, which is not available. The state of knowledge is better for persons applying for political asylum after arriving in North America. In Canada, data on the gender of refugee claimants exists since 1989, and in the United States, comparable data on asylum applicants are available beginning in 1991. This permits the calculation of approval and denial rates by gender as well as by country of origin. Data on the outcome of the selection process are presented for all cases in Canada and for the principal applicants only for the United States. No explicit age limits are used, but the restriction to principal applicants effectively excludes children for United States data. As with refugees, the spouses and children of successful asylum applicants also gain political asylum status, whether they enter the United States with the applicant or arrive later.

In the United States in 1992 and 1993, 70 percent of more than 249,000 new and reopened asylum claims were filed by men. The number of cases resolved in those years (49,000) was much smaller, due in part to administrative problems encountered in establishing an entirely new asylum procedure effective in 1991, and in part to the extreme growth in the caseload in those years. Table 3 shows the disposition of the cases resolved in 1992 and 1993, by gender and for selected countries.⁶ The disposition of the asylum applications is shown as "positive" for those granted,

"negative" for those denied, and "closed" for those where a disposition of the case was made without a decision on the merits of the asylum claim.⁷ A significant proportion of U.S. asylum claims are closed without a decision on the merits (39 percent in 1992-93), and a gender difference in this category might be noteworthy.

(INSERT TABLE 3 ABOUT HERE)

This table demonstrates that in the United States, a gender difference does exist in favor of males when all nationalities are considered together, but it is slight. Males were less likely than females to receive negative decisions on their asylum applications in those two years and more likely to receive positive decisions or to have their cases closed, but the size of the difference was only one or two percentage points. The approval rates for selected countries exhibit much greater variation. For some countries (Haiti, India, Laos, Peru), males had a higher approval rate than females by six or more percentage points. For a few countries (China, Yugoslavia), the approval rates for females were considerably higher. Analysis of the statistics on claims denied or closed does not change the picture. In general, differences in approval rates by gender are far outweighed by the differences between national origin groups.

In Canada as in the United States, most political asylum claims are filed by men. In 1991 and 1992, males represented about two-thirds of new refugee claimants. Table 4 shows the disposition of the cases on which a final decision was made in

1992 and 1993 in Canada. This table is structured identically to Table 3 for the United States and shows the top ten countries for which a decision was reached.

(INSERT TABLE 4 ABOUT HERE)

During 1992-1993 the proportion of all asylum claims receiving a positive decision was considerably higher in Canada, at over 50 percent, than in the United States. Women had a higher probability than men by 6 percentage points of receiving a positive decision. Relatively few cases, a little over one out of ten, were withdrawn or abandoned. As with the United States, there is great variation between approval rates by country of origin. Refugee claimants were most likely to obtain a positive decision for the following countries of persecution: Iran, Somalia and Sri Lanka. In all countries, excluding Sri Lanka and Israel,⁸ the approval rate was higher for females, and the male-female discrepancy was especially large for Pakistan.

The available information on the population claiming political asylum in Canada and the United States indicates that more than twice as many men as women file such claims in each country. In recent years both countries have numerous applicants from Central America, Somalia, Iran, and Lebanon, but there are major differences in their applicant pools. Sri Lanka, the country generating the most claims in Canada, does not appear among the top 21 countries of origin in the U.S. applicant pool. The Caribbean, East Asia, the former Soviet Union, and Eastern Europe all generate significant numbers of asylum claims in the

United States, but they are not major contributors to Canada's refugee claims. Men are slightly more successful than women in receiving positive decisions in the United States, but in Canada, women are slightly more likely to have their claims approved. Overall, Canada has granted a considerably higher proportion of claims from both men and women in recent years than has the United States.

Discussion

The material presented above on the composition of refugee and asylum claimant flows to North America indicates that accusations of gender bias are simplistic if based only on observation of a population receiving refugee status at a point in time. The characteristics of a population that has reached safe haven in Canada or the United States are the end result of the interaction of its characteristics in the country of origin, the dynamics of flight, experiences in the place of first asylum, and the admitting country's policies and procedures. The characteristics of a persecuted population, or a displaced population, will vary greatly depending on the circumstances.

Several common patterns can be described:

- o Women and children displaced to refugee camps, with their men fighting in guerrilla actions, missing, or dead.
- o Political activists or freedom fighters, usually but not always young adult males.
- o Survivors of a dangerous escape, often selected for youth and strength.

o Entire populations fleeing violence or persecution.

An unbiased selection process from populations as different as these, using the U.N. Convention definition of refugee, cannot be expected to yield a "balanced" population of refugees.

Improved attention to the problems of refugee women would include compilation of data on the sex composition of refugee populations at all points in the process. In addition, information on the population's age structure and whether the refugee is a principal applicant for that status or a dependent on another's claim, or both, are necessary to evaluate the possibility of gender bias in the selection of refugees. Analysis of these factors over the entire duration of a refugee flow is necessary. If a refugee-producing situation persists for a period of years, the characteristics of the resulting refugee population can change dramatically, as different population subgroups react to political developments in the country of origin (Kunz, 1973).

The maturation of a refugee flow over time may give it an appearance similar to that of chain migration in an immigrant flow based on the "male sojourner" model. Several of the U.S. refugee populations manifest a clear pattern over time: a flow dominated initially by men at a ratio that may reach 2:1, with a sex ratio gradually dropping, shifting to show a preponderance of women just before ending. For select countries, the Canadian flows of U.N. Convention refugees similarly indicate a pattern where the numbers of men relative to women decline over time.

However, sex ratios are higher for refugee populations in Canada than in the United States. Differences in refugee admission criteria and procedures may account for this contrast between the two countries. In both countries, the late arrival of some wives and children of male refugees may be hidden statistically in the immigrant flow. Further, in Canada the designated classes generally do not show the same clear patterning of decline over time, in part because the percentage married is higher and in part because admission requires sponsorship, often by churches, which mediate the selection.

The available data leave room for disagreement on whether the U.N. Convention definition or the refugee selection processes employed by Canada and the United States result in bias against women. Clearly, however, they were developed with adult males as the prototype. In this context, it is important to emphasize the need for a refugee determination process that recognizes that women can be and are persecuted, and that this persecution may take different forms from that visited upon men. The Convention definition describes one form of persecution; it should be applied with sensitivity to all refugee claimants.

Progress has been made in recent years on recognizing the needs of women refugees. As a followup to a 1985 resolution in which refugee women are deemed to need extra help, the UNHCR has urged countries to adopt subprograms for "women at risk." Canada instituted a program for refugee women and children in need of protection in 1987 with the first admissions arriving in 1988.

Reflecting the high assistance needs of such families and limited funding, overall numbers remain small. Between 1988 and September, 1993, approximately 630 persons (including dependents) were admitted to Canada under this program. No such program exists in the United States, but the INS Asylum Officer Corps is considering adopting guidelines for handling women's claims.

As well, pressure exists to include a gender dimension in refugee adjudications. Such efforts range from gender sensitivity in assessments of persecution to reformulating the definition of a Convention refugee to include gender-related persecution. Alarmed by the specter that gender by itself might be considered a basis of refugee status, countries are proceeding cautiously if at all. In its March 9, 1993, release of guidelines on women refugee claimants fearing gender-related persecution, the Immigration and Review Board, which adjudicates refugee claims within Canada, moved in the direction of ~~considering the special needs of women.~~ By working within the U.N. Convention definition of a social group, the IRB guidelines do not seek to add gender to the grounds of persecution. However, the guidelines indicate that a well founded fear of persecution due to membership in a gender-defined social group implies both the absence of protection, usually from the state, and an individual solution. These IRB guidelines are directed to their members who review refugee claimant cases. They are not part of Canada's immigration legislation and are not part of the directives used in processing refugee applicants outside Canada.

Where Does This Leave Us?

The end of the Cold War has meant the end of some refugee movements that dominated the world picture during the 1980s, and the beginning of new refugee streams, as some nations splinter and old ethnic conflicts find new expression. To the extent that the new refugee flows follow the common pattern of an early male majority, this may mean that males will again dominate for a time in the refugee arrival figures. For new refugee groups arriving in 1993 in the United States, this was the case among those from Haiti (sex ratio 168) and Sudan (sex ratio 322). However, the sex ratios for other new refugee flows to the United States in 1993 showed a majority of women: Liberia (95), Somalia (95), and Bosnia-Herzegovina (94). Such a period of change in refugee movements is an appropriate time to call attention to the needs of women refugees.

This is also an appropriate time to consider a broader framework in which to view the problems of threatened or uprooted populations. The U.N. Convention on Refugees grew out of World War II and the Cold War. The concept of directed persecution that it embodies is less pertinent today, when many displaced people are fleeing conditions of generalized violence or famine. Policy makers should begin to consider approaches to helping refugees outside of the persecution/flight/first asylum followed by repatriation/resettlement framework that guides refugee work today.

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Notes

1. Under special legislation, the Lautenberg Amendment, a lower standard of evidence needed to prove refugee status was established for certain Soviet and Indochinese nationals. This legislation is scheduled to expire on September 30, 1994.
2. For Canada, marital status partly underlies the higher sex ratios for U. N. Convention refugees compared to designated classes, and the absence of a downward trend for the designated classes. Approximately 60 percent of men admitted to Canada as U.N. Convention refugees during the 1980s and early 1990s were single compared to less than half of those admitted in the designated classes. Many of the latter would have been accompanied by their spouses and children, thereby lowering the sex ratio and making it less sensitive to change.
3. In the calculations of sex ratios for refugees in this section, children are omitted in order to focus on the potential applicant population. Since the numbers of male and female children in refugee populations are essentially equal, this has the effect of raising the sex ratio. For Canada persons below age 15 are omitted, and for the United States persons below age 18 are omitted.
4. A detailed analysis of the age-sex composition of the Southeast Asian refugee population from 1975 through 1986 is found in Gordon (1989).
5. If a substantial period of time elapses between the arrival of the principal refugee and dependents following to join him or her, the dependents may arrive in Canada or the United States as family-sponsored immigrants. In both countries, administrative data systems do not permit analysts to capture this migration as the continuation of an earlier refugee movement.

6. The 21 countries selected were those for which a minimum of 40 cases each were resolved in both 1992 and 1993 for females and males. Data for 1991 were not included because the automated data base was in use for only half of the year, a large proportion of the cases were not entered into it, and relatively few cases were resolved.

7. Reasons why a case might be closed include: the claimant withdraws the claim, fails to appear for a scheduled interview and cannot be located, emigrates, or dies. If spouses apply at the same time and one claim is granted, the other claim may be closed, because the remaining spouse can receive asylum based on the first spouse's claim. Finally, the applicant may prove to be entitled to immigrant status on a non-asylum basis.

8. The inclusion of Israel among the top ten "donor" countries reflects the high number of applications in 1993.

Rick Carter

Tables to accompany
REFUGEES TO NORTH AMERICA:
GENDER ISSUES AND IMPLICATIONS

by
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Prepared for presentation at the annual meeting of the Population Association of America, May 5-7, 1994, Miami, Florida.

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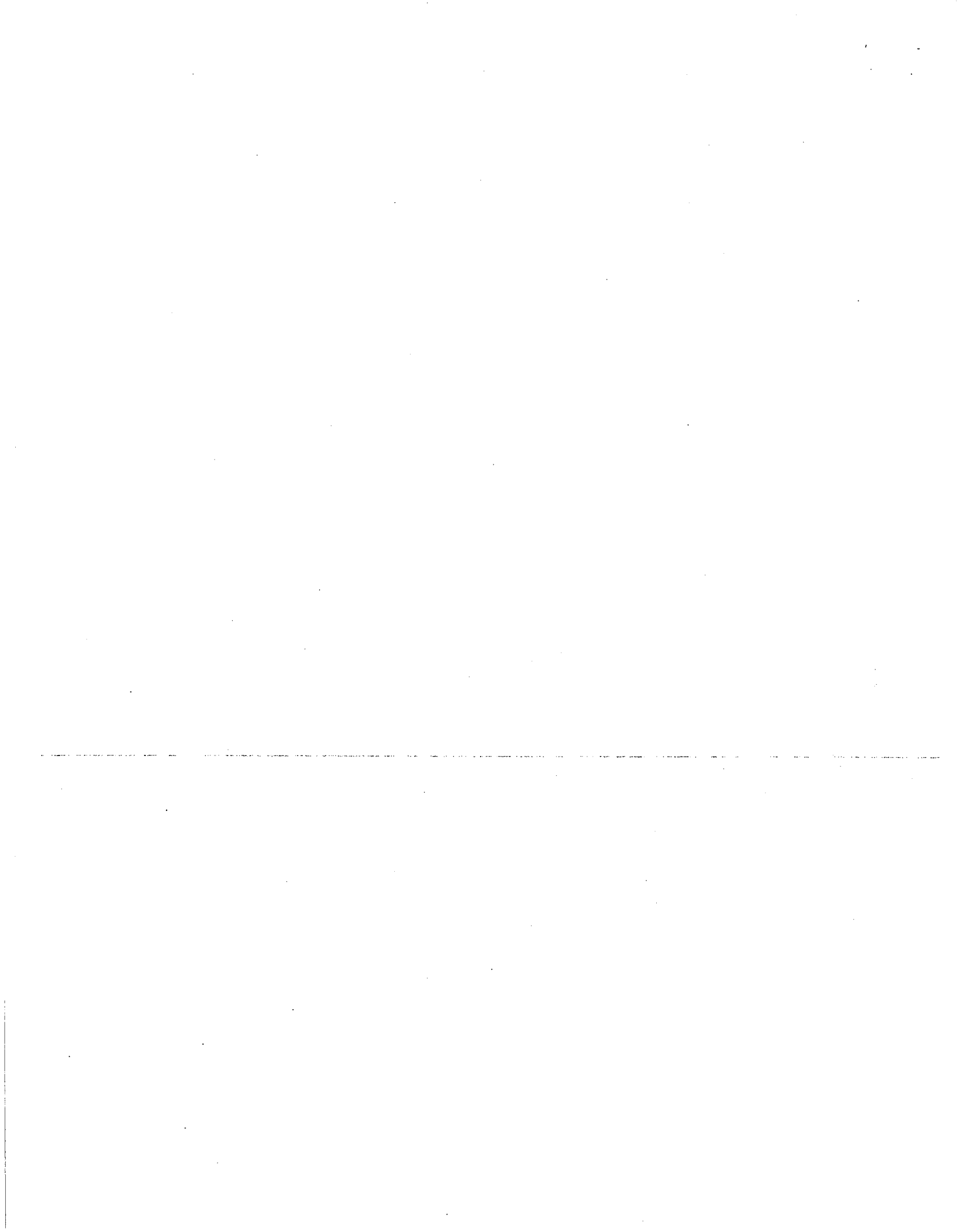


Table 4

Disposition of Claims Completed(a) by the Immigration and Refugee Board, by Gender, Total and Selected Countries, Canada, 1992 and 1993(c)

Country and Gender	Number	Percent Positive	Percent Negative	Percent Withdrawn/ Abandoned
All Countries	59,728	53	36	11
Female	20,429	57	31	12
Male	39,299	51	38	11
Selected Countries(b)				
China				
Female	702	20	71	9
Male	1,774	19	76	5
El Salvador				
Female	549	21	65	13
Male	1,393	27	60	13
India				
Female	247	25	53	22
Male	1,448	21	61	19
Iran				
Female	893	72	21	7
Male	1,657	68	23	9
Israel				
Female	545	14	62	24
Male	836	16	60	24
Lebanon				
Female	588	41	48	11
Male	1,348	38	53	9
Pakistan				
Female	395	53	33	14
Male	2,106	35	46	19
Romania				
Female	364	46	44	10
Male	911	40	52	8
Somalia				
Female	2,623	93	5	3
Male	3,519	89	7	4
Sri Lanka				
Female	3,707	83	13	4
Male	6,456	85	12	3
USSR(d)				
Female	968	45	40	15
Male	1,450	40	46	15

(a) Consists of completed claims in 1993 that were withdrawn or abandoned or judged positive or negative and similarly disposed claims in 1992 in the second hearing.

(b) Countries are numerically the top ten countries of persecution for claims heard to completion.

(c) Calendar year.

(d) Excludes new republics formed after the dissolution of the USSR.

Source: Immigration and Refugee Board, News Release, February 28, 1993, and February 12, 1992, and in-house documents for 1992 and 1993.

Table 3
Disposition of Asylum Applications in the United States by INS
by Gender, Selected Countries, FY 1992 and 1993

Nationality and Gender	Number	Percent Positive	Percent Negative	Percent Closed
All Countries	49,339	16	45	39
Female	15,482	15	46	39
Male	33,857	16	44	40
Bulgaria				
Female	208	12	65	24
Male	557	10	63	27
China				
Female	255	44	16	40
Male	1,254	28	20	53
Cuba				
Female	1,324	9	13	78
Male	2,075	13	12	75
El Salvador				
Female	834	4	53	43
Male	2,129	6	52	42
Ethiopia				
Female	612	49	34	17
Male	609	46	36	19
Fiji				
Female	160	8	74	18
Male	272	11	68	21
Guatemala				
Female	1,082	4	47	49
Male	3,786	4	44	52
Haiti				
Female	1,108	12	67	21
Male	2,053	24	59	17
Honduras				
Female	404	4	39	57
Male	750	4	43	53
India				
Female	248	12	58	30
Male	1,873	18	50	32
Iran				
Female	379	44	25	31
Male	546	42	23	35
Laos				
Female	264	11	61	27
Male	418	20	58	22
Lebanon				
Female	134	16	59	25
Male	387	16	50	34
Liberia				
Female	528	27	33	40
Male	517	29	40	31
Nicaragua				
Female	2,419	5	57	38
Male	3,343	7	53	40
Peru				
Female	297	18	62	20
Male	566	25	52	22
Philippines				
Female	927	2	48	50
Male	1,139	3	51	46
Romania				
Female	630	15	63	22
Male	1,117	17	61	22
Somalia				
Female	100	74	10	16
Male	170	71	14	16
Soviet Union(a)				
Female	1,237	32	43	26
Male	1,816	30	44	25
Yugoslavia(b)				
Female	257	42	38	20
Male	739	35	37	27

(a) Includes republics of the former Soviet Union, except Baltic republics.

(b) Includes Bosnia-Herzegovina, Croatia, and Slovenia.

Source: Calculated from unpublished data, INS RAPS system.

Table 2
Sex Ratios for U.N. Convention Refugees, Age 15 and Over, by Year:
Canada, 1981-1993

	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
Sex ratios, all countries	199	190	189	183	186	176	179	189	177	178	171	172	141
Afghanistan	a	a	a	a	193	220	217	161	132	136	137	159	125
El Salvador	a	177	162	141	153	130	129	128	134	133	133	163	133
Ethiopia	a	a	a	a	183	178	175	144	130	124	145	126	101
Guatemala	a	a	a	163	170	153	136	216	176	174	161	150	138
Iran	a	155	155	158	232	284	193	140	142	166	169	168	160
Iraq	a	a	244	362	160	a	a	228	187	193	209	186	171
Lebanon	a	a	a	a	a	a	a	a	a	a	208	190	174
Nicaragua	a	a	a	a	158	112	107	110	107	104	91	85	a
Somalia	a	a	a	a	a	a	a	361	405	222	162	127	97
Sri Lanka	a	a	a	a	a	257	288	220	240	228	198	238	140
Numbers, all countries	625	1,426	3,063	4,184	4,451	4,809	5,582	6,532	7,757	8,670	14,125	22,364	16,694
Afghanistan	15	19	26	39	214	323	402	515	655	580	693	492	209
El Salvador	24	180	1,065	1,330	1,194	934	914	641	608	791	1,050	1,237	372
Ethiopia	43	19	75	93	119	225	347	539	882	597	640	1,079	999
Guatemala	3	6	98	260	181	225	158	120	138	156	235	402	219
Iran	15	316	474	462	535	472	449	827	1,157	947	1,164	1,632	703
Iraq	4	4	155	245	104	92	67	154	411	117	294	429	710
Lebanon	3	2	2	4	4	4	13	8	53	413	1,459	1,042	387
Nicaragua	1	4	35	68	304	383	613	535	374	253	149	113	42
Somalia	6	5	5	6	7	18	52	152	318	643	1,671	2,927	1,591
Sri Lanka	0	0	1	27	90	214	500	163	172	542	1,127	4,287	2,834

(a) Sex ratio not calculated; number less than 100 persons.

Sources: Canada, Citizenship and Immigration, unpublished tabulations, March 11, 1994.

Table 1
Sex Ratios of Refugees, Age 18 and Over, by Year:
United States, FY 1983-1993

	Fiscal Year										
	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
Sex ratios of refugees and asylees getting permanent resident status:	136	136	134	132	126	127	118	115	108	107	103
Refugees entering the United States:											
Sex ratios, all countries	133	127	120	119	118	108	104	101	102	95	98
Afghanistan	117	128	124	98	104	103	102	95	82	101	108
Cuba	b	b	b	b	133	123	114	102	133	112	110
Ethiopia	237	262	245	241	171	197	239	185	176	188	118
Iran	197	169	156	140	108	103	108	103	94	93	90
Poland	170	182	176	180	166	123	130	105	24	b	b
Romania	144	109	121	186	129	144	119	101	113	113	58
Soviet Union	88	85	74	78	87	91	88	90	87	84	83
Cambodia	81	84	81	79	91	106	114	90	114	157	b
Laos	111	107	115	103	100	102	97	105	103	94	87
Vietnam	143	142	129	112	122	111	112	108	101	99	105
Numbers, all countries	37,119	41,103	39,821	36,726	39,757	48,788	64,255	73,114	67,263	81,039	76,264
Afghanistan	1,786	1,280	1,414	1,466	1,799	1,294	986	894	839	849	703
Cuba	a	a	a	a	210	2,279	2,878	3,464	3,006	2,810	2,311
Ethiopia	1,868	1,921	1,332	1,037	1,377	1,185	1,369	2,161	2,682	2,153	1,697
Iran	693	2,171	2,565	2,252	4,537	4,290	3,278	2,155	1,901	1,403	849
Poland	4,176	2,999	2,249	2,744	2,561	2,230	2,426	988	162	a	a
Romania	2,691	2,836	3,001	1,920	1,928	1,914	2,074	2,458	2,764	908	109
Soviet Union	1,136	619	540	628	2,532	13,768	26,523	34,079	27,136	45,576	36,141
Cambodia	6,639	9,746	9,448	4,935	1,053	1,640	1,282	1,151	109	108	32
Laos	1,489	3,606	2,722	5,749	7,208	6,810	5,874	4,095	4,179	3,000	2,788
Vietnam	13,619	14,726	14,946	12,820	13,936	10,590	14,496	18,652	20,603	19,646	24,090

(a) Total number arriving in the year was less than 200; no age-sex tables were run.
(b) Sex ratio was not calculated; number is less than 100 persons.

Sources: Persons adjusting status calculated from INS Statistical Yearbooks, various years;
Refugee arrival numbers from unpublished tabulations by the Office of Refugee Resettlement, HHS.

CHART 2
 SEX RATIOS OF ADULT REFUGEES AND PERSONS GRANTED ASYLUM:
 CANADA AND THE UNITED STATES, 1981-93

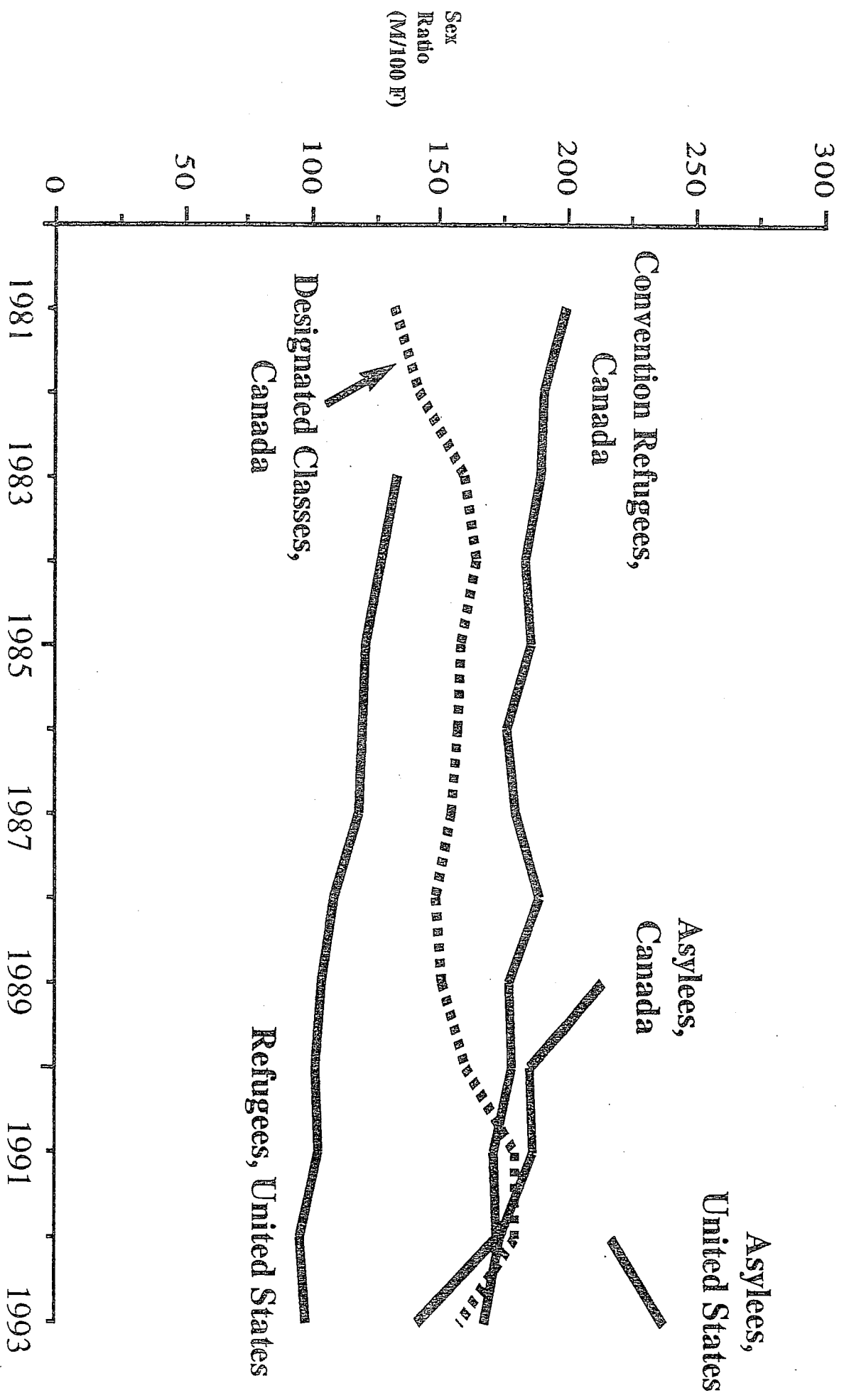
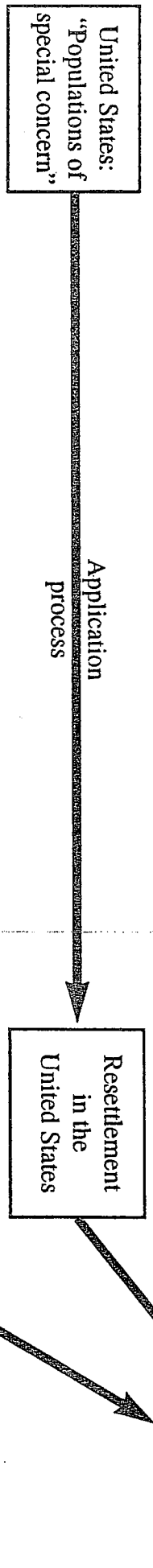
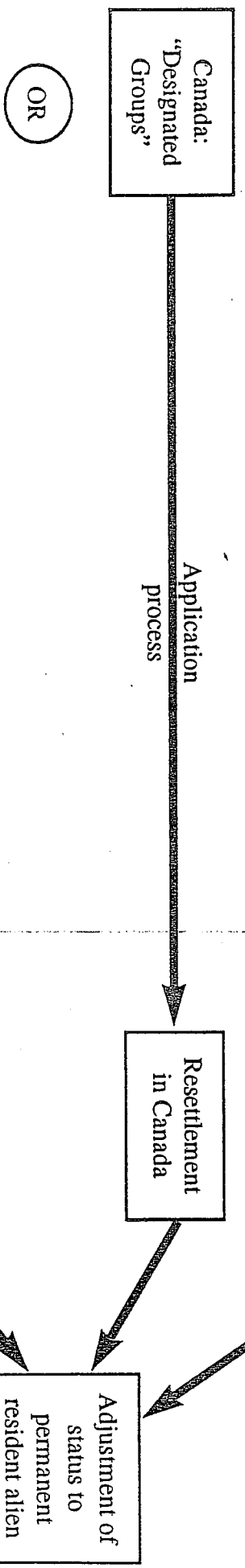
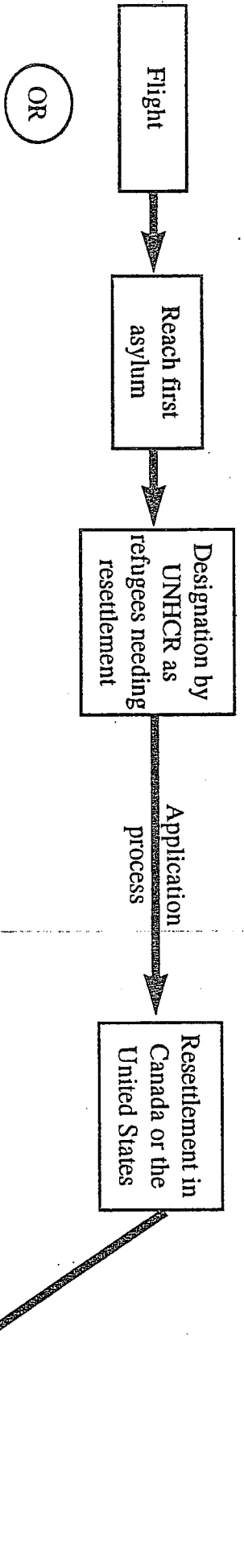


CHART 1

THE REFUGEE / ASYLUM PROCESS IN CANADA AND THE UNITED STATES

REFUGEES



ASYLUM SEEKERS

