



**Report on Women in Migration
Civil Society Days 2017, Berlin, Germany
Rapporteur on Women – Carolina Gottardo**

Dear civil society colleagues, dear sisters, queridas hermanas,

It has been an honour for me to be the rapporteur for women at the CSD and I will like to thank you all for raising issues affecting women in migration.

I personally feel very strongly about the issue of women in migration as a migrant woman from Colombia who spent nearly 20 years in the UK and recently has moved to Australia and after having worked for more than 20 years on migration, asylum and gender issues.

I would like to start my report with two inspirational quotes that came up during these days, one in Spanish and one in English.

- Las mujeres somos luchadoras y no vamos a callar (Comite de Mujeres Desaparecidas de El Salvador)
- The Global Compact should aim to promote the best interest of women as women themselves define what is their best interest, and promote empowerment and leadership of women (Louise Arbour).

Ms Arbour also talked specifically about elevating the focus of women and girls that has been too far neglected and securing a gender responsive Compact.

Women's agency and autonomy: Over the last three days there have been many mentions about women's agency and the fact that we are not vulnerable per se but punitive migration policies put us in a situation of vulnerability. There were mentions of women's agency as an amazing force and the importance of highlighting the work of migrant and refugee women led organisations.

We also spoke about the danger of talking about "women and children" together, as it can obscure what is particular to women and children. It also fails to recognize the many women who are not mothers.

On **multiple discrimination:** the intersectionality of oppressions such as sexism, racism, classism, discrimination based on sexual orientation and

other discriminations needs to be recognised and addressed with measures to promote and enable women affected by multiple oppressions to claim their rights.

On **Trafficking**: States must ensure that anti-trafficking and anti smuggling measures, concerns and rhetoric do not negatively affect the human rights and dignity of victims of trafficking, and of migrants, refugees and asylum-seeking women.

On **racism and xenophobia**: It's key to address racism and xenophobia with specific policies that can be monitored and there is a need for States to enact anti-discriminatory laws and measures that target forms of discrimination faced by migrant women and LGBTI migrants. Any legislation which discriminates or marginalizes certain groups or specific genders is unacceptable and non-negotiable.

On **availability of data** we need disaggregated data by gender, race, age and sexual orientation.

On **regularization**, the Compact should encourage programmes for regularization and permanent residence, with specific measures to address undocumented migrant women and girls. It should create safe and legal migration routes, including family migration and family reunification initiatives for women and families.

Frequently it is women with children who apply for family reunification and resettlement, but there are major difficulties for them to provide identification papers to proceed with application. The processes of family reunification need to be streamlined and expedited.

On **independent status**, there are problematic issues for women on dependent residence permits which place women in a situation of isolation and at risk of abuse. Women must have independent status, without depending on spouses as sponsors.

In some countries women can apply for a permanent visa, but only after situations of violence -- only after the violence has occurred and only for physical violence. Psychological violence is difficult to prove. States should create more regular channels for women's migration that is not dependent on a single employer or spouse.

On **firewalls**, the importance of establishing firewalls between public services, access to justice and migration enforcement has been highlighted, including for undocumented women survivors of SGBV and other forms of violence who often prefer not to report crime or abuse for fear of deportation.

On **existing negative practices**, civil society participants called for banning gender discriminatory practices in migration that prevent access to migration for women including gender, age, pregnancy, marital status, age of children, etc.

On **transit and access to services**, there are often dangerous journeys for women which put them at risk of GBV and other violence, including gang and State violence. There were examples of women coming to Europe through different routes, being abused and becoming pregnant, yet unable to access services. There is a need for sexual and reproductive healthcare for all women regardless of status.

It was also mentioned that SGBV should be recognised as a reason for seeking asylum.

On **circular migration**, this concept is problematic and infringes on rights, particularly on women's rights by tying women to one employer, putting them in situations of hyper-exploitation and abuse; forcing them to be apart from their families; and requiring them to constantly work on short-term contracts, without a path to permanent residency. This makes it difficult for them to claim rights or to unionize.

Women are disproportionately affected by **climate change and are affected by other push factors, such as economic policies and war, that force them to migrate**. It is important to promote rights-based development, address structural causes, promote human rights and sustainable environmental practices.

On **detention** it was mentioned that in the USA detained women with children may be given "alternatives to detention" with ankle monitors or GPS shackles which they must wear while going through deportation proceedings. This furthers stigma, discrimination and trauma for migrant women. Migrants are also required to pay private companies for the cost of the shackle to before the devices are removed. There should be humane conditions for all incarcerated and a call to end administrative detention of migrants.

On **return** it should be called deportation, and not the euphemism of "voluntary return". Return must be a choice. We do not want a Global Compact on Deportation which is used to legitimize criminalization, detention and deportation of migrants.

As a general and important point, it was stressed that the Compact should **endorse and implement** the *UN Women Recommendations on addressing the human rights of women in the Global Compact of Migration*.

Yesterday, Gregory Maniatis urged us not to assume that others have more power than we do over the Global Compact process. Civil society can help to take responsibility for leading on Compact initiatives. Louise Arbour told us that the Compact will see very specific input and language about women in migration.

In this sense, the Compact process and outcome need to guarantee non-tokenistic and meaningful participation of civil society, migrant-led groups,

migrant women organisations and migrant women themselves and it should allow for diversity of opinions within the civil society.

It was also stressed that we should not only aim only for what's possible, because we risk undermining existing standards. We need to aim for strong human rights and gender responsive language and high standards for the Global Compact on Migration.

I would like to finish by mentioning three key ideas: *leadership, women's power and full participation in processes that affect our lives*. I all of you sisters and brothers to advocate for a gender responsive Compact that addresses the human rights of women in migration.

Women in Migration Network (WIMN)

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