

### ***Migrant women are bearers of rights, not simply 'agents of development'***

While national laws and international treaties have specific categories for people who move for diverse reasons, women's realities do not easily fit into these structures. A look at women in migration views women and girls in multiple contexts: those who migrate, those who remain behind when family members migrate, and those who struggle to keep their families together at home, choosing *not* to migrate. Whether they are called internally displaced, international migrants, refugees or asylum-seekers, women and girls move seeking safety, autonomy and livelihoods with dignity and rights.

Around 50 per cent of the world's estimated 232 million international migrants are women. Women migrants and refugees face unique vulnerabilities in transit and at borders. Women increasingly migrate for work, which is disproportionately precarious and low-wage.

Women and girls are impacted by failed development policies in particular ways: from super-exploitative work, to migrating spouses and divided families, to increased care burdens, to violence and displacement. Market-driven development policies have intensified climate degradation, war and displacement due to resource extraction, leading to massive internal and international migration flows.

#### **- Gender Analysis-**

- Explores the social roles assigned to men and women in society and how these shape women's circumstances. This includes their power to negotiate on their own terms and to claim rights. Women live at the intersection of multiple identities that bestow greater or lesser power.
- Is a cross-cutting issue in migration and development that applies a gender lens in every focal area to explore causes and consequences and identify specific policy requirements.
- Women are marginalized in decision-making and lack access to the resources that imbue economic, political and social power. Most women provide unpaid labour for the social reproduction of the household (caregiving, food production) and in the paid economy they are similarly concentrated in these roles.
- Gender-based violence is a reality in all countries and at all levels. Responses must recognize the rights and agency of women rather than reinforcing gendered power relations.
- Women migrate trying to navigate livelihoods, protection of their families, safety and rights when they continue to hold subordinate status. This becomes more difficult and complex for women who are marginalized by race, ethnicity, class, religion, sexual orientation, gender identity, national status and other factors.

### **-Human Rights Framework-**

- The UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the CEDAW General Recommendation No. 26 on women migrant workers form the cornerstone of migration policies.
- Migrant women and girls are agents of change and should not be viewed solely as victims of human rights violations. They contribute to the social and economic development of both home and new countries. They have rights and should be given every opportunity to exercise those rights and to give leadership in shaping public policy.
- National security policy, leading to the criminalization of migrants, cannot override human rights commitments.

### **-Gender and the 'Circular Migration' Model-**

- 'Circular Migration' refers to programs of temporary employment for migrants in host countries to meet labour needs. It does not offer long-term status and assumes that migrants will return home rather than remaining in temporary or irregular status. Countries of destination want women's labor but often do not take responsibility for their political, economic, social and cultural rights or for their integration.
- Temporary workers cannot claim the same rights as citizens and their status may be tied to one employer. Thus they frequently face employer exploitation and abuse. They are not able to bring families, who remain at home.
- Countries of origin often encourage the "exportation" of women workers both as a social safety valve and for the remittances that they send home. In global negotiations on both Financing for Development and means of implementation of the SDGs, global remittances (over \$400 billion per year) were frequently seen as a resource to pay for the development agenda without adequately recognizing the cost that these remittances represent in terms of rights violations, labour exploitation, violence against women, divided families and lives on the margins of society.
- For migrant women in both paid and unpaid care-giving roles, the lack of access to social services (health, housing, social protection); recourse to justice in cases of violence; and decent work at livable wages without threat of violence and exploitation are part of the package of "circular migration."

### **-Recommendations<sup>1</sup>-**

1. Data, research, analysis and responses to migration and development must involve a gender perspective in all areas. Particular attention should be given to the intersection of gender, race, class, sexual orientation, gender identity, religion, ethnicity, age and other factors.
2. Human rights and women's rights must be at the center of all migration policy and governance. States should ensure effective protection for all migrant women experiencing violence and must also give specific attention to migrant women's health, sexual and reproductive rights.
3. Challenge the 'Circular Migration Model': Important efforts to regularize migration, recruitment and employment policies, portability of pensions, and other ways to improve the migration experience are necessary but insufficient. Guest workers should have access to citizenship along with their families. Adequate consular support should address the particular needs and vulnerabilities of women and girls.
4. Migration must be a choice not a necessity. This requires a rights-based development that enables women's human rights, women's role in decision-making, women's bodily integrity, decent work, social protections and sustainable environmental practices.

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<sup>1</sup> See also Women and Migration 2013 Advocacy Document in English, Spanish, French: <http://www.wgmwg.org/wp-content/uploads/2013/08/final-advocacy-doc-ENGLISH.pdf>