

CSW 61: Multi-Stakeholder Forum: Women's Economic Empowerment in the Changing World of Work
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Expanding Opportunities for Women in the Changing World of Work (ie. growing informality of work, technological change and mobility): Women Migrant Workers

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About WIMN: The Women In Migration Network is an alliance of national, regional and global organizations representing all regions working to: impact migration and development policy as it affects women and hold States accountable for human rights commitments regarding women in migration

About GCM: The GCM members, including WIMN, represent regional and international networks of migrant associations, migrant's rights organizations and advocates, trade unions, faith groups and academia, covering every region around the world.

First, in setting the context for our analysis of gender and migration, WIMN sees 'Women-in-Migration' as going beyond migrant women to explore the realities of all women affected by migration in countries of origin, transit, destination and return. This includes those who are left behind in countries of origin. We also view women's mobility as a continuum between 'choice' and forced migration driven by economic, political, gender-based, conflict-driven, discrimination or climate-change factors. Finally, follow an intersectional approach: the complexity of women's status reaches beyond migration status to race, ethnicity, class, religion, sexual orientation, gender identity and other factors needs to be considered.

Migrant women workers

Migrants cross borders for many reasons, including a need to escape persecution and conflict, to work, to study or to be reunited with family members. Whatever the push factor, upwards of 90 per cent of migrants are economically active. Around 50 per cent of the world's estimated 232 million international migrants are women. A majority are migrating on their own account in search of work that will help sustain their families back home. Women migrant workers are usually employed in jobs that are not covered or inadequately covered by labour legislation or by social security or other welfare provisions; and where the right to organise and bargain collectively are denied in law or in practice. Today's feminised migration is symptomatic of the deep and growing inequalities within countries and between regions; the result of a global economic model that sacrifices human rights and human development at the altar of economic expediency, business interests and profits. Given this context, how can we engage policies that center the rights of migrant women so that migration can be realized as a means of economic, social and political empowerment for women?

Labour market integration

Existing gender discrimination in labour markets plays out in a particularly acute form for women migrant workers. For many migrant women the employment experience is characterised by insecure, poor quality jobs and a lack of social protection. In the dominant model of "circular migration," 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 migration, labor exploitation, violence against women, divided families and lives on the margins of society.

Increasing diverse channels for regular migration of women for Too often the lack of sufficient channels for regular migration means that these flows of migrant labor are important measures to prevent the further criminalization of migrant workers and their families, leading to detention and deportation. Migrant labor is in great demand, but without guarantees of rights. For migrant women in both paid and unpaid caregiving 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."

The global care chain

Unprecedented numbers of women are migrating as domestic workers. The demand for migrant women in domestic employment worldwide is fuelled by the withdrawal of public provision of crucial public services such as child and elderly care services, combined with women's increased labour force participation in both countries of origin and destination. Migrant women are increasingly providing the infrastructure that allows other workers, especially those in medium and high skill occupations, to better reconcile work and family life.

The unregulated, insecure and privatised nature of migrant women's domestic work leaves them vulnerable to labour exploitation and human rights abuses. The protection of domestic workers rights and the provision of security and benefits are crucial to ensure that the economic and social successes of some are not built on inequalities and on exploitation of others. These changes require effective and practical measures and policy instruments, including the ratification and implementation of ILO Convention 189. Such changes also require a systemic re-valuation of domestic and care work, its role in the economy and in society and its contribution to the welfare of communities. Proper resourcing of the public health and social care services is equally essential.

The migration experience

Finally, the international recruitment industry is big business. Recruitment reform initiatives (by the ILO, States, trade unions and migrant women's organizations) that have a particular gender analysis and strategy are critical to effectively regulate and monitor the industry. Otherwise, recruiters operate in a legal vacuum and are responsible for many of the abuses experienced by migrant women workers: from gender-based violence, to extortionate fees leading to conditions of bondage, to withholding of wages and confiscation of passports. Migrant women, in particular, often lack access to adequate or accurate information about the type of job they are being recruited for, information about their labour and civil rights in countries of destination and access to justice should things go wrong. Women make up 98 per cent of those trafficked for commercial sexual exploitation and 56 percent of those trafficked for labour exploitation.

What policies and actions have proven to be effective in promoting safe and secure working environments for women in the informal economy and for migrant workers?

- **Campaigns to promote the ratification and implementation of international instruments** such as ILO Conventions 97 and 143, the 1990 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
- **Strategies to secure and promote the right to form and join unions**, the right to equal treatment and non-discrimination in the workplace, regardless of migration status, and the right to access to courts, including labour courts and other grievance mechanisms are international human rights obligations
- **Efforts to engage** labour ministries, going beyond interior and security ministries to identify and reduce structural barriers faced by women workers
- **The UN Women and European Council initiative to promote and protect the rights of migrant women workers where UN Women partnered with our members, particularly IMUMI in Mexico and the Center for Migrant Advocacy in Philippines and also women's organizations in Moldova**, and with national governments to harmonize provisions of CEDAW GR 26 on migrant women workers in national policies and programs. These included, for instance, the work with the Department of Labor and Employment and the Philippines Overseas Employment Agency to craft and implement gender-responsive and rights-base standard contracts for migrant domestic workers and orientation programs for migrant women, not just pre-departure, but also post-arrival in destination countries alongside Labor attache's at consulates and upon post-return and reintegration
- At local and national levels, practices by local authorities in North America and Europe to implement **strict firewalls** between immigration enforcement activities and public service provision by State and non-State actors have been key to ensure that migrant women can claim their rights without fear of deportation or detention. Our member organizations like the National Network for Immigrant and Refugee Rights and

PICUM (Platform for International Cooperation on Undocumented Migrants) have worked with authorities at the municipal, state and regional levels in achieving such policies and practices.

- Multi-stakeholder initiatives for **recruitment reform** such as that driven by Migrant Forum in Asia, civil society along with the ILO, States and UN agencies are effective strategies to ensure fair recruitment and improving outcomes for migrant women workers.