

RECOMMENDATIONS

PROTECTION OF
WOMEN HUMAN RIGHTS
DEFENDERS AT RISK IN
MIGRATION CONTEXTS



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ECONOMIC EMPOWERMENT SECTION
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INTRODUCTION

These recommendations focus on women human rights defenders at risk in migration contexts (hereinafter, migrant women human rights defenders)—that is, women, girls and gender-diverse persons of all ages who promote and protect the human rights of people on the move, whether they are migrants themselves or not, regardless of their migration status, and irrespective of whether they self-identify as a woman human rights defender or use human rights concepts and language to frame their work.

People move within and across national borders for a variety of reasons. Some people are driven to migrate by entrenched gender inequalities, poverty, food insecurity, unemployment and other sources of economic precarity, as well as climate change, conflict and generalized violence and persecution. Others move to further their studies, pursue careers, explore opportunities, form families and reunite with family members. While migration can be a choice for women, an expression of their agency and a vehicle for their empowerment, many migrant women and girls continue to face risks that are specific to their gender, migration status, the ways they migrate and the geopolitical contexts of their movement. Migrant women and girls are at heightened risk of gender-based violence, sexual exploitation, forced labour and trafficking, particularly when they cannot access safe and regular migration pathways. They are at risk of labour exploitation, especially when they work in poorly regulated sectors or in the informal economy. The risks of human rights violations are further exacerbated for girls, especially those unaccompanied or separated from their families.

The 2030 Agenda for Sustainable Development recognizes the positive contribution of migrants for inclusive growth and sustainable development. However, migration policies and laws often reproduce or reinforce gender inequalities. The following are some examples of gender-based discrimination imposed on women, girls and gender-diverse persons by States:¹

- Limiting their mobility by direct and indirect discrimination based on sex, gender, age, disability, nationality, HIV status, race and ethnicity, religion, marital and family status, migration status, sexual orientation, gender identity and expression, sex characteristics, health status, pregnancy, place of residence, and economic and social situation.
- Banning them from migrating or imposing gender-discriminatory restrictions, such as requiring them to have permission from a male guardian to travel, obtain a passport or gain employment.
- Preventing them from migrating if they are pregnant or have young children; deporting migrant women when they are pregnant.
- Adopting visa schemes that discriminate against migrant women, for example, by restricting their employment to certain job categories.
- Prohibiting migrant women from marrying nationals or permanent residents or becoming pregnant.
- Imposing strict restrictions on those who wish to join their spouses in another country.
- Refusing to recognize their status and rights in domestic laws, in particular those who have been trafficked, those seeking asylum, and those who are stateless.

Within households, the migration experience often reinforces, reproduces and increases differences in the distribution of unpaid care and domestic work. The absence of local support networks, restricted access to care services and obstacles to sending children to school due to the regulations of destination countries, lead many migrant women to disproportionately assume household and care responsibilities. Many end up taking jobs in the informal economy with precarious working conditions—jobs often linked to cleaning and caring for others, which not only perpetuate occupational gender segregation but often come at the expense of their own children, as well as exposing them to higher risk of domestic violence.

Colonialism, ethnonationalism, racism, antisemitism, Islamophobia, xenophobia, gender inequalities, patriarchy, misogyny, homophobia and transphobia not only shape the direct and indirect discrimination and risks that migrant women and girls face but also influence the responses of State and non-State actors. The global phenomenon of shrinking civic space, whereby States control and restrict the formation and operation of civil society organizations, reduces the capacities of migrant women human rights defenders to carry out their work collectively and individually. The deepening securitization of migration, the increased use of surveillance technologies, the militarization and externalization of border controls, the over-reliance on detention and deportation, and the widespread practice of pushbacks at land and sea borders increase the risks that migrant women human rights defenders face.²

Migrant women human rights defenders promote and protect the rights of a wide range of people on the move, including migrant workers and their families; victims of forced labour and trafficking; people seeking asylum, refugees and stateless persons; those displaced within and across borders by conflict, disasters and climate change; undocumented migrants; and migrant children, some of whom are unaccompanied or separated from their guardians. Migrant women human rights defenders operate in diverse contexts and geographical areas, promoting and protecting a wide range of rights such as the right to life, liberty and security of person; the right to freedom of expression, thought, conscience and religion;

and the right to privacy. They also work on the right to freedom from discrimination, harassment and violence, including that based on sexuality and gender; labour rights; the right to food, shelter, health and education; as well as access to justice and the right to redress for grievances. Some migrant women human rights defenders also promote the right to gender equality; the right to family life; sexual and reproductive rights; as well as the right of everyone to promote and protect human rights.

Migrant women human rights defenders promote and protect rights in numerous ways,³ including by providing food, water, shelter, transport, education, integration support and health and medical assistance; taking action to save lives, including rescues at sea; documenting and publicizing human rights violations; accompanying migrants through dangerous routes and searching for missing migrants; reuniting families; facilitating access to justice, including through legal aid; and advocating for laws, policies and practices to protect the human rights of migrants. They also create safe spaces for migrant women and girls to develop trust, empower themselves and mobilize, build networks and engage in collective bargaining.

Migrant women human rights defenders promote and protect rights both individually and collectively; as State and non-State actors in professional and employment-related roles and as volunteers. They include, among others, leaders, workers, organizers and service providers in civil society organizations (including women's, migrant, community, neighbourhood faith-based, trade-union, domestic-worker, sex-worker, academic, humanitarian, health, social welfare, search and rescue); as well as lawyers and journalists. They come from diverse backgrounds and cultural contexts, including Indigenous women, women from racial, ethnic and religious minorities, Afro-descendant women and nomadic women.

Migrant women human rights defenders are targeted not only for the rights that they defend, but also because their work transgresses dominant gender roles. Consequently, gender—together with other factors such as sexual orientation, gender identity and expression, sex characteristics, race, ethnicity, religion, social status, age,

health, disabilities, occupations and migration status—deeply shapes the types of risks and violence that they confront. They may be subjected to public shaming and smear campaigns; sexual and gender-based violence including sexual harassment, gendered slurs, and “sexuality baiting”;⁴ threats against family members; direct and indirect discrimination; judicial harassment and criminalization; censorship; restrictions and reprisals for engaging with human rights mechanisms; threats to their status as citizens, residents, migrants or refugees; physical incarceration or restrictions to movement; and torture, killings and enforced disappearances. They may also be subject to digital surveillance, hacking and cyberviolence, with misogynistic attacks conducted in online spaces. Threats online sometimes translate into physical attacks. Women defenders also face distinct risks in the private sphere—for example, being forcibly confined at home, subjected to verbal and physical abuse, and separated from their children because of their human rights work. In some cases, women human rights defenders and their families have had to go into exile because of the dangers they face, some crossing international borders to seek refuge.⁵

Migrant women human rights defenders also face gendered risks related to the migration contexts in which they operate. Those who are migrants themselves, particularly those who are undocumented or in an irregular situation, generally face greater risks. These include digital and physical surveillance, racial profiling and public stigmatization; sexual and gender-based violence in the world of work, in places of incarceration and in other public and private spaces; deprivation of status and deprivation of liberty; arrest, detention and deportation; *refoulement*;⁶ and torture, cruel, inhuman and degrading treatment and enforced disappearances. These threats and attacks affect not only migrant women and girls themselves but also their families, communities and organizations.⁷

Of deep concern is the criminalization of migrant women human rights defenders through legislation aimed at managing immigration, countering terrorism, combating transnational organized crime, including trafficking in persons, and strengthening national security, among others. Migrant women human rights defenders face risks from a range of State actors, such as customs and border patrol agents, police, immigration officers, maritime patrols, security forces, intelligence officers, prosecutors and government officials. They also face risks from non-State actors, such as criminal gangs, paramilitaries, militias, fundamentalist and extremist groups, private security companies, private recruitment agencies, smugglers, traffickers as well as from their employers and other migrants. Impunity emboldens perpetrators of threats and attacks against migrant women human rights defenders.⁸

NORMATIVE FRAMEWORK

The following recommendations are grounded in the commitment of States to the rights articulated in the *Universal Declaration of Human Rights* and the *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms* (hereinafter, the Declaration on Human Rights Defenders).

The recommendations reaffirm the legally binding obligations of States parties to human rights defenders and the defence of human rights articulated in international human rights treaties and related authoritative guidance by human rights treaty bodies, including the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), as further elaborated in General Recommendations;⁹ the *Convention on the Rights of the Child*, the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, as further elaborated in General Comments;¹⁰ the *International Convention on the Elimination of Racial Discrimination*;¹¹ the *International Covenant on Economic, Social and Cultural Rights*; the *International Covenant on Civil and Political Rights*;¹² the *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*; the *Convention Relating to the Status of Refugees*; the *UN Convention against Transnational Organized Crime*, and its supplementary *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children*; and the related protocols to these conventions. These recommendations also reaffirm the obligations of States under regional human rights treaties and customary international law.

The recommendations also reaffirm the legally binding obligations of States parties to ratified international labour Conventions and Protocols adopted by the International Labour Organization (ILO).¹³

The recommendations recall the landmark UN General Assembly resolution [68/181](#) (18 December 2013) to protect

women human rights defenders, and its other resolutions expressing grave concern about the situation of women human rights defenders.¹⁴ The recommendations also recall relevant Human Rights Council resolutions¹⁵ which reaffirm State commitments to improving the situation of human rights defenders, including women human rights defenders. The recommendations are informed by the 2030 Agenda for Sustainable Development [A/RES/70/1](#) (21 October 2015), the *Global Compact on Refugees* [A/RES/73/151](#) (17 December 2018) and the *Global Compact for Safe, Orderly and Regular Migration* [A/RES/73/195](#) (19 December 2018).

The recommendations are also informed by the reports and recommendations of the UN Special Rapporteur on the situation of human rights defenders¹⁶ and the UN Special Rapporteur on the human rights of migrants.¹⁷

The recommendations also draw upon the reports of the UN Secretary-General on *The Highest Aspiration: A Call to Action for Human Rights* (2020) and *Our Common Agenda* (2021); the UN High Commissioner for Human Rights on Civil Society Space: Engagement with International and Regional Organizations ([A/HRC/44/25](#), 20 April 2020); the *Recommendations for Addressing Women's Human Rights in the Global Compact for Safe, Orderly and Regular Migration* released in 2016 by UN Women and the Office of the High Commissioner for Human Rights (OHCHR); and the *Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations* released in 2017 by OHCHR and the Global Migration Group.

As the *Declaration on Human Rights Defenders* recalls, the primary duty and responsibility to promote and protect human rights and fundamental freedoms lies with the State. The obligation of States to protect migrant women human rights defenders includes refraining from violating their rights as well as preventing violations from occurring. Non-State actors should equally respect the rights of migrant women human rights defenders and should not prevent them from exercising their rights.

States should make commitments to the following:

- Respect, protect and fulfil the rights of women and girls in all their diversity at all stages of migration, especially their right to promote and protect human rights, regardless of their migration status.
- In consultation with migrant women and girls, develop and implement gender-responsive migration laws, policies and practices that enable safe, orderly and regular migration; ensure access to international protection; address migrants' different experiences, needs and situations of risk at all stages of migration, particularly those facing multiple and intersectional forms of discrimination; promote the agency and leadership of migrant women and girls; and advance gender equality.
- Ensure the equal, inclusive and meaningful participation of civil society actors on migration issues at all levels; promote civic space, including the meaningful participation of migrant women human rights defenders in decision-making processes at all levels; and protect migrant women human rights defenders along with other civil society actors at risk from online and offline attacks.
- Ratify and implement international human rights instruments that promote and protect the rights of everyone, regardless of their migration status, to defend human rights at all stages of migration, incorporating their provision into national law with compliance guidelines, and withdrawing all reservations incompatible with this aim. Report on the protection and fulfilment of these rights to human rights monitoring mechanisms, including treaty bodies, special procedures and independent national human rights institutions.

Additionally, State and non-State actors should:

- Adopt a “whole-of-government” and “whole-of-society” approach to the protection of migrants’ rights, developing broad, multi-stakeholder partnerships to address migration in all its dimensions by including migrants, diasporas, local communities, civil society including women’s organizations and faith-based organizations, academia, the private sector, parliamentarians, trade unions, national human rights institutions, the media, and other relevant stakeholders in migration governance.

The following recommendations are organized into two sections:

1. Creating an enabling environment for the defence of human rights in migration contexts.
2. Securing the rights of migrant women and girls at all stages and in all types of migration, so that they are better able to promote and protect their own rights.

RECOMMENDATIONS

1. Creating an enabling environment for the defence of human rights in migration contexts

States have the primary responsibility and duty to respect, protect and fulfil the rights and fundamental freedoms of all, including migrant women human rights defenders, and to ensure that they can work in a safe and enabling environment for the defence of human rights. This includes ensuring that judicial, legislative, administrative and institutional measures recognize and protect their rights related to the defence of human rights; countering stigmatization and criminalization; safeguarding access to justice and to effective remedy while working to end impunity for rights violations; developing effective protection measures for migrant women human rights defenders; and fostering strong, dynamic and diverse movements of migrant women human rights defenders.

States should:

1.1. Protect rights related to the defence of human rights

- 1.1.1. Raise awareness of the right of everyone to promote and protect the human rights of migrants both individually and in association with others by disseminating and applying the *Declaration on Human Rights Defenders* specifically to the situation of migrant women human rights defenders, ensuring that legislative measures enable the exercise of the rights in the *Declaration*, and incorporating the *Declaration* into national policies, action plans and education programmes at all levels.
- 1.1.2. Ensure that the right to life, liberty and security of person is secured for migrant women human rights defenders in all their diversity. Ensure that migrant women human rights defenders are protected from extralegal, arbitrary and summary executions as well as from arbitrary arrest, detention and exile, which are non-derogable norms in international law.
- 1.1.3. Ensure that migrant women human rights defenders do not face reprisals for promoting and protecting human rights, including the loss of their regular status, right to residence or employment. Ensure that migrant women and girls are not threatened with expulsion, detention or deportation because of their defence of human rights.
- 1.1.4. Ensure that migrant women human rights defenders can effectively exercise their rights to freedom of expression, assembly, association and the effective recognition of the right to collective bargaining on an equal basis with other workers. Ensure they are able to establish, join and lead trade unions, non-governmental organizations, associations or groups without the need for prior approval from State authorities. Adopt measures to address discriminatory barriers faced by migrant women human rights defenders to freedom of association, regardless of the sector in which they work and whether the sector is covered by respective labour laws.
- 1.1.5. Ensure that women migrant workers have freedom of movement, the right to communicate, safe spaces and sufficient time away from employment so that they can organize collectively.
- 1.1.6. Ensure that migrant women human rights defenders have the right to access information about human rights and fundamental freedoms, to freely discuss and develop them, and to advocate for their acceptance.

- 1.1.7. Protect the rights of migrant women human rights defenders to participate in political and public affairs without discrimination or risk of reprisal that comes about from their public advocacy or other work to promote, protect and realize human rights and fundamental freedoms.
- 1.1.8. Ensure that migrant women human rights defenders have the right to the lawful exercise of their occupation or profession, in compliance with relevant national and international labour standards. Those who promote and protect human rights through their occupations or professions, such as journalists, lawyers, social workers, humanitarian aid workers and trade union representatives, should not suffer reprisals for these actions, such as formal sanctions, demotion, dismissal, anti-union discrimination and criminalization.
- 1.1.9. Ensure that all migrant women human rights defenders have confidential access to public services that cater to their needs, are gender-responsive, culturally appropriate, in a language they can understand, and of adequate quality regardless of their migration status. Establish strict “firewall” protections between immigration law enforcement and public services, such that immigration authorities cannot have access to information regarding the migration status of users of public services, and that institutions responsible for providing such services are not required to investigate or share information on the migration status of their users.
- 1.1.10. Ensure that State and non-State actors who are likely to come into contact with migrant women human rights defenders, such as immigration officers, police officers, prosecutors, healthcare professionals, security forces, military personnel, employees of corporations, social workers and public officials including labour officials, as well as workers’ and employers’ representatives, are trained on the role and rights of migrant women human rights defenders, including those with irregular status.
- 1.1.11. Systematically document and analyse gendered risks, threats and attacks against migrant women human rights defenders, disaggregating these data by age, gender and other relevant characteristics using an intersectional approach. Such documentation should be attentive to the specific circumstances of and challenges faced by migrant women and girls, such as those with diverse sexual orientations, gender identities and expressions, and sex characteristics, those with disabilities, and those in conflict situations. Such documentation should not further victimize migrant women human rights defenders but should instead be used to ensure they are protected from rights violations and supported to exercise their agency in defending human rights.
- 1.1.12. Guarantee migrant women human rights defenders and their organizations safe and unhindered access to the United Nations and to human rights bodies at all levels, including independent national human rights institutions. Support their meaningful participation in these fora and processes, for example, by providing them with official accreditation, facilitating visas, covering travel costs, providing translation and interpretation services, and providing reasonable accommodation for disabilities. Condemn publicly, firmly and unequivocally any form of intimidation and reprisals that might arise from their participation, such as death threats, physical attacks, defamation, travel bans, detention and deportation, ensuring that these are investigated promptly, with perpetrators brought to justice.
- 1.1.13. Ensure that migrant women human rights defenders have the freedom and right to possess their own identity documents, such as passports, birth certificates and marriage certificates. Facilitate the issuance or replacement of identity documents without imposing unreasonable conditions. These documents cannot be taken from women because of their actions to promote and protect human rights or their migration status.

1.2. Counter stigmatization and criminalization

- 1.2.1. Publicly recognize the significance and importance of the work of migrant women human rights defenders and their civil society organizations who are acting for human rights and humanitarian purposes in respect of international conventions. Promote positive narratives about migrants and about the promotion and protection of their human rights, cooperating with migrant women human rights defenders in such activities.
- 1.2.2. Identify the root causes of the stigmatization of migrant women human rights defenders and publicly condemn hate speech, smear campaigns, disinformation, defamation, stereotyping and negative narratives, including those conducted by the media, politicians and public officials, that incite hate or intolerance against migrant women human rights defenders and their work. Publicly condemn all instances of gender-based violence and harassment, racist crimes, intimidation and reprisals against migrant women human rights defenders, emphasizing that such practices are never justified.
- 1.2.3. Protect migrant women human rights defenders in online spaces, taking measures to protect them from gender-based cyberviolence while safeguarding their right to privacy.
- 1.2.4. Identify ways in which laws aimed at managing immigration; countering terrorism; combating transnational organized crime, including trafficking in persons; and strengthening national security, among others, are being used and misused to criminalize migrant women human rights defenders. Amend them to ensure that migrant women human rights defenders can promote and protect the rights of migrants free from judicial harassment and criminalization.

1.3. Safeguard access to justice and to effective remedy while working to end impunity for rights violations

- 1.3.1. Ensure that, irrespective of their migration status and whether they are in their country of origin, transit, destination or return, migrant women human rights defenders are recognized as persons before the law.
- 1.3.2. Ensure that migrant women human rights defenders can report crimes, abuses and human rights violations to State authorities without fear of arrest or punishment for immigration offences, with strict firewall protections in place (see 1.1.9). Ensure that such violations are impartially, promptly and fully investigated and that perpetrators are prosecuted and punished in a timely manner.
- 1.3.3. Ensure that migrant women human rights defenders are treated equally as compared to nationals in administrative processes, before courts and tribunals, and with respect to legal aid, regardless of their nationality, statelessness, place of habitual residence or migration status. Migrant women human rights defenders should be allowed to pursue legal processes from within or outside the jurisdiction in which disputes occurred, including from their country of nationality or former habitual residence.
- 1.3.4. Ensure that migrant women human rights defenders are provided with reliable legal information, competent and affordable legal representation, effective legal aid, and competent translation and interpretation services, and waive legal fees for all who cannot afford them. Adopt protective measures for victims and survivors of human rights violations through regularizing their status, providing them with financial support, special visas, and, when appropriate, granting them the right to reside and work until the conclusion of legal proceedings.
- 1.3.5. Ensure that in the determination of any criminal charge or action regarding the migration status of migrant women human rights defenders, they have a fair and public hearing by a competent, independent and impartial tribunal established by law. Ensure that migrant women human rights defenders have the guarantee of a fair trial articulated in national, regional and international law.

- 1.3.6. Ensure that administrative and judicial processes to investigate and adjudicate rights violations, including workplace and labour disputes, are fair and efficient. Migrant women human rights defenders should not endure prolonged periods of enforced unemployment during such disputes and should not face a loss or removal of their migration status because of a dispute.
- 1.3.7. Ensure that migrant women human rights defenders have the right to effective remedy for human rights violations, regardless of their migration status. Make avenues for preventative and compensatory remedies available, known, accessible, affordable, prompt and capable of providing redress that is effective in relation to each complaint. Provide reparations that are adequate, effective, prompt and proportional to the harm and violations suffered.

1.4. Develop effective protection measures for migrant women human rights defenders

- 1.4.1. Develop legislative and policy frameworks needed to establish national protection programmes for human rights defenders that recognize the specific needs and circumstances of migrant women human rights defenders. Provide them with resources that can be mobilized in a flexible and timely manner to meet their protection needs as well as those of their families. Such national protection programmes should involve migrant women human rights defenders, civil society actors and independent national human rights institutions in their design, implementation and monitoring, and could include the provision of emergency grants, temporary relocation, whistle-blower and witness protection programmes, trial monitoring, protective accompaniment and regular visits by relevant public officials.
- 1.4.2. Ensure that the protection measures offered by the State complement rather than disrupt the actions that migrant women human rights defenders take for their own self-protection. Protection measures for migrant women human rights defenders should be developed in close consultation with them and implemented only with their informed consent, enabling them to choose those that are most suitable for them and without punishment or stigmatization, and reject those that are not. Protection measures should be gender-responsive, culturally and age-appropriate and sensitive to the right to privacy of migrant women human rights defenders and their families.
- 1.4.3. Apply an intersectional approach during risk assessments when identifying the safety needs of migrant women human rights defenders and their families, considering characteristics such as their gender, ethnicity, race, religion, sexual orientation, gender identity and expression, sex, age, disability, migration status and pregnancy status.
- 1.4.4. Provide multiple entry visas for migrant women human rights defenders to facilitate their participation in human rights activities abroad as well as to join international relocation initiatives. When issuing such visas, apply favourable conditions and procedures, for example, by exercising flexibility in processing times, documentary requirements and fees.

1.5. Foster strong, dynamic and diverse movements of migrant women human rights defenders

- 1.5.1. Promote the agency and leadership of migrant women human rights defenders in all their diversity, moving away from the lens of victimhood. Recognize that in many cases, it is only migrant women and girls who have access to fellow migrants whose rights are being violated and can assist them; they therefore play a critical role in the promotion and protection of migrant rights.
- 1.5.2. Use temporary special measures to accelerate the eradication of discrimination against migrant women human rights defenders, especially those who suffer from multiple forms of discrimination, to ensure that they have equality of opportunity and treatment to promote and protect human rights.

- 1.5.3. Ensure that migrant women human rights defenders participate meaningfully in political and public life and in the development of laws, policies and practices that affect the rights of migrants. This includes ensuring that they are prepared for and participate in fora and processes for strategizing and decision-making at every level in ways that are ethical and safe. Provide financial support to cover the costs of their participation. Reach out to and involve a wide range of migrant women human rights defenders with a focus on underrepresented groups and those at risk of being left behind.
- 1.5.4. Facilitate the formation of supportive networks among migrant women human rights defenders in countries of origin, transit, destination and return, taking specific measures to reach out to those who are isolated geographically, linguistically and because of the conditions of their work, such as migrant domestic workers and those working in the informal sector, as well as those who are undocumented, in conflict situations, in rural areas and in exile.
- 1.5.5. Provide public funding, technical assistance and capacity-building to migrant women human rights defenders in ways that enable them to promote and protect the rights of migrants in a continuous, sustainable and effective manner. Remove legislation that imposes excessive legal and administrative burdens on civil society organizations and allow unregistered associations to operate. Facilitate the registration of legal entities for migrant women human rights defenders, ensuring that reporting requirements are fair, transparent and equitable.
- 1.5.6. Ensure that migrant women human rights defenders can seek, receive and use diverse resources as they exercise their right to freedom of association, including foreign funding. Allow funding to be channelled to migrant women human rights defenders for their human rights work, and refrain from imposing undue restrictions on funding, freezing personal or official bank accounts, or discouraging funders from giving money to certain groups.
- 1.5.7. Support migrant women human rights defenders and their organizations in security management with a holistic perspective, providing financial support and resources that address their physical, digital, economic and psychosocial security. Support them in creating and maintaining safe spaces for women in all their diversity.

2. Securing the rights of migrant women and girls at all stages and in all types of migration¹⁸

The extent to which migrant women and girls are able to defend their own rights and the rights of others in migration contexts is dependent on their rights as migrants being respected, protected and fulfilled. Migrant women and girls are diverse in their identities, circumstances and backgrounds, and may be placed in precarious and vulnerable situations that increase their risks of rights violations. The following recommendations highlight areas where critical interventions are needed to reduce the risks that migrant women and girls face and to strengthen their capacity to defend human rights. They focus on: enhancing access to safe, orderly and regular migration pathways; ending all forms of violence and harassment against migrant women and girls, and protecting survivors; ending forced labour and trafficking of migrant women and girls, and protecting survivors; protecting the rights of migrant women and girls deprived of their liberty; ensuring decent work; ensuring access to services; and ensuring gender equality in nationality laws.

States should:

2.1. Enhance access to safe, orderly and regular migration pathways

- 2.1.1. Provide women and girls with access to safe and regular migration pathways which protect their rights and promote the exercise of their agency, eliminating all forms of discrimination—both direct and indirect—that limit their mobility and employment on the basis of sex, gender, age, disability, nationality, HIV status, race and ethnicity, religion, marital and family status, migration status, sexual orientation, gender identity and expression, sex characteristics, health status, pregnancy, place of residence, and economic and social situations. This includes lifting gender-specific restrictions that ban out-migration for women; removing requirements for them to have permission from a male guardian to obtain a passport, gain employment or make decisions; ensuring that visa schemes do not discriminate against women, such as by restricting their employment to certain job categories; repealing laws or regulations that prohibit migrant women from marrying nationals or permanent residents, becoming pregnant or securing independent housing; and ensuring access to family reunification.
- 2.1.2. Develop safe and regular migration pathways that admit migrant women and girls based on compassionate, humanitarian, human rights or other grounds for those compelled to leave their countries of origin, such as by providing humanitarian visas, private sponsorship, access to education for children and the right to work.
- 2.1.3. Ensure that migrant women and girls who are unable to return to their place of former habitual residence because of risks arising from their activities in defending human rights have access to protection and to change their migration status so that they are identified and accorded appropriate legal recognition, for example, as refugees or victims of crime. States must always abide by the principle of non-refoulement under customary international law.
- 2.1.4. Fulfil search and rescue obligations under international maritime law, including requiring masters of ships flying their flags to render assistance to any person found at sea in danger of being lost and rescuing persons in distress. Support migrant women human rights defenders involved in rescuing and assisting migrants in distress.
- 2.1.5. Protect and assist all migrant women and girls at international borders without discrimination, ensuring that their circumstances and reasons for entry are determined in a human rights-based and gender-responsive manner, so that those at risk or in vulnerable situations are identified and protected.

- 2.1.6. Ensure that the irregular entry, stay and work of migrant women and girls is not considered a criminal offence, that they are not detained, and that any administrative sanctions applied to their irregular entry are proportionate and reasonable considering all circumstances of their entrance and stay, in particular in the event of the death of, divorce or separation from a spouse with regular status. Ensure that refugee women and girls are not penalized on account of their irregular entry or presence.
- 2.1.7. Develop independent national border monitoring mechanisms, ensuring that all monitoring bodies and mechanisms are allowed access to all migration-related facilities and procedures to monitor their compliance with international human rights laws and standards. Encourage the participation of migrant women human rights defenders in such activities, ensuring they are protected from reprisals. Pay specific attention to migrants who are detained informally, detained outside of official places of custody and detained incommunicado.
- 2.1.8. Ensure that any actions taken do not violate the prohibition on collective expulsions and the principle of non-refoulement under customary international law, in particular, pushbacks at land and sea including “chain pushbacks”^{*} and the risky practice of deporting migrant women and girls to a “safe third country”^{**} on the mere basis of readmission agreements.

2.2. End all forms of violence and harassment against migrant women and girls, protecting survivors

- 2.2.1. Condemn all forms of violence and harassment against migrant women and refrain from invoking any consideration based on custom, tradition or religion to avoid obligations to eliminate violence and harassment. Take legislative or other measures in countries of origin, transit, destination and return to protect all migrant women and girls from all forms of violence and harassment, including sexual and gender-based violence and violence in the world of work, criminalizing and punishing these acts. Develop clear guidelines for prosecuting perpetrators which protect victims and survivors while holding perpetrators accountable for their actions, applying gender-responsive budgeting to ensure that there are sufficient resources for their implementation.
- 2.2.2. Identify the specific risks faced by migrant girls, particularly those separated or unaccompanied, and take specific measures to uphold their rights, including their right to protection from discrimination; right to be heard; right to life, survival and development; right to freedom from violence and harassment; right to education; and their sexual and reproductive rights. Promote the exercise of their agency and strengthen their capacity to protect themselves in the face of these risks. Ensure that in all matters, their best interests are a primary consideration.
- 2.2.3. Ensure that border officials and law enforcement professionals are trained in gender-responsive, child-sensitive, disability-sensitive and non-discriminatory practices to identify and assist migrant women and girls who are victims and survivors of sexual and gender-based violence and harassment.

* The UN Special Rapporteur on the Human Rights of Migrants describes “pushbacks” as “various measures taken by States, sometimes involving third countries or non-State actors, which result in migrants, including asylum seekers, being summarily forced back, without an individual assessment of their human rights protection needs, to the country or territory, or to sea, whether it be territorial waters or international waters, from where they attempted to cross or crossed an international border” ([A/HRC/47/30](#), para. 34). “Chain pushbacks” refer to pushbacks through multiple countries.

** A “safe third country” is a concept based on the idea that a person could and should seek asylum in the first country they reach where they can receive effective protection. The so-called ‘first country of asylum’ principle often justifies the decision to return asylum seekers to another country. It means that a country can reject a person’s asylum application if they have already been granted protection by another country. It is also often referred to as ‘safe third country’ principle. For more information, see: Article 38 of [Directive 2013/32/EU](#) of the European Parliament and of the Council of 26 June 2013 on Common Procedures for Granting and Withdrawing International Protection (Recast).

- 2.2.4. Provide residency permits for victims and survivors of domestic violence and intimate partner violence that allow migrant women and girls to leave their partners or guardians without risking arrest, detention and deportation or losing their right to residence, employment or custody of their children.
- 2.2.5. Provide migrant women and girls forced to take unsafe journeys with the means to confidentially report incidents of violence, harassment, abuse and exploitation without being criminalized.
- 2.2.6. Recognize that migrant domestic workers are at heightened risk of gender-based violence, harassment, abuse and exploitation and take measures to ensure that they have effective protection, such as establishing accessible complaint mechanisms in a language they can understand for them to report such cases with strict firewall protections (see 1.1.9); ensuring that all such complaints are investigated and prosecuted; and establishing programmes for their relocation and rehabilitation, including the provision of temporary accommodation and healthcare.
- 2.2.7. Ensure that gender-diverse migrants, especially trans women and girls, are not subject to violence, harassment and abuse because of their sexual orientation, gender identity and expression, or sex characteristics. Prohibit, investigate and prosecute all acts of targeted, hate-motivated violence and harassment of LGBTIQ+ persons and provide remedy for victims and survivors.
- 2.2.8. Ensure that migrant women in all their diversity engaged in sex work are protected from gender-based violence, harassment and abuse from law enforcement officers, including the police. Publicly commit to strict enforcement of the prohibition of police demands for sexual acts from those engaged in sex work and the prohibition of torture, sexual violence and harassment in police custody. In consultation with migrant women engaged in sex work, establish an independent complaints and investigation mechanism with the authority and capacity to investigate attacks against them and those who promote and protect their rights, with guarantees that their identities will be kept confidential to prevent reprisals.

2.3. End forced labour and trafficking of migrant women and girls, protecting survivors

- 2.3.1. Adopt and implement comprehensive victim- and survivor-centred, gender-responsive legislation, policies, programmes and other measures to prevent and suppress all forms of forced labour and trafficking of women and girls. Ensure that the rights of victims and survivors are secured, that they are provided with reparations and that measures are taken to prevent their revictimization. Cooperate with other States in regional processes and international arrangements to combat all forms of forced labour and trafficking.
- 2.3.2. Recognize and strengthen the role of migrant women human rights defenders in combating forced labour and trafficking. Cooperate with migrant women and civil society organizations, including by strengthening their human, technical and financial resources, to ensure that victims of forced labour and trafficking are identified, assisted and protected at an early stage, including through the operation of mobile units and the availability of safe disclosure procedures and safe spaces, targeting sites where displaced and migrant women and girls are accommodated, registered or detained.
- 2.3.3. Ensure that law enforcement agents are trained and equipped to identify and investigate all forms of forced labour and trafficking. Make concerted effort to dismantle criminal networks that traffic migrant women and girls, prosecuting perpetrators including public officials who are corrupt or who are accomplices to acts of forced labour and trafficking. Take legal measures to reduce and eliminate exploitation linked to different forms of trafficking, especially those for sexual purposes.
- 2.3.4. Take measures to combat stereotypes about migrant women and girls that lead to sexual violence and exploitation.

- 2.3.5. Ensure that migrant women and girls who are victims or presumed victims of forced labour and trafficking are aware of their rights, including the right to seek asylum, and how to seek help and support without jeopardizing their safety. Provide migrant women and girls who are recognized as victims of forced labour and trafficking with the possibility of staying and working in host countries while perpetrators are investigated and prosecuted.
- 2.3.6. Ensure the effective implementation of the principle of non-punishment of victims of forced labour or trafficking—that is, not punishing a victim for unlawful acts committed because of forced labour or trafficking. Amend domestic legislation to provide for the non-punishment of victims of forced labour or trafficking and adopt prosecutorial guidelines to facilitate the consistent and systematic application of this principle. Adopt an open-ended and non-exhaustive list of offences frequently related to forced labour or trafficking, and disseminate and include this in training and published guidance for all law enforcement authorities and all persons likely to encounter victims of forced labour or trafficking.
- 2.3.7. Provide migrant women and girls who are victims of forced labour and trafficking with unhindered access to confidential legal, vocational, medical, psychological and material assistance for their physical, psychological and social recovery with strict firewall protections in place (see 1.1.9). Access to such services should not be contingent on their participation in criminal proceedings against traffickers. Take measures to protect their privacy and identity, including during legal proceedings.
- 2.3.8. Compensate migrant women and girls who are victims of forced labour and trafficking through State-based schemes. Such compensation should not be reliant on the seizure of assets from traffickers, cooperation with law enforcement or the exhaustion of remedies from judicial processes.

2.4. Protect the rights of migrant women and girls deprived of their liberty

- 2.4.1. Recognize that the detention of any child because of their or their parents' migration status constitutes a child rights violation, is a form of violence and contravenes the principle of the best interests of the child. Forbid and abolish by law all forms of child immigration detention and fully implement this in practice.
- 2.4.2. Progressively reduce the immigration detention of migrant women and girls, while working towards ending the practice of immigration detention for all.
- 2.4.3. Implement alternatives to detention that respect human rights, are non-custodial, are holistic and community-based, tailored to different needs and circumstances and are implemented through engagement rather than enforcement. Ensure that any form of detention is used only as a last resort and is implemented in strict compliance with international standards.
- 2.4.4. Ensure that migrant women and girls deprived of their liberty in places such as immigration detention facilities, closed shelters, reception facilities, police stations, prisons, psychiatric establishments, hotels and barracks are aware of their rights and able to report violations of their human rights while they are detained without suffering reprisals. Provide them with means to communicate with lawyers, representatives of their choice or organizations that can provide them with support. Places of detention should be gender-responsive and sex-segregated, with timely and non-discriminatory access to services, including for sexual and reproductive health and mental health.
- 2.4.5. Ensure that refugee women and migrant women in situations of vulnerability such as pregnant or nursing women, women with disabilities and women survivors of sexual and gender-based violence are never detained and that families are never separated.

- 2.4.6. Ensure that detaining authorities are trained to identify and address any risk factors among detainees that relate to their age, sex, gender, sexual orientation, gender identity and expression, sex characteristics, disabilities and experiences of violence, torture, trauma or trafficking. These include protection measures for detainees who might be subject to violence, harassment and abuse by fellow detainees or detaining authorities.
- 2.4.7. Enable the independent monitoring of places of detention by national and international bodies and mechanisms that include the participation of migrant women human rights defenders. Ensure that monitoring bodies and mechanisms have unhindered access to places, detainees, staff and all necessary information, and that they comprehensively examine conditions of detention with specific attention to the multiple situations of vulnerability affecting detainees. Detaining authorities should respond formally to reports and recommendations issued after such visits.

2.5. Ensure access to decent work

- 2.5.1. Develop and implement gender-responsive migration laws, policies and practices as well as bilateral, regional and multilateral labour mobility agreements that mandate decent work and social protection; prohibit gender-based discrimination, occupational segregation, violence and harassment in the world of work; and ensure equal pay for work of equal value, including for those in the informal economy.
- 2.5.2. Facilitate and promote the work of migrant women in all economic sectors, provide necessary training and promote inclusiveness at work. Take specific measures to provide access to the labour market for refugees and other forcibly displaced persons.
- 2.5.3. Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work. Develop mechanisms that enable migrant women and girls including those who are undocumented and in an irregular situation to report cases of exploitation, abuse or rights violations in their workplace without fear of reprisals, without exacerbating their situations of vulnerability and to gain redress. Ensure that migrant women have access to labour inspectors with strict firewall protections in place (see 1.1.9).
- 2.5.4. Review labour laws and working conditions to address workplace risks and abuses of women migrant workers at all skill levels, including domestic workers and those working in the informal economy, in cooperation with relevant stakeholders, particularly the private sector.
- 2.5.5. Abolish employer-tied visa regimes, such as the *kafala* system, in which a woman's rights to work and regular status is tied to a specific employer. Ensure that women migrant workers can renew their own permits and unilaterally end their employment contracts without automatically losing their work permit or residency status. Ensure that women migrant workers can change employers without the consent of the current employer and exit the country without seeking approval from their employer. Ensure that their right to freedom of movement is not curtailed by their employer, for example, by withholding their passport, travel documents and communication devices and requiring employers' permission to leave employer-provided accommodation during periods of rest.
- 2.5.6. Recognize that migrant domestic workers are at heightened risk of labour rights violations, especially if they are undocumented or in an irregular situation. These include sexual and gender-based violence and harassment, long hours of work, inadequate rest periods, pay below minimum wage, insufficient food, substandard accommodation, passports held by others against their will and the deprivation of liberty. Ensure that women domestic workers are recognized as workers with labour rights in national law, irrespective of their migration status, that they can report abuses safely and that effective labour inspection systems are in place to identify and remedy breaches of their rights.

2.6. Ensure access to services

- 2.6.1. Ensure that all migrant women and girls, regardless of migration status, can exercise their human rights through safe access to services in a non-discriminatory, gender-responsive, gender-affirming and disability-responsive manner, with strict firewall protections in place (see 1.1.9). The services include access to clean, safe and affordable water, sanitation and hygiene, shelter and safe spaces, energy, transport, waste collection, healthcare, education and information and communication technologies.
- 2.6.2. Commit to universal health coverage, ensuring that all migrant women and girls regardless of migration status have equitable access to healthcare services, including sexual and reproductive health and mental health, and that they are not subject to compulsory pregnancy or HIV testing. Public health measures should not be used as instruments for direct and indirect discrimination against them.
- 2.6.3. Ensure that victims and survivors of violence and harassment have access to quality essential services from the justice, health and social services sectors to ensure their safety, protection and recovery, irrespective of migration status. Such services should be survivor-centred, human rights-based, gender-responsive and linguistically and culturally appropriate.
- 2.6.4. Ensure that migrant women and girls with disabilities have access to facilities and services by providing them with assistive technologies and other disability-related services, such as sign language interpretation, information in various accessible formats, and mechanisms of supported decision-making. Involve migrant women and girls with disabilities in designing facilities and adapting services to increase their accessibility.
- 2.6.5. Ensure that gender-diverse migrants, in particular transgender migrants, are not subject to discrimination—both direct and indirect—especially in relation to healthcare services, social services, housing and employment. Provide them with tailored, gender-affirming care, including their sexual and reproductive health and mental health. Ensure that they are not subject to forced psychiatric evaluations, forced sterilization, unwanted surgeries or other coercive medical procedures.
- 2.6.6. Provide gender-diverse migrants with access to gender recognition services^{***} in countries of origin, transit, destination and return, and legally recognize their gender identity, including non-binary gender identities, on State-issued identity documents. The legal recognition of gender identity should be a simple administrative process based on self-determination by the applicant. It should be accessible to all and to the extent possible, cost-free. It should not require applicants to fulfil abusive medical or legal requirements, such as sterilization, forced treatment and divorce.
- 2.6.7. Provide accessible information to migrant women and girls on how to access consular services and ensure that they can receive all consular support to which they are entitled. Allocate sufficient resources to consular services so that they can provide protection measures to migrant women, in particular migrant domestic workers, including visiting them in their places of employment; conducting risk assessments; and in collaboration with countries of destination, supporting them with basic services, including food, shelter and legal aid should they choose to leave their place of employment.
- 2.6.8. Provide migrant women and girls who return to their countries of origin with rights-based, gender-responsive reintegration programmes, ensuring that they and their communities have access to economic, sociocultural and psychosocial support as well as to decent work, social protection and vocational training prior, during and after their return.

^{***} This is the formal recognition of the gender identity of trans persons through legal and administrative processes, enabling them to change their name details and recorded sex on identity documents and records. See: UN General Assembly, 2018. Report of the Independent Expert on Protection Against Violence and Discrimination based on Sexual Orientation and Gender Identity ([A/73/152](#)).

2.7. Ensuring gender equality in nationality laws

- 2.7.1. Take measures to end gender discrimination in nationality laws, ensuring that migrant women can confer nationality on their children on an equal basis with men regardless of their marital status and where their children are born.
- 2.7.2. Ensure that migrant women have the right to acquire, change or retain their nationality and to confer nationality on non-national spouses.
- 2.7.3. Ensure that migrant women have the right to return to the country of their nationality with their families if they so desire, particularly when their children are born abroad and as a result do not hold the nationality of their mother.

ENDNOTES

1. Committee on the Elimination of All Forms of Discrimination against Women. 2008. *General Recommendation No. 26 on Women Migrant Workers* ([CEDAW/C/2009/WP.1/R](#), 5 December); UN Women. 2022. *Policy Brief: Protecting Women Human Rights Defenders in Migration Contexts*, Geneva and New York: UN Women.
2. UN General Assembly Human Rights Council. 2021. *Report on Means to Address the Human Rights Impacts of Pushbacks of Migrants on Land and at Sea*. Report of the Special Rapporteur on the Human Rights of Migrants ([A/HRC/47/30](#), 12 May); UN General Assembly Human Rights Council. 2022. *Human Rights Violations at International Borders: Trends, Prevention and Accountability*. Report of the Special Rapporteur on the Human Rights of Migrants (A/HRC/50/31, 26 April).
3. UN Women. 2022. *Policy Brief: Protecting Women Human Rights Defenders in Migration Contexts*, Geneva and New York: UN Women (forthcoming).
4. The Women Human Rights Defender International Coalition defines “sexuality-baiting” as “the manipulative use of prejudices about sexuality to attack defenders’ political agendas in addition to the attacks on the defenders themselves”. Women Human Rights Defender International Coalition. 2015. *Gendering Documentation: A Manual For and About Women Human Rights Defenders*, WHRD-IC, p. 26.
5. UN High Commissioner for Refugees. 2018. *Input from UNHCR in Relation to the Declaration on Human Rights Defenders, reports of the Special Rapporteur and Strengthening the Role and Security of Human Rights Defenders*, Geneva: UNHCR.
6. Office of the High Commissioner of Human Rights. 2018. *Technical Note: The Principle of Non-Refoulement Under International Human Rights Law*, OHCHR, 5 July.
7. Front Line Defenders, PRAMI, Lis-Justicia and Red TDT. 2019. *Defenders Beyond Borders: Migrant Rights Defenders under Attack in Central America, Mexico and the United States*. Mexico City: Front Line Defenders, PRAMI, Lis-Justicia and Red TDT, September.
8. UN General Assembly. 2019. *Impunity for Human Rights Violations Committed Against Human Rights Defenders*. Report of the Special Rapporteur on the Situation of Human Rights Defenders, ([A/74/159](#), 15 July).
9. These include: General Recommendation No. 26 on migrant women workers ([CEDAW/C/2009/WP.1/R](#), 5 December 2008), No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women ([CEDAW/C/GC/32](#), 14 November 2014), No. 33 on women’s access to justice ([CEDAW/C/GC/33](#), 3 August 2015), No. 35 on gender-based violence against women ([CEDAW/C/GC/35](#), 26 July 2017) and No. 38 on trafficking in women and girls in the context of global migration ([CEDAW/C/GC/38](#), 20 November 2020).
10. These include: General Comment No. 1 on migrant domestic workers ([CMW/C/GC/1](#), 23 February 2011), No. 2 on the rights of migrant workers in an irregular situation and members of their families ([CMW/C/GC/2](#), 28 August 2013), Joint General Comment No. 3 of the Committee on Migrant Workers (CMW) and No. 22 of the Committee on the Rights of the Child (CRC) on the general principles regarding the human rights of children in the context of international migration ([CMW/C/GC/3-CRC/C/GC/22](#), 16 November 2017), Joint General Comment No. 4 of the CMW and No. 23 of the CRC on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return ([CMW/C/GC/4-CRC/C/GC/23](#), 16 November 2017), and General Comment No. 5 of the CMW on migrants’ rights to liberty and freedom from arbitrary detention ([CMW/GC/5](#), 21 July 2022).
11. And as elaborated in General Recommendation No. 25 ([CERD/C/GC/25](#), 20 March 2000) on gender-related dimensions of racial discrimination.
12. And as further elaborated in General Comment No. 36 ([CCPR/C/GC/36](#), 30 October 2018) on the right to life.
13. These include: ILO Conventions on *Freedom of Association and Protection of the Right to Organize*, 1948 ([No. 87](#)), and the *Right to Organize and Collective Bargaining Convention*, 1949 ([No. 98](#)), and the other eight ILO fundamental Conventions: *Forced Labour Convention*, 1930 ([No. 29](#)); *Abolition of Forced Labour Convention*, 1957 ([No. 105](#)); *Minimum Age Convention*, 1973 ([No. 138](#)); *Worst Forms of Child Labour Convention*, 1999 ([No. 182](#)); *Equal Remuneration Convention*, 1951 ([No. 100](#)); *Discrimination (Employment and Occupation) Convention*, 1958 ([No. 111](#)); *Occupational Safety and Health Convention*, 1981 ([No. 155](#)); *Promotional Framework for Occupational Safety and Health Convention*, 2006 ([No. 187](#)), as well as those that contain specific provisions related to migrant workers including the *Migration for Employment Convention (Revised)*, 1949 ([No. 97](#)), the *Migrant Workers (Supplementary Provisions) Convention*, 1975 ([No. 143](#)) and their accompanying *Recommendations No. 86 and 151*; the *Convention concerning Decent Work for Domestic Workers*, 2011 ([No. 189](#)) and its accompanying *Recommendation No. 201*; the *Violence and Harassment Convention (No. 190)* and its accompanying *Recommendation No. 206*, as well as the *Private Employment Agencies Convention*, 1997 ([No. 181](#)).
14. These include: [66/164](#) (19 December 2011), [70/161](#) (17 December 2015), [72/247](#) (24 December 2017), [74/146](#) (18 December 2019), and [76/174](#) (16 December 2021).
15. These include: [13/13](#) (15 April 2010), [22/6](#) (21 March 2013), [31/32](#) (24 March 2016) and [40/11](#) (21 March 2019).

16. Of particular note are the reports on: elements of a safe and enabling environment for human rights defenders [A/HRC/25/55](#) (23 December 2013), good practices in the protection of human rights defenders [A/HRC/31/55](#) (1 February 2016), defenders of people on the move [A/HRC/37/51](#) (16 January 2018) and women human rights defenders [A/HRC/40/60](#) (10 January 2019).
17. Especially the reports on: developing the Global Compact on Migration [A/71/285](#) (4 August 2016), access to justice for migrant persons [A/73/178/Rev.1](#) (25 September 2018), the impact of migration on migrant women and girls [A/HRC/41/38](#) (15 April 2019), good practices and initiatives on gender-responsive migration legislation and policies [A/74/191](#) (18 July 2019), the right to freedom of association of migrants and their defenders [A/HRC/44/42](#) (13 May 2020), ending immigration detention of children and providing adequate care and reception for them [A/75/183](#) (20 July 2020), means to address the human rights impact of pushbacks of migrants on land and at sea [A/HRC/47/30](#) (12 May 2021) and human rights violations at international borders [A/HRC/50/31](#) (26 April 2022).
18. For more information on securing the rights of migrant women and girls at all stages of migration, see UN Women's [*Policies and Practice: A Guide to Gender-Responsive Implementation of the Global Compact for Migration*](#).

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