



Key actions for gender-responsive migration governance

Checklists have become a popular tool for mainstreaming gender considerations in policy and programming. While they can be a useful tool, it is important to remember that the larger goal is to build a system capable of incorporating gender-based analysis into policy development, implementation, monitoring and evaluation.

PROCESS

1. Research

- Conduct, share, and utilize research on the gendered aspects of migration, including experiences of sexual and gender-based violence (SGBV), precarious employment and informal work, and access to information.
- Involve civil society, including migrant women organizations, as partners in data collection and use.
- Ensure data transparency while protecting privacy of individuals, particularly with respect to health and education data, to ensure access to services is not denied on the grounds of migration status.
- Encourage consistent measurement and data gathering approaches that strengthen validity, reliability and representativeness by gender, including the use of qualitative data where appropriate. Include other data disaggregation categories in order to identify and address intersectional discrimination (inter alia, gender, age, migration status, race, ethnicity, disability, sexual orientation and gender identity).

2. Evaluate

- Establish or utilize a mechanism for frequent ongoing gender-responsive monitoring and evaluation of migration policies, budgets, and institutional forms in partnership with women migrants and civil society organizations (e.g. a Gender-Migration Commission).
- Recognize and utilize expertise of UN Women, IOM, Human Rights Treaty Bodies (including CEDAW, CMW, CERD, CESCR, CRPD) and existing mechanisms, such as the UN Migration Network thematic working group on gender, in support of the development, implementation and monitoring of such policies. Ensure data transparency while protecting privacy of individuals, particularly with respect to health and education data, to ensure access to services is not denied on the grounds of migration status.
- Utilize gender-based evaluation tools (e.g. Canada's GBA+) to examine existing relevant policies and formulate new policies to ensure policies and pathways are non-discriminatory and gender-responsive, particularly with respect to bilateral labour migration agreements. Promote intersectional analysis of policies and programmes in order to leave no-one behind.

3. Educate

- Foster awareness of the gendered aspects of migration and counter hate speech, racism, discrimination, and the negative perceptions of migrants by changing the narrative, and also emphasizing the positive contributions of migrant women in countries of origin, transit, destination and return. Involve civil society, including migrant women organizations, as partners in data collection and use.
- Implement large scale gender and migration training and capacity building, awareness raising initiatives aimed at immigration and border agencies, visa officers, embassy and consular staff. Encourage consistent measurement and data gathering approaches that strengthen validity, reliability and representativeness by gender, including the use of qualitative data where appropriate. Include other data disaggregation categories in order to identify and address intersectional discrimination (inter alia, gender, age, migration status, race, ethnicity, disability, sexual orientation and gender identity).
- Request a training based on the Gender+Migration Hub content by contacting us here: <https://gendermigrationhub.org/contact/>
- Build capacity to conduct intersectional analysis in research and policy work by drawing on Canada's GBA+ (gender-based analysis+).

4. Institutionalize

- Establish and/or strengthen institutional mechanisms (e.g. national machinery, action plans, ministries, committees, etc.) that enact a commitment to gender equality, with explicit attention to protecting the rights of women and girls in migration.
- Ensure full and equal representation of women in local and national government, global compact processes, regional bodies and mechanisms, intra-governmental and international meetings, judicial, legal, border control and law enforcement systems.
- Ensure effective participation of migrant women and girls at all levels (local, national, regional, international) to ensure gender is not tokenized but instead builds on their knowledge, expertise, perspectives and experiences and fosters the political and civil participation of all women.

5. Budget

- Adopt gender-based budgeting such that resource allocation and spending reflect needs and address inequities (e.g. pay gaps).
- Dedicate institutional resources to the formation of units with explicit mandates for addressing gender, and support gender-responsive research, education, and policy development.

POLICY AND PROGRAM CONTENT

Empowerment

- Empower migrants to become full members of their societies (GCM objective 16) by providing gender-responsive information, training and education. Involve civil society, including migrant women organizations, as partners in data collection and use.
- Recognize the skills and education of women migrant workers to promote their economic empowerment in all sectors and, as appropriate, facilitate their productive employment, decent work and integration into the labour force, including in the fields of education and science and technology (CSW agreed conclusions E/2019/27- E/CN.6/2019/19).
- Promote gender-responsive programs and instruments to enhance financial inclusion of migrants.
- Recognize the positive contributions of migrant women to development of their home and host societies.
- Consult with migrant women and gender diverse individuals so they can contribute to the design and implementation of policies that affect them. Recognize their independence, agency and leadership in order to move away from addressing migrant women primarily through a lens of victimhood.

Justice

- Provide access to justice, including safe reporting, and due process for all migrants regardless of migration status with particular attention to those who have experienced exploitation, crime, sexual or gender-based violence, trafficking, and other types of violence.
- Protect workers against, inter alia, loss of employment, threat of deportation, loss of access to essential services, for filing complaints or refusing unsafe work. Promote gender-responsive programs and instruments to enhance financial inclusion of migrants.
- Consider non-custodial alternatives to detention for anyone whose rights and protection needs cannot be sufficiently met while in detention, including pregnant and nursing women, families and children. Consult with migrant women and gender diverse individuals so they can contribute to the design and implementation of policies that affect them. Recognize their independence, agency and leadership in order to move away from addressing migrant women primarily through a lens of victimhood.
- Address the multiple forms of discrimination faced by women and gender diverse migrants, based on sex, gender, ability, age, pregnancy, income, race and ethnicity, marital status, etc.

Labour rights

- Ensure labour rights protections for all workers regardless of status or sector, including informal work.
- Implement minimum wage and freedom of association legislation for care, domestic and other sectors where there are high concentrations of women migrant workers.
- Regulate methods and costs of recruitment and hiring of labour migrants including policies which promote equality of opportunity and equal treatment of women in the labour market.
- Address the root causes of exploitation, rather than restricting the mobility of perceived “vulnerable” migrants including women and girls.
- Adopt and/or implement the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CTM, 1990) and ILO Conventions 189 on Decent Work for Domestic Workers and 190 concerning the elimination of violence and harassment in the world of work.

Pathways

- Review relevant migration policies and practices to ensure they align with CEDAW General Recommendation 26 and do not unintentionally contribute to migrant women and/or LGBTQI+ people’s vulnerability.
- Increase opportunities for women’s migration and family reunification, with particular emphasis on safe and regular migration pathways, and non-discriminatory labour migration.
- Remove barriers that limit women and girls’ movement under the pretext of protection.
- Grant visas or residency permits to individuals who do not fall under the Refugee Convention, but are at a heightened risk of vulnerability.

Services and social protection

- Ensure access to services for women, girls and gender diverse individuals regardless of migration status, including health care, sexual and reproductive health, psychosocial support, legal, education, and other services, as affirmed under international law.
- Establish portable social and health insurance schemes across borders, such as bilateral social security agreements that address gendered health and social realities for women migrant workers, such as access to reproductive care, parental benefits and maternal health support.
- Establish or strengthen gender-responsive referral mechanisms at borders to direct those with special protection needs to available services.