

UN Women contributions to OSRSG report

Structure and elements of a global compact for safe, orderly and regular migration, including its purpose, goals, challenges and opportunities

The global compact is a unique and unmissable opportunity to put an end to gender-blind migration policies. Gender equality considerations have not previously been an integral part of migration governance. The global compact is an unparalleled opportunity to contribute to achieving gender equality and promoting women's empowerment in line with the 2030 Agenda.

As the first blueprint for international migration, the global compact should protect and promote the human rights of all migrants in countries of origin, transit and destination, recognising the different experiences of women and men in migration and addressing these differences in a gender-responsive way. Whilst the global compact needs to respond to the specific needs, vulnerabilities and priorities of all women in migration, it should also recognise their agency and promote their empowerment and leadership.

Further, the global compact should integrate and build upon those international human rights mechanisms already in place. This will help to ensure adequate protections for all migrants, including migrant women, in countries of origin, transit and destination and those working in both the formal and informal sectors. Key human rights mechanisms which should form part of the framework for the global compact include:

- The Convention on the Elimination of all Forms of Violence against Women (CEDAW), which includes General Recommendation No. 26 on women migrant workers
- The International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (ICRMW)
- The International Convention on the Elimination of Racial Discrimination (ICERD)
- ILO Convention concerning Decent Work for Domestic Workers, No. 189

Actionable commitments that may be included in the global compact on migration

Gender mainstreaming and gender equality as a standalone element of the global compact

Migration is not a gender-neutral phenomenon. With women accounting for approximately half of all international migrants, migration needs to be analysed from the perspective of gender inequalities, a gendered labour market, the construction of traditional gender roles, and the universal prevalence of gender-based violence.

A gender equality perspective needs to be mainstreamed throughout the global compact to reflect and respond to the specific situations of migrant women and girls. Further, the achievement of gender equality and the empowerment of migrant women and girls should be a

specific stand-alone element in the global compact that is prioritised as a commitment by Member States. The global compact can contribute to meeting all targets relating to Sustainable Development Goal (SDG) 5, Achieve gender equality and empower all women and girls, including eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

Eliminate sexual and gender-based violence

The global compact needs to galvanize and further the commitment of member states to ending all forms of sexual and gender-based violence. Sexual and gender-based violence can take many forms and includes harmful practices such as female genital mutilation and cutting (FGM/C), sexual exploitation and trafficking, child, early and forced marriage, intimate partner violence and non-partner sexual violence. These human rights violations are rooted in deeply entrenched gender inequalities and gender-based discrimination, which need to be eliminated.

The global compact should facilitate the autonomous movement of women, allowing them to leave behind situations of sexual and gender-based violence, as well as provide them with the opportunity to access other labour markets and seek new economic opportunities to support themselves and/or their family. It should promote access to safer regular migration pathways which do not rely on the services of unscrupulous recruitment agents or smugglers, which may reduce women's vulnerability to sexual and physical abuse during their journey.

Ending gender-based discriminatory migration policies

Migrant women should not be discriminated against in any sphere of their lives. Women must be afforded the same right to migrate as men; for example, women should not be subject to requiring written permission from male relatives in order to migrate or to obtain a passport to travel. Restrictions on the autonomous movement of migrant women and gender-based discrimination in both the informal and formal labour market must be eliminated.

Migrant women are commonly subject to multiple and intersecting forms of discrimination, as women, as migrants, and on additional grounds including race, ethnicity, religion or belief, health, pregnancy, age, class, caste, being lesbian, bisexual or transgender. Such discrimination may limit women's decision-making and agency and may restrict their options for migrating both within and outside their countries of origin. Recognising and responding to these intersecting and multiple forms of discrimination in the global compact will ensure the protection and promotion of the human rights of all migrants.

Migrant women's access to human rights-based, gender-responsive services

In line with international human rights law, all migrant women and girls should have access to economic, social, cultural, political and civil rights that is equivalent to that of nationals. The global compact needs to provide for gender-responsive essential services, including health and social services, police protection, and access to justice. Information pertaining to access and

availability of services should be culturally and age appropriate and respond to the individual circumstances and life experiences of women and girls, taking into account their ethnicity and language preferences and gender identity (whether they identify as lesbian, bisexual or transgender). Such access should not be conditional on migration status or citizenship. Further, the global compact should seek to encourage States to implement firewalls to ensure effective separation between the provision of essential services and immigration enforcement activities. This will help to ensure that all migrants can enjoy their full human rights.

The provision of women-centred essential health services should be a priority within the global compact as women have different health needs to men and these require special attention. Many migrant women – particularly those in an irregular situation – do not have health insurance with limited or no access to health services in transit or destination countries. Essential health services must be rights-based, recognising that States have a primary responsibility to respect, protect and fulfil the rights of all women and girls, irrespective of migration status. These services should include sexual and reproductive health, including maternal health and family planning, post-abortion care services, HIV and AIDs, as well as mental health services.

Valuing the contributions of women at all stages of migration

It is important that the global compact acknowledges the important and valuable contributions made by migrant women to sustainable development and social change in countries of origin, transit and destination. Women send approximately \$300 billion in global remittances annually, despite continuing to earn less than men owing to the persistent global wage gap. Women tend to send smaller amounts of money more regularly than men, and because of this they are often subject to paying more in transaction fees. In line with SDG target 10c, the global compact needs to galvanise support for a reduction in the transaction costs of migrant remittances and eliminate those remittance corridors which continue to incur costs higher than 5 per cent.

The global compact needs to recognise not only the remittances sent by migrant women but also the other important ways in which they contribute to countries of origin, transit and destination. Migrant women bring with them skills, innovation, cultural diversity that help to challenge traditional views and assumptions about gender roles.

Measures for the collection and analysis of sex-disaggregated data and gender statistics should be enhanced to not only highlight the contributions made by women in migration but also the gendered drivers of migration, including gender inequalities and the risk of gender-based violence and discrimination.

Means of implementation and a framework for the follow-up and review of implementation

The means of implementation and the framework for follow up and review for the global compact need to be gender-responsive and address the specific needs of women and girls. To

achieve SDG 5 on gender equality and the empowerment of all women and girls, States and other relevant actors should adopt policies and mobilize financing for gender-responsive migration management.

Gender-responsive budgeting can ensure that budgets include the necessary financial resources to implement policy commitments to gender equality objectives. Specific and targeted gender-responsive financial resources, including public and private flows, and other support mechanisms should cover the budgetary needs of all national institutions, services, and communities that support migrants. Investment in gender-responsive infrastructure and services can promote gender equality and women's empowerment and help to redistribute and reduce women's unpaid care and domestic work.

Implementation should support and strengthen sex-disaggregated data collection and analysis, to contribute to more a comprehensive evidence base for gender-responsive action, monitoring and reporting. Technology can be essential for providing information, communication and services such as healthcare. Technology development which specifically accounts for women's needs and vulnerabilities throughout the migration process should be adequately funded, transferred and disseminated.

Equally important for the implementation of a gender-responsive global compact is cooperation and partnerships, which can harness the linkages between gender, migration and related issues, increase knowledge sharing and promote innovative and strategic solutions. Multi-stakeholder partnerships as well as relationships between the private and public sectors are essential in mobilizing finances and promoting innovation to promote and protect women migrant's rights.

The implementation, follow-up and review process of the global compact should promote and strengthen women's agency, leadership and full and equal participation in decision-making processes. This includes women migrants, including the most marginalised groups of migrant women, and civil society and migrant women's organisations, and. The capacity of countries to create and promote gender-responsive and human rights-based migration policy should be strengthened. Gender-specific trainings on topics such as sexual and gender-based violence, human trafficking and access to decent work, including in the informal and care economies, should be provided. Gender considerations should also be mainstreamed into all capacity building activities at the local, national, regional and international levels, including for institutions and government officials, service providers and civil society organisations. Measures of gender equality and women's empowerment throughout the migration process should be included as indicators to track progress.