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Advancement of women: advancement of women

Violence against women migrant workers

Report of the Secretary-General**

Summary

The present report, submitted pursuant to General Assembly resolution [76/141](#), outlines the current situation in relation to the problem of violence against women migrant workers, including domestic and care workers, including in the context of the coronavirus disease (COVID-19) pandemic, and the implementation of the aforementioned resolution. It provides information on the measures taken by Member States and activities undertaken within the United Nations system to address this issue and ensure the protection of migrant women's human rights. The report concludes with recommendations for future action.

* [A/78/150](#).

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I. Introduction

1. In its resolution [76/141](#) on violence against women migrant workers, the General Assembly requested the Secretary-General to provide a comprehensive, analytical and thematic report to the General Assembly at its seventy-eighth session on the problem of violence against women migrant workers, including domestic and care workers, including in the context of the coronavirus disease (COVID-19) pandemic, and on the implementation of the aforementioned resolution, taking into account updated information from Member States, the organizations of the United Nations system, in particular the International Labour Organization (ILO), the International Organization for Migration (IOM), the United Nations Development Programme (UNDP), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Office on Drugs and Crime (UNODC), as well as the reports of special rapporteurs that refer to the situation of women migrant workers and other relevant sources, including non-governmental organizations. The present report covers the period from July 2021 to June 2023.

2. The present report incorporates submissions from 27 Member States,¹ 1 regional commission² and 6 United Nations entities or specialized agencies.³ It draws on recent research studies and reports by United Nations agencies and other organizations, concluding observations, general recommendations and comments of human rights treaty bodies, and reports of special procedures mandate holders of the Human Rights Council to address the issue of violence against women migrant workers in all public and private spheres.

II. Context

A. Data and trends

3. While there continues to be a lack of comprehensive sex-disaggregated data and gender statistics on the experiences of women migrant workers, it is estimated that women represent 48 per cent of the 281 million international migrants⁴ and comprise 41 per cent of the 169 million migrant workers globally.⁵ Approximately 13 per cent of all migrant women are engaged in domestic work,⁶ and the vast majority (81 per cent) of domestic workers remain in informal employment with no social or labour protections.⁷

¹ Algeria, Argentina, Belarus, Benin, Burundi, Cabo Verde, Chile, China, Colombia, Croatia, Cyprus, Guatemala, Honduras, Kuwait, Mexico, Nicaragua, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Moldova, Senegal, Serbia, Türkiye, Turkmenistan and Ukraine.

² Economic and Social Commission for Western Asia.

³ Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, UNDP, United Nations Human Settlements Programme (UN-Habitat), UN-Women and World Food Programme.

⁴ *International Migration 2020 Highlights* (United Nations publication, 2020).

⁵ ILO, *ILO Global Estimates on International Migrant Workers: Results and Methodology* (Geneva, 2021).

⁶ ILO, *Global Estimates of Migrant Workers and Migrant Domestic Workers: Results and Methodology* (Geneva, 2015).

⁷ ILO, *Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189)* (Geneva, 2021).

4. Many countries do not disaggregate data on crime and violence by migration or employment status.⁸ Although one in three women is estimated to experience physical and/or sexual violence in her lifetime,⁹ data are unavailable for migrant women, let alone women migrant workers, although this figure is likely higher, given the multiple and intersecting forms of discrimination they face as migrants and as women.¹⁰

5. The COVID-19 pandemic, along with an increase in food insecurity and extreme poverty, had a disproportionate impact on women migrant workers. This was especially true for domestic and care workers and those who work in the informal economy, who often hold insecure contracts with no paid leave or ability to work from home.¹¹ It exacerbated risks of gender-based violence, including physical, sexual and psychological violence, forced labour, trafficking and harassment.¹² According to a recent global survey by ILO, in the past five years 40.7 per cent of young migrant women have faced some form of violence or harassment at work, compared with 26.8 per cent of non-migrant women.¹³ Migrant women were also 8.7 percentage points more likely than their male counterparts to experience violence and harassment and were also at a higher risk of psychological violence and harassment.¹⁴

6. Women may migrate in an effort to leave behind restrictive gender roles, which limit their participation and status in family and public life. Those who leave for work opportunities often become the main breadwinner for the family.¹⁵ Others may leave to escape gender-specific human rights violations, including harmful practices and gender-based violence, resulting from deeply entrenched gender inequalities. Widows, who face disproportionate economic hardship and vulnerability to gender-based violence,¹⁶ may migrate owing to ostracization, forced marriage and land dispossession.¹⁷ Other factors that tend to increase the number of women who migrate include war and conflict,¹⁸ and environmental degradation and disasters, all of which have gendered impacts that often disproportionately affect women and increase their risk of gender-based violence.¹⁹

⁸ UNODC, *Combating Violence against Migrants: Criminal Justice Measures to Prevent, Investigate, Prosecute and Punish Violence against Migrants, Migrant Workers and Their Families and to Protect Victims* (Vienna, 2015).

⁹ World Health Organization, *Violence against Women Prevalence Estimates, 2018: Global, Regional and National Prevalence Estimates for Intimate Partner Violence against Women and Global and Regional Prevalence Estimates for Non-Partner Sexual Violence against Women* (Geneva, 2021).

¹⁰ UN-Women, “From evidence to action: tackling gender-based violence against migrant women and girls”, policy brief, 2021.

¹¹ UN-Women, “Guidance note: addressing the impacts of the COVID-19 pandemic on women migrant workers”, 2020.

¹² UN-Women, “From evidence to action”.

¹³ ILO, *Experiences of Violence and Harassment at Work: A Global First Survey* (Geneva, 2022).

¹⁴ Ibid.

¹⁵ J. Hennebray, J. Holliday and M. Moniruzzaman, *At What Cost? Women Migrant Workers, Remittances and Development* (New York, UN-Women, 2017); and Lan Anh Hoang and Brenda S.A. Yeoh, “Breadwinning wives and ‘left-behind’ husbands: men and masculinities in the Vietnamese transnational family”, *Gender and Society*, vol. 25, No. 6 (December 2011).

¹⁶ See resolution 76/252.

¹⁷ Office of the United Nations High Commissioner for Human Rights and UN-Women, *Realizing Women’s Rights to Land and Other Productive Resources*, 2nd ed. (New York and Geneva, 2020).

¹⁸ IOM, *A Region on the Move 2021: East and Horn of Africa* (Geneva, 2022).

¹⁹ Amelia Bleeker and others, *Advancing Gender Equality in Environmental Migration and Disaster Displacement in the Caribbean*, Studies and Perspectives Series – Economic Commission for Latin America and the Caribbean (ECLAC) Subregional Headquarters for the Caribbean, No. 98 (ECLAC, 2021).

B. Information and digital technology

7. The lack of information on safe and regular migration and access to gender-responsive pre-departure training means that many women do not have sufficient knowledge and awareness of their rights or of the obligations of transit and destination countries. Women using irregular channels often have even less access to this information. This is exacerbated by gender gaps in technology access, connectivity and digital literacy. Women are disproportionately and increasingly represented in the global offline population at 18 per cent, compared with 11 per cent in 2019, and are also 12 per cent less likely to own mobile phones than men.²⁰ While there is a lack of reliable disaggregated data on the digital inclusion of migrant women, it is likely that many lack Internet access, particularly while they are on the move, despite the fact that connectivity is a crucial tool for increasing safety during migration, by providing real-time information and psychological support.²¹

8. While access to digital technologies is crucial, it also increases the potential for misuse. Women migrant workers are at risk of experiencing technology-facilitated violence, including sexual cyberharassment and online abuse.²² This was seen during the COVID-19 pandemic, when women faced a greater risk of being targeted because of increased use of the Internet and social media.²³ Online violence has serious consequences for women migrant workers, affecting their health, well-being and economic security, and may also translate to in-person violence.²⁴ Technology is also used for extortion and to broadcast sexual violence perpetrated by smugglers to the community of the migrant women, further stigmatizing and degrading them.²⁵

9. Women migrant workers experience a higher risk of trafficking,²⁶ with UNODC reporting that 64 per cent of victims of trafficking for sexual exploitation are women and that another 27 per cent are girls.²⁷ Traffickers weaponize technology to profile, recruit, control and exploit, which increased during the pandemic.²⁸ Social media platforms provide publicly available detailed information, while concurrently providing anonymity for traffickers, allowing perpetrators to recruit potential victims more easily.²⁹ Notably, the most common use of information and communications technology by traffickers is for sexual exploitation,³⁰ and women and girls comprise the vast majority of these victims.³¹

²⁰ International Telecommunication Union, *Measuring Digital Development: Facts and Figures 2022* (Geneva, 2022).

²¹ IOM, *World Migration Report 2022* (Geneva, 2021).

²² United Nations Population Fund, *Making All Spaces Safe* (New York, 2021).

²³ UN-Women, "Online and ICT facilitated violence against women and girls during COVID-19", brief, 2020.

²⁴ UN-Women, "Violence against women in the online space: insights from a multi-country study in the Arab States", summary report, 2021.

²⁵ UNODC, *Abused and Neglected: A Gender Perspective on Aggravated Migrant Smuggling Offences and Response* (2021).

²⁶ United States of America, Department of State, *Trafficking in Persons Report* (2021).

²⁷ *Global Report on Trafficking in Persons 2022* (United Nations publication, 2023).

²⁸ European Union Agency for Law Enforcement Cooperation (Europol), "Exploiting isolation: offenders and victims of online child sexual abuse during the COVID-19 pandemic", 19 June 2020.

²⁹ See [CTOC/COP/WG.4/2021/2](#) and Committee on the Elimination of Discrimination against Women, general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration.

³⁰ See [A/HRC/39/52](#).

³¹ *Global Report on Trafficking in Persons 2022*.

C. Dangers along the migration journey

10. The forms and levels of risk for women migrant workers may change during the migration journey, based on shifting power differences, such as the lack of documentation and/or financial resources.³² This leaves undocumented migrant women at a heightened risk of violence.³³ Women who migrate using the services of smugglers experience a higher level of sexual and gender-based violence, including rape, along with kidnapping, exploitation and physical and psychological violence. Women may be more likely to run out of funds earlier and more frequently during migration and are therefore more at risk of sexual exploitation, forced prostitution and transactional rape for passage.³⁴ One study from 2016 found that 43 per cent of women detained in Mexico had experienced extortion,³⁵ and migrant women surveyed in another study largely perceived sexual violence to be inevitable during their journeys.³⁶

11. The continuum between smuggling and trafficking in persons means that migrant women who use smugglers are vulnerable to being trafficked; it is estimated that 20 per cent of suspected smugglers have ties to human trafficking networks.³⁷ Women face three times the risk of physical or extreme violence from traffickers, compared with men, and represent the majority of victims of trafficking, along with girls.³⁸ Women abducted and detained in *megazens* – warehouses used during transit from North Africa – report being sexually abused and raped multiple times by their traffickers,³⁹ and may face torture in exchange for ransom money.⁴⁰ In one European case where a defendant was charged with running illegal detention camps, women and girls were raped and subjected to sexual violence daily, and targeted for their virginity.⁴¹

12. Women's disproportionate care responsibilities while migrating, such as childcare or breastfeeding or caring for the sick and injured, may increase their risk of being abandoned by smugglers and lessen their chances of survival, especially during dangerous irregular journeys.⁴² More women than men drown while trying to cross the sea,⁴³ and pregnant women, children and the elderly experience the greatest likelihood of abandonment along smuggling routes when they are unable to keep up.⁴⁴

³² Sze Eng Tan and Katie Kuschminder, "Migrant experiences of sexual and gender-based violence: a critical interpretative synthesis", *Globalization and Health*, vol. 18, No. 1 (June 2022).

³³ Ibid.

³⁴ UNODC, *Abused and Neglected*.

³⁵ Anjali Fleury, "Women migrating to Mexico for safety: the need for improved protections and rights", Policy Report No. 03/08 (Barcelona, United Nations University Institute on Globalization, Culture and Mobility, 2016).

³⁶ Cesar Infante and others, "Rape, transactional sex and related factors among migrants in transit through Mexico to the USA", *Culture, Health & Sexuality*, vol. 22, No. 10 (2020).

³⁷ United Nations Children's Fund, *A Child Is a Child: Protecting Children on the Move from Violence, Abuse and Exploitation* (New York, 2017).

³⁸ *Global Report on Trafficking in Persons 2022*.

³⁹ Fred Harter, "I saw many bodies": having escaped one conflict, Tigray refugees face new terrors", *The Guardian*, 15 May 2023.

⁴⁰ Adam Moe Fejerskov and Meron Zeleke, "No Place for Me Here": *The Challenges of Ethiopian Male Return Migrants*, DIIS Report No. 2020:01 (Copenhagen, Danish Institute for International Studies, 2020).

⁴¹ Milan First Court of Assise, *Italy v. Matammud*, Proc. N. 333307/16 N. 10/17, Judgment, 10 October 2017.

⁴² Elisa Mosler Vidal and Frank Laczko, eds., *Migration and the SDGs: Measuring Progress – An Edited Volume* (Geneva, IOM, 2022).

⁴³ Kate Dearden and Marta Sánchez Dionis, "How a lack of data is perpetuating the invisibility of migrant women's deaths", IOM Migration Data Portal blog, 24 August 2020.

⁴⁴ UNODC, *Abused and Neglected*.

This is evidenced along the Western Africa-Atlantic route to the Canary Islands, where women represented the majority of those who died in 2021.⁴⁵

13. The threat of violence for migrant women is particularly high in certain locations, including along particular migration routes, roadsides and State borders and in conflict areas and prison or detention centres.⁴⁶ Overcrowding and insecure living conditions along borders, combined with increased exposure to cartels and to the perpetrators from whom migrants were originally escaping, create the conditions for greater gender-based violence; 68 per cent of respondents from non-governmental organizations offering social services to migrants along the Mexico-United States border indicated that their beneficiaries were raped and/or sexually assaulted frequently.⁴⁷ While migrant women may take precautions to prevent unwanted pregnancy in cases of rape during their journeys, this does not prevent the spread of sexually transmitted diseases, including HIV, and prevention efforts are not always successful. A survey of migrant women in Europe found that 17.6 per cent had unsafe abortions during their journeys.⁴⁸

14. Women human rights defenders, who themselves may be migrants, promote and protect the human rights of others, including by accompanying migrants through dangerous journeys, responding to essential needs and providing services such as legal aid and medical assistance. However, as a result of the work they do, migrant women human rights defenders may be targeted and subjected to gender-based violence by State and non-State actors, ranging from police and immigration officers to criminal gangs involved in trafficking and anti-immigrant groups.⁴⁹ The perpetuation of the narrative that migrants are a threat to national identity and peace and security may exacerbate violence against migrant women human rights defenders, as seen by the worrying trend of charging those who help migrants with criminal activities.⁵⁰

15. The risk of gender-based violence persists when women migrant workers return to their countries of origin and may even increase owing to changed societal perceptions and stigma surrounding international travel.⁵¹ One study found that Bangladeshi women feared intimate partner violence when reintegrating into their families after returning from working abroad and face assumptions of prostitution, sexual infidelity and rape and abuse by employers.⁵²

⁴⁵ Estefania Guallar Ariño, “Women and girls on the move: a snapshot of available evidence”, Thematic Brief No. 2 (IOM, 2023).

⁴⁶ Tan and Kuschminder, “Migrant experiences of sexual and gender-based violence”; and UNODC, *Combating Violence against Migrants*.

⁴⁷ Sara Duvisac and Irena Sullivan, *Surviving Deterrence: How US Asylum Deterrence Policies Normalize Gender-based Violence* (Oxfam America and Tahirih Justice Center, 2022).

⁴⁸ L. Reques and others, “Episodes of violence suffered by migrants transiting through Libya: a cross-sectional study in Médecins du Monde’s reception and health-care centre in Seine-Saint-Denis, France”, *Conflict and Health*, vol. 14, No. 1 (December 2020).

⁴⁹ Front Line Defenders, Programa de Asuntos Migratorios (Universidad Iberoamericana Ciudad de México) and Red Nacional de Organismos Civiles de Derechos Humanos “Todos los Derechos para Todas y Todos”, *Defenders beyond Borders: Migrant Rights Defenders under Attack in Central America, Mexico and the United States* (2019); and UN-Women, “Recommendations: protection of women human rights defenders at risk in migration contexts”, November 2022.

⁵⁰ Research Social Platform on Migration and Asylum, “The criminalization of solidarity in Europe”, 2020, p. 2.

⁵¹ Arjun Kharel and Amrita Gurung, “Women’s participation in foreign labour migration and spousal violence: a study on returnee women migrant workers in Nepal”, *Molung Educational Frontier*, vol. 12, 2022.

⁵² Muhammad Tareq Chy, Md. Kamal Uddin and Helal Uddin Ahmmed, “Forced returnee Bangladeshi female migrant domestic workers and their social reintegration experiences”, *Current Sociology*, vol. 71, No. 1 (January 2023).

D. Challenges and risks in countries of transit and destination

16. The widespread impunity of perpetrators of violence against women migrant workers may exacerbate women's risk of violence and increase rates of trafficking worldwide. In recent years, convictions of traffickers in sub-Saharan Africa and South Asia have declined, while those trafficked from the regions have been increasingly identified in destination countries.⁵³

17. Women migrant workers' experience of violence is compounded by the multiple and intersecting forms of discrimination they face. A study found that transgender migrant women were 13.5 times more at risk of experiencing sexual violence than men⁵⁴ and that transgender women who were detained by immigration officials faced a heightened risk of violence, as they were often detained in male spaces.⁵⁵ In South Africa, black African migrant women have been repeatedly targeted, experiencing sexual violence as a result of anti-migrant, Afrophobic and xenophobic rhetoric.⁵⁶

18. Women migrant workers, in particular domestic workers and those with irregular migration status, face a heightened risk of labour exploitation and abuse. Owing to their migration status, they are more likely to accept deplorable working conditions, exacerbating their risk of violence, abuse and exploitation.⁵⁷ Perpetrators may use the irregular status of women migrant workers to exert control over them through coercion, violence and the threat of arrest, deportation and family separation.⁵⁸ A study of migrant women from sub-Saharan Africa in Western Europe found that they regularly endured forced sex and that the risk of this sexual violence increased for migrant women who lacked a residency permit and/or stable housing.⁵⁹

19. Domestic workers, in particular those who are undocumented or dependent on their employers for housing, may be hesitant to seek help or report rights violations owing to a lack of information and language barriers, or out of fear of being unhoused, terminated, deported or subjected to other punitive measures.⁶⁰ In Lebanon, 68 per cent of Nepalese domestic workers surveyed were unaware of their right to keep their passports, and only a minority (26 per cent) did so.⁶¹ Sponsorship systems, such as the *kafala* system, place women migrant workers in situations of heightened vulnerability, as they cannot freely enter or leave the country or resign from or change employment, forcing women migrant domestic workers to endure violence, harassment and other human and labour rights violations.⁶²

20. Migrant women working in the domestic sector face particularly high risks of violence, often a result of social isolation and lack of access to economic and other

⁵³ *Global Report on Trafficking in Persons 2022*.

⁵⁴ Cesar Infante and others, "Rape, transactional sex and related factors".

⁵⁵ Laura P. Minero and others, "Latinx trans immigrants' survival of torture in U.S. detention: a qualitative investigation of the psychological impact of abuse and mistreatment", *International Journal of Transgender Health*, vol. 23, Nos. 1–2 (2022).

⁵⁶ Guy Oliver, "Briefing: South Africa's 'Afrophobia' problem", *The New Humanitarian*, 11 March 2020.

⁵⁷ Paola Cyment, *No Borders to Equality: Global Mapping of Organizations Working on Gender and Migration* (Women in Migration Network and Friedrich-Ebert-Stiftung, 2021).

⁵⁸ Laurie Cook Heffron, "'Salía de uno y me metí en otro': exploring the migration-violence nexus among Central American women", *Violence Against Women*, vol. 25, No. 6 (May 2019).

⁵⁹ Julie Pannetier and others, "Prevalence and circumstances of forced sex and post-migration HIV acquisition in sub-Saharan African migrant women in France: an analysis of the ANRS-PARCOURS retrospective population-based study", *The Lancet Public Health*, vol. 3, No. 1 (January 2018).

⁶⁰ ILO, *Making Decent Work a Reality*.

⁶¹ Elizabeth Frantz, "Breaking the isolation: access to information and media among migrant domestic workers in Jordan and Lebanon", February 2014.

⁶² ILO, *Making Decent Work a Reality*.

resources. A survey found that more than 50 per cent of Filipino and Indonesian migrant domestic workers who had worked in the Arab Gulf States reported having been in an abusive situation, experiencing, inter alia, excessive working hours, physical abuse and sexual attacks.⁶³ Migrant domestic workers with excessive debt were found to be six times more likely than those with lower debt levels to be in forced labour.⁶⁴ Owing to isolation in remote rural areas, women migrant workers in agrifood systems may be similarly dependent on their employers. The risk of abuse of women migrant workers is further heightened for seasonal and temporary workers in rural areas, who are often tied to their employer or placement agency and unable to leave to find alternative employment.⁶⁵

21. Many women migrant workers lack access to social protection and are often excluded from contributory social insurance schemes in countries of destination,⁶⁶ heightening their precarity and risks of violence and labour exploitation in countries of destination. Only 22 per cent of international migrant workers have social protection,⁶⁷ and over 40 countries do not provide legal social security coverage for migrant domestic workers.⁶⁸ In 22 countries, domestic workers have no maternity leave entitlement.⁶⁹ With limited or no access to social protection in many countries, women migrant workers often have few options but to continue working in the late stages of pregnancy and soon after birth, resulting in worse health outcomes for both the mother and baby.⁷⁰ Lack of access to health care is often coupled with the fear of the stigmatization attached to being a victim of gender-based violence,⁷¹ deepening women migrant workers' hesitancy in seeking help.

III. Measures reported by Member States

22. In their contributions to the present report, Member States highlighted a range of measures taken to combat violence and discrimination against women migrant workers, including access to services. States also provided information on anti-trafficking policies, highlighting the important, but often ambiguous, links between violence against women migrant workers and trafficking in persons.⁷²

⁶³ Lisa Blaydes, "Assessing the labor conditions of migrant domestic workers in the Arab Gulf States", *Industrial and Labor Relations Review*, vol. 76, No. 4 (January 2023).

⁶⁴ The study defines "forced labour" as when the migrant domestic worker: (a) has not been recruited into a job freely; (b) is not doing the job freely; and/or (c) cannot walk away from the job freely. Justice Center Hong Kong, "Coming clean: the prevalence of forced labour and human trafficking for the purpose of forced labour amongst migrant domestic workers in Hong Kong", March 2016.

⁶⁵ ILO, *World Employment and Social Outlook 2023: The Value of Essential Work* (Geneva, 2023).

⁶⁶ Jenna Holliday, "Social protection: women migrant workers in ASEAN", Women's Labour Migration in ASEAN Policy Brief Series (ILO and UN-Women, 2016).

⁶⁷ Jessica Hagen-Zanker, Elise Mosler Vidal and Georgina Sturge, "Social protection, migration and the 2030 Agenda for Sustainable Development", brief, 28 June 2017.

⁶⁸ ILO, *Making Decent Work a Reality*.

⁶⁹ Ibid.

⁷⁰ ILO, *World Social Protection Report 2020–22: Social Protection at the Crossroads – In Pursuit of a Better Future* (Geneva, 2021).

⁷¹ Tan and Kuschminder, "Migrant experiences of sexual and gender-based violence".

⁷² Reports of the Secretary-General on trafficking in women and girls are submitted to the General Assembly every two years, most recently at its seventy-seventh session (see [A/77/292](#)).

A. International instruments

23. The number of States parties to international instruments relevant to tackling violence and discrimination against women migrant workers has marginally increased since 2021.⁷³

<i>Treaty</i>	<i>Number of ratifications, 2021</i>	<i>Number of ratifications, 2023</i>
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	56	58
United Nations Convention against Transnational Organized Crime	190	191
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	178	178
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	150	153

24. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, has been ratified or acceded to by all reporting States.

25. The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, has been ratified or acceded to by all reporting States, except China, Colombia and Qatar.

26. Many of the reporting States that contributed to the present report are parties to relevant ILO conventions. Algeria, Cyprus, Guatemala, the Philippines, Portugal, the Republic of Moldova and Turkmenistan are parties to the Migration for Employment Convention (Revised), 1949 (No. 97). The Discrimination (Employment and Occupation) Convention, 1958 (No. 111), has been ratified by all reporting States. Benin, Cyprus, the Philippines, Portugal and Serbia are parties to the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the Republic of Moldova will consider its ratification. The Private Employment Agencies Convention, 1997 (No. 181), has been ratified by Algeria, Portugal, the Republic of Moldova and Serbia. Croatia will consider ratifying Conventions Nos. 97 and 143, while the ratification by Guatemala of Convention No. 181 is pending discussion.

27. On 5 September 2013, the ILO Domestic Workers Convention, 2011 (No. 189), came into force. As at May 2023, 36 countries had ratified the Convention (up from 32 in 2021), including the reporting States Argentina, Chile, Mexico, Nicaragua, Paraguay, Peru, the Philippines and Portugal, while Benin is in the process of and Croatia, Guatemala and the Republic of Moldova are considering doing so. On 25 June 2021, the Violence and Harassment Convention, 2019 (No. 190), came into force. As at June 2023, 27 countries had ratified it. It will come into force in 2023 for the Bahamas, Barbados, the Central African Republic, El Salvador, Mexico, Nigeria, Panama and Peru, and in 2024 for Canada, France, Ireland and Lesotho. Among the reporting States, Argentina has ratified it, and Benin and Ukraine are making efforts to do so.

⁷³ All information on United Nations treaty ratification is available at https://treaties.un.org/pages/ParticipationStatus.aspx?clang=_en.

28. In addition to the aforementioned instruments, several reporting States identified the role of the Global Compact for Safe, Orderly and Regular Migration in protecting the rights of women migrant workers (Benin, China, Honduras, Mexico, Peru, Philippines and Portugal). Laws have been developed in line with the Compact; the national plan of Portugal for the implementation of the Compact is oriented to the 23 objectives and contains a measure to increase the empowerment of young people and women. In Cabo Verde, all non-nationals authorized to work in the country have the same rights as citizens in accordance with the Labour Code.

B. Bilateral, regional, international and other cooperation

29. Several States (Croatia, Cyprus, Republic of Moldova and Serbia) reported having ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). The first national action plan (for 2023–2028) of the national coordinating body of Cyprus to prevent and combat violence against women, based on the Istanbul Convention and drafted along with non-governmental organizations, includes a focus on informing migrant and refugee women about gender-based violence and a protocol for when migrant women who are victims of violence need access to sexual and reproductive health services.

30. States reported bilateral agreements to facilitate the protection of migrant workers (Benin, Burundi, Cabo Verde, Guatemala, Nicaragua, Paraguay, Philippines and Republic of Moldova). Since 2021, Burundi has had agreements with Qatar and Saudi Arabia on the regulation of migrant workers, while Costa Rica and Nicaragua signed an agreement to ensure compliance with labour rights. Benin has signed several bilateral agreements to strengthen the protection of migrant workers and members of the diaspora. In response to the increasing number of women migrant domestic workers from the Philippines, the country has signed a series of bilateral labour agreements to better regulate the deployment and employment of Filipino domestic workers.

31. Several States referred to the importance of regional migration cooperation, including to address violence against women migrant workers (Cabo Verde, Chile, Guatemala, Honduras, Paraguay, Peru, Philippines, Republic of Moldova and Senegal). Within the South American Conference on Migration, Chile is leading the thematic workshop on gender, with the aim of preventing violence against women migrant workers. The Inter-African Conference on Social Welfare, which covers 17 countries including Benin and Senegal, is aimed at improving the social protection of migrant workers in member countries.

C. Legislation

32. Several reporting States recognized the role of their constitutional frameworks in promoting non-discrimination and protecting the human rights of women migrant workers, including from violence (Algeria, Burundi, China, Croatia, Honduras, Nicaragua, Qatar, Republic of Moldova, Senegal, Türkiye and Turkmenistan). The Constitution of Algeria, for example, guarantees the protection of all migrant workers and their families who are legally in the country. States also cited national legislation on non-discrimination against foreign workers and migrants based on sex and/or gender, race, nationality and/or other factors (Belarus, Cabo Verde, Chile, China, Croatia, Paraguay and Republic of Moldova) and legislation on gender equality (Honduras, Mexico, Philippines and Turkmenistan). In Belarus, the Law on External

Labour Migration stipulates the inadmissibility of discrimination against migrants and migrant workers based on sex, race, nationality and other characteristics.

33. Several reporting States have labour laws ensuring protections for women migrant workers (Algeria, China, Croatia, Guatemala, Honduras, Nicaragua, Paraguay, Republic of Moldova, Senegal, Serbia and Turkmenistan). In China, the Labour Law stipulates that migrant workers have the right to remuneration for labour, the right to enjoy social insurance and welfare, and the right to submit labour disputes. In Türkiye, a set of laws provide secure and registered access to the labour market for foreigners, with regular or irregular migration status.⁷⁴ The Law on the Legal Status of Foreign Citizens in Turkmenistan decrees that stateless persons have a right to receive information about their rights, perform labour, acquire property and receive medical care and social services.

34. Many States reported having specific legislation, constitutional articles and/or criminal codes addressing violence against women (Algeria, Burundi, Cabo Verde, Colombia, Cyprus, Mexico, Paraguay, Qatar, Republic of Moldova, Senegal, Serbia and Türkiye), with some specifically criminalizing domestic violence (Belarus, Chile, Croatia, Cyprus, Honduras, Republic of Moldova, Serbia and Turkmenistan) and femicide (Benin, Honduras and Peru). Colombia is adopting labour reforms to safeguard work free from violence and harassment, whether in the informal or formal economy. Cyprus is drafting and implementing a law criminalizing sexism and online sexism. In the Republic of Moldova, Law No. 2/2023 amended some normative acts to broaden the criteria for discrimination protected by law to include, inter alia, migrant women, who were given a range of safeguards geared to their needs and protection against violence and abuse. Decree No. 6973/17 of Paraguay and the Constitution of Qatar enshrine the protection of all women in situations of violence, regardless of their migration status, while in Peru, criminal sanctions were established against those who commit acts of violence against women migrant workers.

35. Noting the heightened risk of human rights violations and labour abuse suffered by women migrant domestic workers, several States outlined specific pieces of legislation in place (Colombia, Croatia, Kuwait, Paraguay, Peru, Philippines, Qatar and Senegal) and in draft form (Ukraine) to strengthen protections for domestic workers. The Law on Domestic Workers of Peru, following the principle of equality and non-discrimination, establishes that migrants and refugees have the same rights and duties as national domestic workers, including the right to legal protection to prevent exploitation or trafficking.

D. Policies

36. Many reporting States have developed national action plans or strategies addressing violence against women, including migrant women (Chile, Croatia, Cyprus, Guatemala, Honduras, Mexico, Nicaragua, Peru, Philippines, Republic of Moldova, Serbia, Senegal, Türkiye and Ukraine). In collaboration with UN-Women, Mexico developed its Consular Care Protocol for Victims of Gender-based Violence to detect forms of gender-based violence faced by Mexican migrants and guide prevention measures. The Protocol for the Care of Migrant Women Victims of Violence of Peru mandates the detection and initiation of care for victims, regardless of document possession. The national action plan of the Philippines on sustainable, gender-responsive return and reintegration is aimed at ensuring that women migrant

⁷⁴ The Regulation on Work Permits for Foreigners under Temporary Protection, the Regulation on the Work of International Protection Applicants and International Protection Status Holders, and International Labour Force Law No. 6735.

workers, in particular victims and survivors of trafficking and gender-based violence, experience safe and dignified return by facilitating access to legal and health services.

37. Ensuring access to social protection for women migrant workers contributes to the protection of their rights. Several reporting States identified policies offering some degree of social protection to women migrant workers (Algeria, Cabo Verde, Croatia, Paraguay, Republic of Moldova, Senegal and Turkmenistan). In Paraguay, migrant workers can obtain access to the contributory and social security systems under the same conditions as nationals, and in Croatia, migrant women can register for unemployment cash benefit payments.

38. Efforts to address the intersections of migration and trafficking in persons were underlined by several Member States (Cabo Verde, Chile, Guatemala, Honduras, Mexico, Nicaragua, Paraguay and Serbia). The model used in Guatemala to prevent sexual violence, exploitation and trafficking of women migrant workers identifies risk and protective factors, provides complaint mechanisms and referral protocols and uses information and communications technology to prevent crimes. In Mexico, the Inspection Protocol to Prevent and Detect Human Trafficking in Workplaces focuses on women, children and adolescents, as well as migrants, to detect and follow up on cases of workers in dangerous or unhealthy environments.

E. Data collection and research

39. While a few States reported collecting sex-disaggregated data related to migration (Honduras, Mexico and Paraguay), gender-based violence (Croatia, Cyprus, Paraguay, Republic of Moldova and Serbia) and trafficking (Burundi, Croatia, Philippines and Senegal), there continues to be an overall lack of data collected and analysed on violence against women migrant workers. The unified database of violence statistics of Cyprus has a focus on vulnerable groups, including migrant women, and the Department of Foreign Affairs of the Philippines records the number of instances of violence experienced by Filipino migrant workers overseas. Information programmes in Mexico have allowed the National Institute of Statistics and Geography to estimate the level of violence against women migrant workers in the country.

40. States reported having mechanisms to track labour migration (Algeria, Benin, Cabo Verde, Honduras, Mexico and Philippines), noting that the data may not all be disaggregated by sex. The Ministry of Social Development of Honduras recently launched its information system for the returned migrant assistance registry, which compiles data on returning migrants including demographic information disaggregated by sex and age, along with reasons for migration and return.

41. States reported a number of studies undertaken on the needs of migrant women workers (Mexico and Peru) and access to public services (Chile, Guatemala and Philippines). This includes the second survey directed to the Venezuelan population residing in the country, conducted by Peru in 2022 with the support of international organizations⁷⁵ to collect information on the needs of Venezuelan refugee and migrant populations in the context of the COVID-19 pandemic, and two studies conducted by Chile on migrant women's access to State programmes, services and benefits.

⁷⁵ IOM, United Nations Population Fund, Office of the United Nations High Commissioner for Refugees, United Nations Children's Fund, World Bank and World Food Programme.

F. Preventive measures, training and capacity-building

42. Implementing preventive measures was identified by several States as being critical in eliminating violence against women migrant workers, including the risk of trafficking in persons (Argentina, Belarus, Cabo Verde, Chile, Cyprus, Guatemala, Mexico, Nicaragua, Peru, Qatar, Senegal, Serbia, Türkiye and Ukraine). Many States also reported providing capacity-building to government officials (Algeria, Argentina, Chile, Colombia, Cyprus, Honduras, Nicaragua, Paraguay, Peru, Philippines, Portugal, Republic of Moldova, Senegal, Serbia and Türkiye). Argentina convened a series of meetings to provide officials with tools for the early detection of situations of gender-based violence from an intersectional and intercultural perspective and to build strategies to ensure that the rights of migrants are respected. The Ministry of Labour and Social Protection of the Republic of Moldova held a seminar on the digital dimension of violence against women. With support from IOM, Senegal developed a capacity-building project for the Government to provide gender-sensitive and rights-based assistance and protection to vulnerable migrants.

43. Awareness-raising, including on migrants' rights and support mechanisms, was highlighted by many States as playing an important role in reducing the risk of violence against women migrant workers (Algeria, Argentina, Benin, Cabo Verde, Chile, Croatia, Cyprus, Guatemala, Honduras, Mexico, Nicaragua, Peru, Portugal, Republic of Moldova, Senegal and Serbia). The National Migration Service of Chile offered information days targeting migrant women, relaying information on their labour and health rights and available protection and services in cases of violence and trafficking. In partnership with civil society organizations, Serbia offers workshops dedicated to women and girls who may be victims of violence and/or trafficking.

44. Three States (Algeria, Colombia and Croatia) addressed the issue of preventing the labour exploitation of migrant workers, while the Ministry of Labour and Public Services of Benin is making efforts to implement a national strategy for the protection of migrant workers. Labour inspectors in Algeria, for example, are trained on international labour standards, including in relation to migrant workers, and ensure compliance with legislative and regulatory provisions relating to health and safety in the workplace while aiming to combat abusive practices.

G. Protection and assistance

45. Many of the reporting States (Algeria, Argentina, Benin, Cabo Verde, Chile, Colombia, Croatia, Cyprus, Honduras, Portugal, Senegal, Serbia, Türkiye, Turkmenistan and Ukraine) provide services and support for migrant women who are victims and survivors of violence, including trafficking in persons. In Croatia, legal acts mandate that victims of violence have the right to psychological and professional help, legal aid, access to the social welfare system and accommodation in shelters. The country also provides a free telephone service for all survivors of violence and specialized counsellors who coordinate registration and services for victims of human trafficking. In Ukraine, individuals, including internally displaced persons, migrants and stateless persons who have suffered from domestic and gender-based violence are provided access to tailored support services.

46. Several States reported providing different levels of access to health care for migrants (Benin, Cabo Verde, Cyprus, Honduras, Mexico, Paraguay, Qatar, Republic of Moldova and Serbia). Paraguay legally recognizes the right to health care for migrants and their families. In Serbia, all victims of trafficking are guaranteed the right to free health care and social assistance, accommodation, the right to work and

education. In Qatar, migrant workers are provided with psychological and material support for trafficking and work-related injuries.

47. Several States reported providing employment and training programmes for migrant women, including those who have been subjected to violence (Argentina, Burundi, Cabo Verde, Croatia, Cyprus, Guatemala, Mexico, Paraguay, Portugal and Türkiye). A project in Türkiye, targeting women and young people, trained Syrians under temporary protection and Turkish citizens to increase their employability in the formal labour market. The Returned Migrant Assistance Window in Guatemala connects migrant women to the services available through the Ministry of Labour and Social Welfare, which include linking women migrant workers to institutions for certifications and skills, training courses and opportunities for entrepreneurship and self-employment.

48. Access to justice and ensuring due process continue to be a challenge around the world for many women migrant workers who face violence and exploitation. Several States offer legal assistance to migrant women in cases of violence, labour exploitation or trafficking (Argentina, Chile, Croatia, Cyprus, Guatemala, Honduras, Kuwait, Paraguay, Peru, Philippines, Qatar, Senegal, Serbia, Türkiye and Turkmenistan). In Argentina, women and LGBTIQ+ migrants facing gender-based violence have access to the Integration Centre for Migrants and Refugees in Buenos Aires. The Centre provides women migrant workers with protective services, assistance and better access to justice. In Turkmenistan, victims of human trafficking have the right to receive free legal assistance, and in Kuwait, the Department for Regulating the Recruitment of Domestic Workers disseminates information on the rights and obligations of contracting parties and facilitates domestic workers' complaints to the relevant embassy of the domestic worker.

IV. Initiatives of United Nations and related entities in support of national efforts

A. Research and data collection

49. Entities of the United Nations system continued to produce research and data on women migrant workers, including on violence against them. The United Nations Educational, Scientific and Cultural Organization contributed to the development of gender-sensitive data collection and dissemination mechanisms for climate migration research. The World Food Programme invested in qualitative research on the barriers that all women and girls face in obtaining access to food and nutrition assistance. It is also conducting research on Indigenous women and girls, including migrants, to explore how gender inequalities and gender-based violence prevent the achievement of food and nutrition security. As part of the Making Migration Safe for Women programme, UN-Women and the National Statistics Institute of the Niger conducted a survey of over 1,200 women to collect quantitative information on their experiences migrating from, into, through and returning to the Niger, to help to design more effective gender-responsive migration programmes and inform policymaking.

B. Support for legislative and policy development

50. Entities of the United Nations system continued to collaborate with States on the development of policies and legislation to promote the rights and safety of women migrant workers. UNDP developed local reintegration strategies for migrant returnees, including women, deploying innovative solutions in nine municipalities that address livelihoods, education and social protection needs.

51. Entities of the United Nations system coordinated regional and global work to promote coherence around international migration policies. The Food and Agriculture Organization of the United Nations has contributed to the Global Guidance on Bilateral Labour Migration Agreements, recently published by the United Nations Network on Migration, as a step towards addressing the situations of migrant workers in agriculture. The United Nations Educational, Scientific and Cultural Organization is working with international institutions to develop innovative models of internal migration and future displacement to foster discussions around strengthening legal and policy frameworks to protect migrant women.

C. Advocacy, awareness-raising and capacity-building

52. Entities of the United Nations system continued to support advocacy, awareness-raising and capacity-building efforts to prevent violence against women migrant workers, and a significant portion of this work was done through joint programmes. The United Nations Human Settlements Programme (UN-Habitat) and UN-Women supported migrant women and girls in Cameroon through awareness-raising campaigns to inform migrant women and girls about their rights, in particular with regard to protection against violence.

53. The objective of the Spotlight Initiative of the European Union and the United Nations is to eliminate violence against women and girls, with a particular emphasis on the needs of those exposed to multiple forms of discrimination. As part of this initiative, United Nations entities supported the capacity-building of Haitian public institutions to provide comprehensive care and protection to survivors of violence.

54. In an effort to ensure the competitiveness of migrant women workers in the labour market, United Nations entities focused on building digital and technological capabilities. UNDP developed a training on digital and information technology skills for migrant returnees in Serbia and a tool to increase access by Romani migrants to e-services across Europe and the Commonwealth of Independent States. UNDP also supported migrant women returnees in the Republic of Moldova, including survivors of gender-based violence, with economic rehabilitation by improving their digital skills to enhance their employment opportunities.

V. Conclusions and recommendations

55. Migration can serve to advance the rights of women, but the lack of safe and regular migration pathways, paired with restrictive migration and labour laws, increases the risk of violence for women migrant workers. The risk of exploitation or abuse of women migrant workers is rooted in persistent gender inequalities and multiple and intersecting forms of discrimination, exacerbated by the COVID-19 pandemic and increasing anti-migrant rhetoric and nationalist populism.

56. Although several States reported strengthened efforts in the collection and analysis of data on violence against women, including on trafficking in persons, persistent gaps remain in the collection and dissemination of sex-disaggregated data on violence against women migrant workers.

57. Some States have taken steps to improve access by migrant women to justice by raising the awareness of public officials and strengthening the capacity of women migrant workers to understand and exercise their rights. Measures were undertaken by some States to improve access by women migrant workers to social protection, health care and services, irrespective of their migration status.

58. States are encouraged to implement the following recommendations to eliminate violence and discrimination against all women migrant workers and enhance their access to justice, services, decent work and social protection:

(a) Eliminate migration policies that discriminate against women and girls, including on the basis of age, marital status, migration status, pregnancy and/or maternity status;

(b) Ensure that national migration policies are developed with the meaningful and equal participation of women migrant workers, are gender-responsive and address the multiple and intersecting forms of discrimination faced by women migrant workers;

(c) Ensure the human rights of women migrant workers, in line with the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development;

(d) Accelerate the gender-responsive implementation of the Global Compact for Safe, Orderly and Regular Migration, with a specific focus on eliminating all forms of violence against migrant women and promoting their empowerment;

(e) Ratify and implement international labour standards, in particular the Violence and Harassment Convention, 2019 (No. 190), and the associated recommendation (No. 206), and the Domestic Workers Convention, 2011 (No. 189), and the associated recommendation (No. 201);

(f) Take legislative or other measures in countries of origin, transit and destination to protect all migrant women from gender-based violence, including violence in the world of work and sexual exploitation, and put in place zero-tolerance measures to criminalize and punish all forms of violence and harassment against migrant women, including by smugglers, and hold perpetrators of violence and traffickers accountable;

(g) Take action to enforce fair and ethical recruitment of women migrant workers by employers and recruitment agencies and safeguard conditions of decent work and protection against all forms of abuse, harassment and violence;

(h) Provide access to human rights-based, gender-responsive humanitarian pathways for entry and stay for migrant women and girls in vulnerable situations, including survivors and those at risk of gender-based violence, including trafficking;

(i) Address the increased risk of women migrant workers, and in particular those providing domestic and care services and working in rural areas in the agriculture sector, experiencing gender-based violence, harassment and abuse during migration and after return;

(j) Ensure the safe and successful reintegration of migrant women workers through awareness-raising, including on intimate partner violence, capacity-building and the provision of public services, access to justice and decent work;

(k) Invest in meeting the Sustainable Development Goals to address inequalities which may act as drivers of women's migration, including violence and discrimination against women, inequitable access, control and ownership of productive resources, and the disproportionate effects women face as a result of climate change and disasters, by ensuring the full, meaningful and effective participation of women in policymaking, capacitating women for disaster

preparedness and alternative means of livelihood, and increasing the availability of decent work and social protection for women;

(l) Ensure access to gender-responsive and non-discriminatory social protection measures regardless of migration status;

(m) Ensure that migrant women and girls, regardless of migration status, have access to public services, including health care, in particular sexual and reproductive health, education and access to justice, with accessible information about services in a linguistically and culturally appropriate manner, and separate immigration enforcement activities from public service provision;

(n) Ensure equal access to long-term, secure, affordable and accessible housing and living conditions for women migrant workers that meet their needs, irrespective of migration status and without discrimination, including by providing housing advice and support, and access to public housing;

(o) Ensure access to quality essential services, including justice, health and social services, for all migrant women who are victims/survivors of gender-based violence and trafficking, irrespective of migration status. These services should be survivor-centred, human rights-based and gender-responsive, and linguistically and culturally appropriate to respond to the particular needs of migrant women workers, in all their diversity, including those with additional care burdens;

(p) Improve the provision of accurate and timely information about safe and regular migration, and how to gain access to services and support, including through gender-responsive pre-departure and digital literacy training;

(q) Address the growing prevalence of digital and online violence against women migrant workers by implementing laws, policies and programmes to prevent all types of violence against women migrant workers, protect their rights and prosecute perpetrators;

(r) Respect and support the activities of all human rights defenders, including those working in migration contexts, and ensure that they are protected from violence, retaliation, threats and discrimination;

(s) Implement measures to combat sexism, racism, racial discrimination, xenophobia and anti-migrant rhetoric, such as by training staff, including border officials and law enforcement professionals, in gender-responsive, child-sensitive, disability-sensitive and non-discriminatory practices, promoting cultural diversity campaigns, and implementing and expanding measures for victims to report violence and hate crimes, while increasing the identification and assistance of victims/survivors of gender-based violence and investigating and prosecuting perpetrators;

(t) Improve the collection, analysis and dissemination of sex-disaggregated data and gender statistics on the situations of women migrant workers, including online and offline violence against them and violations of their rights, through national surveys and oversampling of migrant women.

59. The United Nations system is encouraged to support Member States in the implementation of measures at all levels and to strengthen partnerships with all stakeholders, including civil society organizations, human rights defenders, cooperatives and unions that support women migrant workers. The United Nations system should further strengthen inter-agency collaboration to increase the protection of women migrant workers from all forms of violence, including through the United Nations Network on Migration.