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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 [74/127](#), outlines the current situation in relation to the problem of violence against women migrant workers, including in the context of the coronavirus disease (COVID-19) pandemic. 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/76/150](#).



I. Introduction

1. In its resolution [74/127](#) 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-sixth session on the problem of violence against women migrant workers, especially domestic workers, and on the implementation of the 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, the United Nations Development Programme, 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 2019 to June 2021.

Global normative and policy frameworks

2. The Beijing Declaration and Platform for Action articulated an enduring vision for the advancement of the rights of women and for women to live their lives free from violence. At its sixty-fourth session, the Commission on the Status of Women adopted the political declaration on the twenty-fifth anniversary of the adoption of the Beijing Declaration and Platform of Action, in which it recognized the need for intensified efforts for the full, effective and accelerated implementation of the Declaration and Platform for Action, including by eliminating, preventing and responding to all forms of violence and harmful practices against all women and girls, in the public and private spheres, including in digital contexts, as well as human trafficking and modern slavery and other forms of exploitation ([E/2020/27-E/CN.6/2020/10](#), chap. I.A).

3. In 2020, the Committee on the Elimination of Discrimination against Women adopted general recommendation No. 38 on trafficking in women and girls in the context of global migration ([CEDAW/C/GC/38](#)), in which it highlighted the continued failure of States parties to address the prevailing economic and patriarchal structures and the adverse and gender-differentiated impact of labour, migration and asylum regimes that create the situations of vulnerability leading to women and girls being trafficked.

4. In the agreed conclusions of its sixty-fifth session, the Commission on the Status of Women recognized the importance of protecting the labour rights of women migrant workers and providing a safe environment, noting that migrant women, particularly those employed in the informal economy and in less skilled work, are especially vulnerable to abuse and exploitation. Further, it was acknowledged that social protection systems can make a critical contribution to the fulfilment of human rights for all, in particular for those who are marginalized or in vulnerable situations, and that measures should be taken to assist women migrant workers at all skill levels to have access to social protection ([E/CN.6/2021/L.3](#)).

5. The present report incorporates submissions from 28 Member States,¹ one intergovernmental organization,² one regional commission³ and six United Nations

¹ Andorra, Argentina, Bahrain, Canada, China, Colombia, Costa Rica, Croatia, Ecuador, Egypt, El Salvador, Greece, Honduras, Ireland, Italy, Japan, Kenya, Malta, Mexico, Montenegro, Poland, Russian Federation, Saudi Arabia, Senegal, Slovakia, Thailand, Tunisia and United Arab Emirates.

² European Union.

³ Economic and Social Commission for Western Asia.

entities or specialized agencies⁴ to address the issue of violence against women migrant workers in all public and private spheres. It draws on recent research studies and reports by United Nations agencies and other organizations and concluding observations, general recommendations and comments of human rights treaty bodies, and reports by special procedure mandate holders of the Human Rights Council.

II. Context

A. Data and trends

6. Women represent 48 per cent of the estimated 281 million international migrants⁵ and comprise 44.3 per cent of the 150 million migrant workers globally.⁶ Domestic work continues to be an important source of employment for women migrant workers, especially in Latin America and the Caribbean, where 35.3 per cent of migrant women work in that sector.⁷ However, the continued lack of sex-disaggregated data and gender statistics on migration, including on gender-based violence, especially in the workplace, is a significant issue that needs to be addressed urgently. The coronavirus disease (COVID-19) has had serious impacts on the lives of women migrant workers, exacerbating their risk of gender-based violence and loss of livelihoods. A UN-Women rapid assessment found that civil society organizations in South-East Asia that work with migrant women observed a 37 per cent increase in violence by employers and a 23 per cent increase in violence by family members.⁸

7. An estimated 100 million women migrant workers send remittances annually, representing half of all remittance senders globally.⁹ In some countries, the average remittance amount for migrant women is the same as or even greater than that of migrant men. Given that migrant women typically earn less than migrant men, they are therefore remitting a greater proportion of their income. International migrant women rely more on in-person money transfer services than men, who tend to use bank or other money transfer services for their remittances.¹⁰ The global recession caused by the COVID-19 pandemic resulted in a 1.6 per cent decrease in recorded remittance flows to low-income and middle-income countries in 2020 compared with 2019.¹¹ While there is a lack of sex-disaggregated data on remittances, it is likely that many migrant women, especially those with irregular migration status, have struggled

⁴ Department of Economic and Social Affairs of the Secretariat, International Labour Organization (ILO), International Organization for Migration (IOM), United Nations Children's Fund (UNICEF), United Nations Office on Drugs and Crime (UNODC) and United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

⁵ Department of Economic and Social Affairs, Population Division, *International Migration 2020 Highlights* (United Nations publication, 2020).

⁶ ILO, *ILO Global Estimates on Migrant Workers: Results and Methodology* (Geneva, International Labour Office, 2013).

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, International Labour Office, 2021).

⁸ UN-Women, "Rapid assessment: Impact of COVID-19 on women's civil society organizations", 2020.

⁹ International Fund for Agricultural Development, *Sending Money Home: Contributing to the SDGs, One Family at a Time* (Rome, 2017).

¹⁰ Allison J. Petrozziello, *Gender on the Move: Working on the Migration-Development Nexus from a Gender Perspective* (Dominican Republic, UN-Women, 2013).

¹¹ World Bank, "Defying predictions, remittance flows remain strong during COVID-19 crisis", 12 May 2021.

to send home remittances because they have been especially hard hit in terms of job losses and reduced incomes.¹²

B. Gender dimensions of migration

8. Women migrate for a variety of reasons, ranging from poverty, lack of access to education and decent work opportunities to conflict, environmental degradation, disasters and land dispossession. In addition, women leave their countries of origin to escape gender-specific human rights violations, including harmful practices and gender-based violence, which result from deeply entrenched gender inequalities. For example, women and girls in many countries within the Horn of Africa may depart for fear of gender-based violence and survivors of violence may migrate to escape the shame and stigma associated with it.¹³

9. Women may also migrate to leave behind restrictive gender roles, family norms and settings that limit their participation and status in family and public life. Women are also considered to be more responsible and more likely to send remittances. In many countries, social expectations of women to provide for their families based on culturally embedded values of caring, responsibility and duty result in many women migrating to work overseas and send money back home.

10. Since the start of the COVID-19 pandemic, there has been an increase in movement restrictions and border closures around the world. Such restrictions have not only prevented many migrant women from returning to their countries of origin but, with the reduction or closure of many regular channels, more women may be likely to use risky migration routes, exposing them to an increased risk of gender-based violence, exploitation and trafficking.¹⁴

11. Many women migrant workers experience multiple and intersecting forms of discrimination and inequalities, gender-specific restrictions in migration policies and insecure forms of labour, all of which is compounded by the perniciousness of racism and xenophobia.¹⁵ While such discrimination puts women migrant workers at a greater risk of violence, that risk is even further heightened for women migrant workers with disabilities, of African descent, who are indigenous and who identify as lesbian, gay, bisexual, transgender, queer and intersex.¹⁶ For instance, women with disabilities have an elevated risk of exploitation and violence when migrating through irregular channels.¹⁷

12. Women migrant workers are often concentrated in sectors at high risk of violence, harassment and abuse, including domestic and care work, and jobs in the informal sector. Violence can occur at any point during the labour migration cycle, from recruitment, pre-departure and transit to the country of destination and upon return.

¹² UN-Women, “Guidance note: Addressing the impacts of the COVID-19 pandemic on women migrant workers”, 2020.

¹³ Médecins sans Frontières, “No choice: Somali and Ethiopian refugees, asylum Seekers, and migrants crossing the Gulf of Aden”, 2008.

¹⁴ UNODC, “How COVID-19 restrictions and the economic consequences are likely to impact migrant smuggling and cross-border trafficking in persons to Europe and North America”, Research brief, 2020.

¹⁵ UN-Women, “Guidance note: Addressing the impacts of the COVID-19 pandemic on women migrant workers”.

¹⁶ R4V Inter-agency Coordination Platform for Refugees and Migrants from Venezuela, “Refugee and migrant response plan 2020”, January-December 2020.

¹⁷ IOM, “Disability and unsafe migration: Data and policy, understanding the evidence”, Global Migration Data Analysis Centre Data Briefing Series, Issue No. 7, December 2016.

C. Dangers along the migration journey

13. Migrant women face an ever-present risk of violence committed by a variety of actors, including smugglers, human traffickers, criminal gangs, corrupt officials and other migrants. Incidences of violence are often not singular but take place multiple times anywhere along the route; for example, some 30 per cent of people who have witnessed or experienced violence travelling along the Central Mediterranean route did so in more than one location.¹⁸ Along certain routes, the risk of gender-based violence is so enormous that migrant women may take contraceptives in anticipation of rape.¹⁹

14. Across regions and countries, there is evidence of corrupt officials extorting sexual favours from undocumented migrant women in exchange for avoiding arrest, being allowed to cross borders or being released from detention.²⁰ It has also been reported that sexual exploitation and violence by state officials and armed guards abusing their power over migrant women at border crossings has increased during the COVID-19 pandemic.²¹

15. Smugglers are key perpetrators of violence against migrant women and girls worldwide. A survey revealed that along the East and Horn of Africa migration corridor, for example, smugglers were responsible for 90 per cent of such incidents.²² Often using “go now, pay later” schemes, smugglers charge exorbitant fees for migrants to continue their journey, often resulting in debt bondage and an increased risk for migrant women of forced labour, sexual exploitation, including forced prostitution, and survival sex, namely, providing sex as “payment” for safe passage. Physical and sexual abuse against migrant women in the Horn of Africa commonly takes places in *megazens*, large warehouses in transit countries, where smugglers imprison, torture and abuse migrants to obtain ransom money from family members and friends back home so that migrants can continue their journeys. Women and girls are frequently raped and sexually assaulted in these *megazens* by smugglers and other migrants or forced into sexual slavery.²³

16. The continuum between smuggling and trafficking in persons means that migrant women who use smugglers are vulnerable to being trafficked. In fact, it is estimated that 20 per cent of suspected smugglers have ties to human trafficking networks.²⁴ UNODC reported that 92 per cent of detected victims of trafficking for sexual exploitation were women and girls, 35 per cent of whom were foreigners in the country of detection.²⁵ The lack of regular migration pathways, in particular for migrant women in low-skilled work, and restrictive immigration schemes heighten the risk of trafficking. In addition, the lack of adequate protection under national labour laws makes women migrant workers especially vulnerable to trafficking (see [A/73/263](#)). Furthermore,

¹⁸ Office of the United Nations High Commissioner for Refugees (UNHCR) and the Mixed Migration Center, “On this journey, no one cares if you live or die: Abuse, protection, and justice along routes between East and West Africa and Africa’s Mediterranean coast”, 2020.

¹⁹ Research and Evidence Facility, “A state-incorporated business: the migration economy along the Ethiopia-Sudan border town of Metema”, 2020.

²⁰ Transparency International, “Breaking the silence around sextortion: The links between power, sex and corruption”, 2020; Regional Support Office of the Bali Process and UNODC, *Corruption as a Facilitator of Smuggling of Migrants and Trafficking in Persons in the Bali Process Region with a focus on Southeast Asia* (Bangkok, 2020).

²¹ UK AID, “Impact of COVID 19 pandemic on violence against women and girls”, 2020.

²² UNHCR and the Mixed Migration Center, “On this journey, no one cares if you live or die”.

²³ Danish Institute for International Studies, “No place for Me here: The challenges for Ethiopian male return migrants”, 2020.

²⁴ UNICEF, *A child is a child: Protecting children on the move from violence, abuse and exploitation* (New York, 2020).

²⁵ UNODC, *Global Report on Trafficking in Persons 2020* (United Nations publication, 2020).

there is a direct link between unethical recruitment practices and trafficking in persons. For example, it was reported that in Uganda, unlicensed labour recruitment companies were responsible for trafficking more than 90 per cent of the registered victims of trafficking, with women comprising the majority of those victims.²⁶

17. The threat of violence against women is especially high along certain migration routes. The Central America-Mexico-United States of America corridor is also marked by high levels of violence against migrant women, including sexual violence, kidnapping, extortion and forced disappearances, with violence being perpetrated by transnational criminal networks, border authorities and police officers.²⁷ Along the Colombia-Venezuela (Bolivarian Republic of) border, gender-based violence and sexual assaults against migrant women are rampant, with many Venezuelan women being forced to use irregular channels for leaving or returning owing to the impacts of COVID-19.²⁸ The high level and normalization of sexual violence against Venezuelan migrant women are taking place against a backdrop of xenophobic discrimination and a lack of essential services (justice, health-care and social services), rendering it difficult for victims to report incidents and seek assistance.²⁹

D. Challenges and risks at all stages of migration

18. Migration can be an expression of women's agency and a vehicle for their empowerment. For many women, migration can be a positive experience leading to a better life and enhancing their livelihood opportunities, autonomy and agency. However, a lack of safe and regular migration pathways can lead to women turning to migrant smugglers and irregular pathways, which heightens their risk of violence, exploitation, forced labour and trafficking in persons.³⁰ The absence of gender-responsive pre-departure training means that many women are unaware of their rights and obligations, including how to access services and seek assistance in countries of destination, increasing their risk of becoming a victim of human rights violations, including gender-based violence.

19. Around the world, a rise in nationalist populism has escalated cases of racist and xenophobic violence, hate crimes and speech (see [A/73/305](#)) and an accompanying increase in anti-migrant discourse and pushback. Such anti-migrant discourse has tended to increase as governments, communities and individuals react and respond to fears and challenges related to the COVID-19 pandemic.³¹ In several countries, women migrant workers have been blamed and targeted for spreading COVID-19.³²

20. While racist and xenophobic abuse is not experienced exclusively by migrant women, the pervasiveness of gender inequalities, including gender-specific restrictions in migration policies,³³ has resulted in a greater proliferation of such

²⁶ United States, Department of State, "Uganda: tier 2 watch list", in *2021 Trafficking in Persons Report* (2021).

²⁷ Paola Cymant, *No borders to equality: Global mapping of organizations working on gender and migration* (Women in Migration Network and Friedrich-Ebert-Stiftung, 2021).

²⁸ Ibid.

²⁹ IOM, "Gender-based violence and risk factors for migrant and refugee women from Venezuela during the migration journey", 2021.

³⁰ United Nations Network on Migration, "Irregular migration and regular pathways, including decent work, labour mobility, recognition of skills and qualifications and other relevant measures", Issue Brief No. 6, 2020.

³¹ IOM, "Quarantined! Xenophobia and migrant workers during the COVID-19 pandemic", 2020.

³² UN-Women, "COVID-19 and violence against women: The evidence behind the talk: Insights from big data analysis in Asian countries", 2020.

³³ Ibid.

violations against women migrant workers. For many women migrant workers, their experience of racism has been compounded by their gender, class and national origin. In her report to the seventy-fifth session of the General Assembly (A/75/590), the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance highlighted the discriminatory operation of biometric technologies on the basis of race, ethnicity and gender, which can have a profound impact on migrant women entering countries for the purposes of work, especially black women, who are 20 times more likely to be misidentified by such technology than white men.

21. Women migrant workers and those with irregular migration status in particular often lack access to essential services for victims and survivors of violence, and COVID-19 lockdown measures and the repurposing of funds have further reduced the availability and uptake of those already limited services.³⁴ The situation is especially grave for victims of sexual assault and rape, who are in need of prompt medical assistance, including emergency contraception to avoid pregnancy and post-exposure prophylaxis to prevent HIV infection, which need to be administered within 72 hours of possible exposure.³⁵ In addition, the pandemic has negatively affected the mental health of women migrant workers. A UN-Women study found that almost 80 per cent of online searches in neighbourhoods with high migrant populations in Malaysia, Singapore and Thailand were related to mental health, highlighting increased levels of stress, depression, fear, anxiety and loneliness. However, only 20 per cent of the searches related to violence against women were tied to seeking help, indicating that many migrant women who are victims of gender-based violence have not sought out or do not have access to essential services.

22. For migrant women in detention, the risk of gender-based violence, including sexual abuse, is especially high. Detention facilities typically lack sex-segregated accommodation and adequate numbers of women staff members. In her report to the General Assembly in 2019 (A/74/137), the Special Rapporteur on violence against women, its causes and consequences highlighted examples of grave rights violations against migrant women in detention, some of whom were described as having been shackled and restrained for hours or even days on end while giving birth. For transgender migrant women, not only is the experience of detention dehumanizing, given that they are often detained in spaces that do not correspond to their self-identified gender,³⁶ but they also face a much greater risk of physical and sexual violence when they are detained alongside men (see A/HRC/41/38).

E. Lack of decent work and social protection

23. Many women migrant workers, in particular those in the informal economy or with irregular migration status, face a heightened risk of labour exploitation and abuse and, owing to their migration status, are more likely to accept deplorable working conditions, exacerbating their risk of violence, abuse and exploitation.³⁷ In the European Union countries, women migrant workers in an irregular situation routinely suffer from isolation, social exclusion and the risk of exploitation, discrimination and gender-based violence.³⁸ While migrant women are at higher risk of abuse in the

³⁴ United Nations Network on Migration, “Enhancing access to services for migrants in the context of COVID-19 preparedness, prevention, response and beyond”, Policy Brief, 2020.

³⁵ ILO, “COVID-19 and women migrant workers”, 2020.

³⁶ See <https://interactive.unwomen.org/multimedia/explainer/migration/en/index.html>.

³⁷ Cymant, *No borders to equality*.

³⁸ Ibid.

workplace, incidences of violence often go unreported because they are afraid of losing their jobs, being arrested or being deported.³⁹

24. Migrant women are overrepresented in the informal economy, working in precarious conditions without formal employment contracts and limited coverage by labour laws, and have been disproportionately affected by job losses and reductions in working hours as a result of COVID-19.⁴⁰ Many women migrant workers, especially those working in the informal economy, lack access to social protection, including health care, because they are often excluded from contributory social insurance schemes.⁴¹ Without social protection and with many migrant women dealing with growing debt from paying exorbitant recruitment fees,⁴² migrant women are under greater pressure to accept precarious working conditions, increasing their risk of labour rights violations and abuse. In addition, they may be hesitant to comply with COVID-19 screening, testing, treatment and vaccination drives owing to fear of documentation checks by authorities and potential fines, arrest, detention or deportation.⁴³

25. Domestic work employs approximately 13 per cent of all migrant women. With much of their work carried out in private residences, often in isolation and in settings with stark power inequalities, women migrant domestic workers face a high risk of economic, verbal, psychological, physical and sexual abuse. Sponsorship systems, such as the *kafalah* system in Gulf Cooperation Council countries, place them in situations of heightened vulnerability, given that they cannot freely enter or leave the country or resign from or change employment, forcing women migrant domestic workers to endure violence and harassment.⁴⁴

26. Domestic workers and those who are undocumented in particular may be hesitant to seek help or report rights violations owing to a lack of information and language barriers or out of fear of deportation, job loss or other punitive measures.⁴⁵ Women migrant domestic workers routinely lack access to maternity protection, leading to poor health outcomes for mothers and their children. In some countries, they are prohibited from becoming pregnant and may be deported as a result.⁴⁶ Other examples include women migrant domestic workers having been imprisoned for having sex outside of marriage even in cases of rape.⁴⁷

III. Measures reported by Member States

27. 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

³⁹ ILO and UN-Women, *Handbook: Addressing violence and harassment against women in the world of work* (2019).

⁴⁰ UN-Women, “Guidance note: Addressing the impacts of the COVID-19 pandemic on women migrant workers”.

⁴¹ ILO and UN-Women, “Social protection: Women migrant workers in ASEAN”, Policy Brief Series: Women Labour Migration in ASEAN, 2015.

⁴² UN-Women, “COVID-19 and violence against women: The evidence behind the talk”, 2020.

⁴³ UN-Women, “Guidance note: Addressing the impacts of the COVID-19 pandemic on women migrant workers”.

⁴⁴ 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, International Labour Office, 2021).

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ UN-Women, “Violence Against women and girls and COVID-19 in the Arab region”, 2020.

policies, highlighting the important, but often ambiguous, links between violence against women migrant workers and trafficking in persons.⁴⁸

A. International instruments

28. The number of States parties to international instruments relevant to combating violence and discrimination against women migrant workers has marginally increased since 2019.⁴⁹

<i>Treaty</i>	<i>Number of ratifications, 2019</i>	<i>Number of ratifications, 2021</i>
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	54	56
United Nations Convention against Transnational Organized Crime	190	190
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	174	178
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	149	150

29. 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 by all reporting States, except Andorra. However, Andorra is conducting a review of its domestic legislation with a view to adopting the necessary amendments to bring domestic law into line with the provisions of the Protocol.

30. The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime has been ratified by all reporting States, except Andorra, China, Colombia and the United Arab Emirates. Ireland and Thailand are signatories, but have not ratified the Protocol.

31. Many of the reporting States that contributed to the present report are parties to relevant ILO conventions. Ecuador, Italy, Kenya and Montenegro 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, except Andorra and Japan. Italy, Kenya and Montenegro are parties to the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). The Private Employment Agencies Convention, 1997 (No. 181) has been ratified by Italy, Japan, Poland and Slovakia.

32. On 5 September 2013, the ILO Domestic Workers Convention, 2011 (No. 189) entered into force. As at June 2021, 32 countries had ratified the Convention (up from 28 in 2019), including Argentina, Colombia, Costa Rica, Ecuador, Ireland and Italy of the reporting States. The Convention will enter into force in Malta on 14 May 2022 and in Mexico on 3 July 2021. On 25 June 2021, the Violence and Harassment

⁴⁸ 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-fifth session (see [A/75/289](#)).

⁴⁹ All information on United Nations treaty ratification is available from https://treaties.un.org/pages/ParticipationStatus.aspx?clang=_en.

Convention, 2019 (No. 190) entered into force and, of the reporting States, has been ratified by Argentina and Ecuador.

33. 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 (Andorra, Bahrain, Canada, China, Ecuador, Honduras, Japan, Mexico and Tunisia).

B. Legislation

34. Several reporting States recognized the role of their constitutional frameworks in protecting the human rights of women migrant workers, including from violence (Andorra, Bahrain, Colombia, Italy, Mexico, Senegal and Tunisia). China and Montenegro reported that provisions had been outlined in relevant laws and regulations protecting the rights and interests of migrant women. Andorra introduced a law that promotes equal treatment and non-discrimination and includes gender mainstreaming as an obligation. In 2018, Tunisia introduced a law seeking to combat all forms of racial discrimination, irrespective of a victim's national origin or ethnicity.

35. Several reporting States have labour laws ensuring protections for women migrant workers (Andorra, Croatia, Russian Federation and Thailand). In Senegal, all workers, irrespective of gender or nationality, are protected by the Labour Code, including from forced labour. Bahrain has strengthened existing legislation to protect women workers from exploitation, including through an amendment banning discrimination on the basis of national origin. In 2019, the United Arab Emirates amended its law on the regulation of labour relations, prohibiting the arbitrary dismissal of women workers who become pregnant. In January 2021, Canada introduced the Workplace Harassment and Violence Prevention Regulations, which seek to protect all employees from harassment and violence in federal workplaces, including federally regulated private-sector workplaces.

36. Several States reported that they had specific legislation addressing violence against women (Andorra, Bahrain, Croatia, Ecuador, El Salvador, Malta, Mexico, Senegal, Tunisia and United Arab Emirates), while Saudi Arabia prohibits and criminalizes abuse of all kinds against anyone, including migrant workers, through the Law on Protection from Abuse. Ecuador's Comprehensive Organic Law to Prevent and Eradicate Violence against Women includes a focus on migrant women, ensuring that they have access to psychosocial support and legal assistance. The Special Comprehensive Law for a Life Free of Violence against Women constitutes the main legal framework in El Salvador to protect migrant women and girls whose rights have been violated. Slovakia does not have one piece of legislation focused on violence against women but addresses the issue across several legal instruments. Tunisia introduced a law in 2017 to combat all forms of violence against women that applies to all victims irrespective of migration status. The Gender-based Violence and Domestic Violence Act in Malta includes specific provisions protecting migrant women and girls. In Poland, an amendment to the Act on Counteracting Domestic Violence that would strengthen protections for migrant women has been proposed. Under the law on the eradication of gender-based violence and domestic violence, Andorra guarantees that any migrant woman who obtains a resident's permit through family reunification will not lose their status if they separate or divorce owing to violence.

37. Noting the heightened risk of human rights violations and labour abuse suffered by women migrant domestic workers, several States (Argentina, Italy, Mexico and Saudi Arabia) outlined specific pieces of legislation in place to strengthen protections for domestic workers. Since ratifying the ILO Domestic Workers Convention, 2011 (No. 189), Mexico has improved the working conditions of more than 2 million

domestic workers by aligning their rights with those of all other workers. Both Egypt and Tunisia have introduced draft legislation seeking to strengthen protections for domestic workers, and Kenya reported that the National Employment Authority held a list of recruitment agencies that had been vetted by the multi-agency Government vetting committee, which potential migrant women could use when searching for employment abroad.

C. Policies

38. Several reporting States have developed national action plans or strategies addressing violence against women, including migrant women (Costa Rica, Colombia, Croatia, Ecuador, Kenya, Malta, Mexico, Senegal, Slovakia and Thailand). In Mexico, the National Institute for Women is responsible for carrying out inter-institutional actions to address and prevent violence against women migrant workers, while protecting and promoting their rights. Through its National System of Attention and Prevention of Domestic Violence and Violence against Women, Costa Rica promotes public policies that provide women, including migrant women, who are victims of violence with access to the necessary services. Italy is implementing a three-year plan to combat labour exploitation, and Tunisia has developed a draft national strategy for migration that would guarantee decent work and social security coverage for all workers, including women migrant workers. In Ecuador, the 2017–2021 national development plan (“A whole life”) takes a gender perspective in protecting and promoting the rights of migrants on its territory, which is aligned with the National Agenda for the Equality of Women and LGBTI Persons (2018–2021).

39. 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 (Argentina, Bahrain, Italy, Ireland, Thailand, Tunisia and United Arab Emirates). Argentina guarantees that all migrants, irrespective of migration status, can enjoy their right to social protection. Ireland and Italy highlighted specific legal provisions that provide access to some social security benefits for migrant workers under certain circumstances. In Italy, migrant workers in an irregular situation are entitled to contact the relevant authorities to claim their salary payments and any social security contributions to which they are entitled. In addition, special paid leave is provided for working women who are victims of violence. To support women migrant workers in obtaining the assistance they need, the Department of Labour Protection and Welfare in Thailand created the Labour Protection Network and the Migrant Worker Network, which monitor and report cases of labour exploitation and abuse of migrant workers and disseminate information about relevant policies to migrant workers.

40. Efforts to address the intersections of migration and trafficking in persons were underlined in the submissions received from many of the reporting Member States (Bahrain, Canada, Colombia, Croatia, China, Ecuador, Egypt, Greece, Ireland, Italy, Japan, Kenya, Poland, Saudi Arabia, Thailand and Tunisia). China and Egypt have implemented successful anti-trafficking campaigns. In Egypt, the National Council for Women has implemented the “Together against human trafficking” campaign, which encouraged people to report cases of exploitation and abuse of migrants through hotlines. As part of the Counter-Trafficking in Persons Act in Kenya, direct assistance, including medical assistance, food and non-food items, is provided to women migrant workers who are survivors of trafficking in persons. While the Russian Federation does not make specific reference to the intersections of migration and trafficking in its submission, it is noted that the Labour Code prohibits all forms of forced labour and discrimination in employment.

D. Data collection and research

41. While some States reported that they collected sex-disaggregated data on survivors of trafficking in persons and provided essential services (Bahrain, Greece, Poland and Senegal), there continues to be an overall lack of comprehensive data collection and analysis on violence against women migrant workers. However, Malta reported that through its Commission on Gender-Based Violence and Domestic Violence in collaboration with the National Statistics Office, it collected data disaggregated by sex, type of violence and nationality of the victim. Other States reported that they collected data on migration or on incidences of violence against women but not on both (Canada, Egypt, Ecuador, Mexico, Thailand and Tunisia). Saudi Arabia has established a communication centre, which receives reports of violence or abuse, including from women migrant workers. In Mexico, the General Directorate of Government, Public Security and Justice Statistics collects data on violence against women, but Mexico reported that the data were not disaggregated by migration status, noting however its commitment to addressing that issue.

42. Two States (Croatia and Kenya) reported on measures taken to gather data and information, including on the experiences of women migrant workers. In Croatia, the Government Office for Human and National Minority Rights is organizing a round table on the participation of migrant women in the labour market. The National Employment Authority of Kenya encourages all women migrant workers to register in the National Employment Integrated Management System, providing full details on their location and employer.

E. Preventive measures, training and capacity-building

43. The implementation of preventative measures was identified by several States as being critical in eliminating violence against women migrant workers, including their risk of being trafficked. Several States have introduced anti-trafficking campaigns (China, Colombia, Honduras and Ireland). As part of measures to eliminate trafficking in persons, Honduras has implemented the Trafficking in Persons and Sexual Exploitation Programme which, between 2014 and 2020, reached approximately 3 million people. Ireland approved funding for several non-governmental organizations to develop a joint national campaign called “Prostitution: We Don’t Buy It” which provides information about trafficking, including through the delivery of online training modules. Several States reported that they had provided capacity-building to government officials (Andorra, El Salvador, Japan, Mexico and Senegal). The Immigration Services Agency of Japan conducts training on trafficking in persons and human rights to its officials. As part of its gender-responsive approach to migration governance, Canada provides operational guidelines to its immigration officers on reviewing applications of people who are vulnerable to exploitation and abuse.

44. Awareness-raising was highlighted by a number of States as playing an important role in reducing the risk of violence against women migrant workers (Ecuador, El Salvador, Ireland, Malta, Mexico, Poland and United Arab Emirates). El Salvador reported that it had five information centres across the country, providing women migrant workers with safe and accurate information on migration, including options for regular migration and the risks of migrating using irregular channels. Ecuador and the United Arab Emirates have implemented national campaigns aimed at domestic workers to provide information on their rights, including the right to be protected from all forms of violence and discrimination. In Ireland, non-governmental organizations funded by the Health Service Executive conduct awareness-raising campaigns to ensure that migrant women are aware of the services available to them and how to access them.

45. Several States (Bahrain, Colombia, Egypt, Kenya, Malta, Saudi Arabia and Thailand) addressed the issue of preventing labour exploitation of migrant workers. Egypt and Thailand reported that they offered training programmes to migrant women to increase their skills and provide them with more opportunities to access decent work. Bahrain, Colombia and Saudi Arabia have introduced dedicated programmes to regulate the employment of migrant workers, including domestic workers, to strengthen the protection of their labour and human rights.

F. Protection and assistance

46. Many of the reporting States (Andorra, Bahrain, Canada, China, Croatia, Egypt, Honduras, Kenya, Montenegro, Saudi Arabia, Senegal and Thailand) provide services and support for migrant women who have been victims of violence, including trafficking in persons. Andorra provides migrant women who are victims of gender-based violence with free access to comprehensive social, psychological and legal assistance. Montenegro ensures that migrant women who have been granted subsidiary protection receive appropriate accommodation and financial assistance for up to two years. In Canada, post-arrival support is provided to migrant women and girls who suffered gender-based violence prior to their arrival. Honduras has created protection centres in Mexico and the United States that offer protection to migrants abroad, with a specific focus on migrant women. Three States (Andorra, Canada and Croatia) offer protections to women migrant workers, including domestic workers, who need to leave their jobs owing to exploitation and abuse while ensuring that their migration status is not in jeopardy.

47. In 2020, Colombian migration officials launched an app called “LibertApp”, which provides access to information to migrants, with the aim of combating trafficking in persons and intervening immediately. Bahrain and Saudi Arabia have introduced multilingual hotlines for migrant workers, including domestic workers, to report cases of violence and labour exploitation. Greece and Japan provide migrant women who have been victims of trafficking with residency permits or permission to remain in the country depending on the individual circumstance. China and Kenya reported that they provided direct assistance, including food and accommodation, to migrant women who were victims of trafficking in persons.

48. Several States reported that they provided access to health care for migrants (Argentina, Bahrain, Ecuador, Egypt, El Salvador, Ireland and Montenegro). El Salvador provides women migrant workers from neighbouring countries in the region with access to health care equal to that of citizens. Egypt ensures non-discriminatory access to health-care services for all citizens and migrants. Foreign nationals residing in the Russian Federation are entitled to health care under a law that guarantees emergency health care for all. Argentina and Ecuador offer universal health care to all irrespective of migration status, and both Bahrain and Egypt reported that they offered free COVID-19 testing for all and included migrants in their national COVID-19 vaccination campaigns. In addition, Bahrain established a national social campaign as part of its COVID-19 response, which raised funds to support migrant workers and provide them with direct cash assistance to lessen the likelihood that they would become victims of exploitation.

49. 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 reporting States guarantee the right to litigation for migrants (Bahrain, Thailand and the United Arab Emirates). Bahrain and Thailand provide interpreters to migrant workers to facilitate access to justice, and the United Arab Emirates provides free legal advice to migrants, including women migrant domestic workers,

through the Ministry of Human Resources and Emiratization. Several States offer legal assistance to migrant women in the case of violence or labour exploitation (Andorra, Bahrain, Colombia, Costa Rica, Ecuador and Thailand). Colombia and Ecuador reported that they offered legal assistance to all, irrespective of migration status. In Thailand, the Department of Labour Protection and Welfare provides legal support and services to migrant workers who have experienced violence or unfair treatment. Under Croatia's Social Welfare Act and the National Strategy for Protection against Domestic Violence (2017–2022) victims of violence, including migrants, are not only entitled to legal aid but they also have access to information and support, such as the provision of psychological and legal counselling. Italy and Poland provide legal support for survivors of trafficking in persons, including free legal aid, with interpreters and cultural mediators offered as required. Costa Rica provides specific training for judicial facilitators on migration, gender-based violence and labour and human rights as well as gender inequalities in accessing justice.

G. Bilateral, regional, international and other cooperation

50. Several States (Croatia, Ireland, Malta and Poland) reported that they had ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). In 2018, Malta fully transposed the provisions of the Istanbul Convention into domestic law. China has signed multilateral anti-trafficking cooperation agreements with Cambodia, the Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam. With a view to reducing women migrant workers' risk of violence and labour exploitation, Kenya has signed bilateral labour agreements with Qatar, Saudi Arabia and the United Arab Emirates and sends labour attachés to those countries to monitor the status of women migrant workers, especially those in domestic work.

51. Several States referred to the importance of regional migration cooperation (Andorra, Canada, Ecuador, El Salvador, Honduras, Mexico and Senegal). Ecuador and Mexico reported that they were part of several key regional migration processes aimed at responding to the needs of labour markets while also upholding the rights of migrant workers. Senegal participated in the Inter-African Conference on Social Welfare which, in 2006, introduced the Multilateral Convention on Social Security aimed at improving social protection coverage for migrant workers from Member States in the region. Andorra and Malta both have agreements with national academic institutions to provide training to officials working with victims of gender-based violence.

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

A. Research and data collection

52. Entities of the United Nations system continued to support the increased collection, analysis and availability of data on women migrant workers, including with respect to violence, often with a specific focus on the impacts of the COVID-19 pandemic. The Economic and Social Commission for Western Asia together with relevant United Nations agencies developed a policy brief on violence against women and girls during COVID-19 in the Arab region. The policy brief highlighted that women migrant workers and migrant women domestic workers in particular employed under the *kafalah* system were at greater risk of losing their jobs and facing gender-based violence, exploitation and abuse.

53. In association with other United Nations partners, the Economic and Social Commission for Western Asia also produced a technical paper on the impact of the COVID-19 pandemic on migrants and refugees in the Arab region, which emphasized that the *kafalah* system creates a power imbalance that makes migrant women domestic workers vulnerable to sexual exploitation, abuse, harassment and other forms of gender-based violence. The Commission, the World Health Organization and the Statistics Division of the Department of Economic and Social Affairs developed a violence against women survey implementation toolkit to assess United Nations indicators on violence against women and produce accurate and relevant statistics targeting all members of a household, including migrant women domestic workers.

54. ILO and UN-Women, as part of the Safe and Fair programme, developed a tool on safety planning for violence against women during the COVID-19 pandemic. They also produced a tool on data collection on violence against women migrant workers to advise when and how to collect data on women migrant workers' experiences of violence without jeopardizing the safety of the participants or the integrity of the data. In Thailand, ILO and UN-Women conducted a study to assess work-related sexual harassment laws and enforcement, with a focus on women migrant workers.

55. UNODC released a study in June 2021 on aggravated forms of migrant smuggling and related gender dimensions, in which it analysed the circumstances and experiences of smuggled migrants during the migration journey, including repeated episodes of sexual violence, abuse and exploitation in the case of migrant women in particular. In 2019, UNODC launched the United Nations Observatory on Smuggling of Migrants, which also examines violence, abuse and exploitation of smuggled women and girls. It was found that women and girls were forced to have sexual intercourse with smugglers, police officers or third parties along the Central Mediterranean route as an alternative form of compensation for their passage. Transactional rape and sexual exploitation of women and girls may be subject to pressure from the travelling group, especially in situations of economic need.

B. Support for legislative and policy development

56. Entities of the United Nations system continued to collaborate with national authorities to ensure that laws cohered to prevent violence against women migrant workers and to provide protection and assistance to victims.

57. ILO and UN-Women, through the Safe and Fair programme, provided technical assistance in Viet Nam towards the revision of the Law on Contract-based Vietnamese Overseas Workers, which was adopted in December 2020. The revised Law (No. 68 of 2020) increased the protection of women migrant workers, including the ability for migrant workers to unilaterally liquidate contracts in situations of threat, sexual harassment, maltreatment or forced labour and a provision for legal aid in cases of abuse, violence or discrimination while working abroad.

58. UNODC supported the Governments of Afghanistan and Pakistan in updating their respective national strategic frameworks and action plans on trafficking in persons and smuggling of migrants in line with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

C. Advocacy, awareness-raising and capacity-building

59. Entities of the United Nations system continued to support advocacy, awareness-raising and capacity-building efforts to prevent violence against women

migrant workers, with many tailored efforts to address the impacts of the COVID-19 pandemic.

60. UN-Women is implementing a project that is aimed at ensuring that migration is safe for women migrating from, into and through the Niger and that international norms and standards for protecting and promoting migrant women's rights are strengthened.

61. IOM initiatives raised awareness about immigration risks, including gender-based violence. In Greece, IOM created a service through WhatsApp for the long-term accommodation sites which, along with offering information on legal processes and asylum services, provides key protection updates related to gender-based violence and the prevention of domestic violence.

62. In Indonesia, ILO and UN-Women, through the Safe and Fair programme, supported the development of the Protocol for Handling Cases of Gender-based Violence and Human Trafficking of Indonesian Women Migrant Workers during the COVID-19 Pandemic. The Protocol is aimed at providing practical guidelines for service providers to better support women, including women migrant workers abroad, who have experienced violence during the pandemic. ILO and UN-Women developed numerous campaigns in the ASEAN region to change knowledge, attitudes and behaviours towards women migrant workers, including violence against women migrant workers and a specific focus on the repercussions of the COVID-19 pandemic. In Kyrgyzstan, the United Nations Children's Fund provides science, technology, engineering and mathematics training and mentoring for girls in migrant populations to help build their life skills and increase the likelihood of better work opportunities in the future.

V. Conclusions and recommendations

63. Migration can promote the agency and economic empowerment 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 risks of exploitation or abuse of women migrant workers are rooted in persistent gender inequalities and multiple and intersecting forms of discrimination and have been exacerbated by the COVID-19 pandemic.

64. Although several States reported that they had strengthened efforts on 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 and gender statistics on violence against women migrant workers.

65. 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 have been undertaken by some States to improve access by women migrant workers to social protection and public services, irrespective of their migration status.

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

(a) Ensure the realization of the human and labour 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;

(b) 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;

(c) Ratify and implement without delay international instruments relevant to combating violence and discrimination against women migrant workers;

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

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

(f) Take action to enforce fair and ethical recruitment of women migrant workers, in particular those in the domestic and care sectors, by employers and recruitment agencies and safeguard conditions of decent work and protection against all forms of abuse, harassment and violence, including in the context of COVID-19;

(g) Eliminate migration policies that discriminate against women and girls and ensure that national migration policies are gender-responsive and address the multiple and intersecting forms of discrimination faced by women migrant workers;

(h) Provide access to human rights-based and humanitarian pathways for entry and stay for migrant women and girls in vulnerable situations, including survivors and those at risk of sexual and gender-based violence and trafficking in persons, in particular in the context of the COVID-19 pandemic;

(i) Provide access to decent work and gender-responsive social protection measures for all women migrant workers, including in the context of COVID-19;

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

(k) Ensure access to quality essential services, including justice, health-care and social services, for all migrant women who are victims/survivors of sexual and gender-based violence, irrespective of migration status. Such services should be survivor-centred, human rights-based and gender-responsive, and linguistically and culturally appropriate and available during the COVID-19 pandemic and beyond;

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

(m) Ensure that staff, including 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 survivors of sexual and gender-based violence;

(n) **Improve the collection, analysis and dissemination of sex-disaggregated data and gender statistics on the situations of women migrant workers, including on cases of violence against them and violations of their rights, through population censuses, sample surveys, such as labour force surveys, and other purposive data- collection instruments that allow for the production of robust statistics on migrant women and their well-being.**

67. The United Nations system will continue to support Member States in the implementation of measures at all levels and to strengthen partnerships with all stakeholders, including civil society organizations, cooperatives and unions that support women migrant workers. The United Nations system will continue to 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.
