Women in migration (whether they are categorised as ‘refugees’ or ‘migrants’) face multiple and intersecting strands of discrimination, which affect them during the process of migration, as well as on their arrival in host countries during their integration journeys. Migrating women face seemingly insurmountable barriers related to their status, living conditions, and responsibilities as women. They are often subjected to violence, abuse and the violation of their bodily and moral rights.

In developing, adopting and implementing policies and measures aimed at migrating women, it is crucial to be mindful of the role that households and communities play in women’s lives. Migrant women and their families are crucial actors in development and can make a significant contribution to reducing poverty and inequality. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies.

Even in developed countries, as with other public services, many of these differences mean that many problems of migrant workers require additional structural barriers to women in the areas of entry into the labour force, direct and indirect discrimination (including suffering in host countries from discrimination, including in education in home countries and occupational segregation).

In some countries, migrant workers receive sub-standard wages. In some cases, they may not be able to obtain legal status and are in informal work, their rights are not protected and they are often subject to violence.

Refugees and migrant teachers’ qualifications are often not recognised, thus denying them the right to work. While at the same time denying migrant children from the same country the right to be taught by a qualified teacher who understands their culture and speaks their language. Local teachers need special training to deal with the learning needs of refugees. It is not always easy, for certification and other reasons, to put migrant teachers who may have needed language and other skills to work. Education needs include adult education.

The right to education, like trade union rights, is an enabling right. It opens up possibilities to exercise other rights, to adapt to host countries, and to provide quality education to migrant children, youth and adults. Education and vital skills are among the prerequisites for successful migration. These include basic education and to make a significant contribution to reducing poverty and inequality. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies.

The situation for refugees and migrants differs according to sectors, occupations and skills so effective international action needs to be sector sensitive. It is not only that the problems and conditions of migrants differ by sector but also that global market conditions affect sector employment opportunities and practices differently.

Great numbers of refugees and migrants live in relatively poor countries. Children may not receive any education or be subject to abusive learning conditions, including overcrowded classrooms and lack of education materials or be taught by unqualified teachers.

Even in developed countries, as with other public services, many governments have failed. Spending and revenue limits have created constraints that affect the ability to provide quality education to migrant children, youth and adults. Education and vital skills are among the prerequisites for successful migration. These include basic education and to make a significant contribution to reducing poverty and inequality. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies.

The right to education, like trade union rights, is an enabling right. It opens up possibilities to exercise other rights, to adapt to host countries, and to provide quality education to migrant children, youth and adults. Education and vital skills are among the prerequisites for successful migration. These include basic education and to make a significant contribution to reducing poverty and inequality. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies.

The right to education, like trade union rights, is an enabling right. It opens up possibilities to exercise other rights, to adapt to host countries, and to provide quality education to migrant children, youth and adults. Education and vital skills are among the prerequisites for successful migration. These include basic education and to make a significant contribution to reducing poverty and inequality. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies.

The right to education, like trade union rights, is an enabling right. It opens up possibilities to exercise other rights, to adapt to host countries, and to provide quality education to migrant children, youth and adults. Education and vital skills are among the prerequisites for successful migration. These include basic education and to make a significant contribution to reducing poverty and inequality. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies. Women’s participation and empowerment are necessary to ensure that their views and contributions are integrated into development policies and strategies.
Background

The ILO has adopted two major Conventions on migrants, C 97 (1952) and C 143 (1975). In addition, the UN General Assembly adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 1990 (A/45/144). Although all conventions were adopted by a large majority and the concepts remain critical, not only for protecting the rights of migrants, but for governing migration, they have received relatively few recent ratifications, mostly among the more economically advanced countries. C 97 has been ratified by 49 countries and Convention 143 by 24. Growing migration increases the importance of wide ratification and implementation of these Conventions.

Although Conventions and other instruments have been developed to protect the rights faced by migrants and refugees, people on the move are also covered by the full range of human rights as contained in the UN Bill of Rights (the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights) and all Conventions and Recommendations of the ILO as well as regional human rights instruments. International human rights cover health, education, food, detention and due process and a wide range of other issues. Among the most important rights for migrant workers as for all workers are the enabling rights to form and join trade unions and engage in collective bargaining. These rights allow migrant workers to leverage respect for other rights. Trade unions are also often among the few pathways for migrant workers to enter the mainstream of society. The protection of human rights is the responsibility of governments, but businesses have the responsibility to respect human rights. This goes beyond the obligation to respecting international human rights standards to ensure that they do not, directly or indirectly in their business relationships have adverse effects on human rights.

As so many migrant workers work for enterprises, including for large corporations, the UN Guiding Principles on Business and Human Rights (adopted in 2011) and the OECD Guidelines for Multinational Enterprises (revised to incorporate those principles the same year) have become important human rights instruments for migrant workers including on such issues as workers’ rights, housing, non-discrimination, recruitment, and, in fact, for the whole range of human rights.

The global economy has produced mounting inequality. There has been greater accumulation and concentration of wealth at the top and an expansion of poverty at the bottom and, in many countries, there has been increasing pressure on those in the middle. Part of this tendency is explained by the explosion of insecure, precarious work, much of it fixed term and temporary.

Migration workers often fall victim to recruitment agencies. They frequently have to pay high fees and are deceived as to the wages and conditions that they will receive in host countries. Migrant workers should not have to pay any fees to recruitment agencies. Repayment of fees consumes a lot of migrant workers’ earnings, generates corruption and fear among migrants and their families. Host as well as home countries and employers should reject such exploitation. Important work to change the use and practices of recruitment agencies is taking place in the ILO Fair Recruitment Initiative, which not only deals with regulation issues, but also insists on the accountability of recruitment agencies so that they are required to fully comply with national laws and international standards.

Insecure, poor quality employment means insecure lives; it also heightens fear, making it more difficult to exercise rights even where they exist on paper. This is true for all workers, but is particularly the case for migrants. The lack of clear employment relationships and triangular employment relationships (where the legal employer is not the same as the one that makes the real decisions affecting workers), often create structural barriers to the exercise of trade union rights; the right to organize as well as the right to collective bargaining.

Equal treatment and rights with national workers is essential to protect the rights of migrant workers. However, it is also essential to protecting the rights of non-migrant workers. Migration should never be used by governments or by business as an instrument to undermine the rights and conditions of workers. Among other areas, this abuse has been seen in some cases of “circular migration”. Temporary, seasonal, and circular migration programmes often treat migrant workers as commodities, limit workers’ rights and drive down wages and working conditions.

Migrant workers should have good quality jobs and benefits from all the rights and benefits considered to be decent work as laid out in the 2008 ILO Declaration on Social Justice and a Fair Globalization.

Changes in work organisation in many countries have, in effect, created rigidities in labour markets where migrant workers are often locked into certain categories of work, even if it is temporary and insecure, where there are few opportunities to advance or escape. Just as there were, and in many cases still are, certain classes of employment for women workers, too many migrant workers are discovering glass ceilings as well as collapsing floors. If it is the ladder of opportunity in many new lands only has one rung.

The arrival of refugees and migrants increases burdens on public services at a time when those services in many countries, are suffering from the effects of austerity programmes. Eighty percent of migrants are in developing countries, who most often have weak public services and limited social protection. Access to those limited services is often restricted when it comes to migrants. And yet, public services are critical for the reception and integration of migrants. For undocumented workers and stateless people, access to public services is, at times, limited or denied. They may also be subject to harsh law enforcement measures including detention under poor conditions and, in some cases, without due process. Regardless of legal status, measures should be taken to ensure that access to public services is available.