Task Force 10
Migration

Policy brief

REDUCING VULNERABILITY AND PRECARITY OF LOW-SKILLED WOMEN IN SHORT-TERM MIGRATION FROM THE GLOBAL SOUTH: KEY POLICY RECOMMENDATIONS FOR THE G-20

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ABSTRACT

Women migrant workers make significant contributions to the global economy, but face risks of being subject to forced labour and trafficking, heightened by COVID-19. As women migrate from low-income to G20 countries to undertake key service functions, the G20 should uphold women's human rights and fair work conditions. G20 countries can support migrant women workers through technical and information exchange, giving voice, and partnership with source countries to certify migration agents, provide social assistance and establish reintegration programmes. G20 can also support migrants in their own countries by providing standard employment contracts, securing access to health services and ensuring accessible redress mechanisms.

CHALLENGE

PRECARITY OF FEMALE MIGRATION

There are around 88 million women migrant workers globally (ILO, n.d.), sending remittances to their families. Women's migration from the Global South for care-work in the G20 and elsewhere has been growing over the past two decades. While labour migration may provide women with economic and personal empowerment, for many, migration is both an outcome and cause of precarity—defined as a condition of vulnerability to social, political, economic and environmental events and shocks (Ettlinger, 2007; Standing, 2011). Precarity or disempowerment are contextual, and dependent on women's intersectional identities (e.g., religion, race, class, ethnicity, caste) and the regional and global situation. Precarity in migration is linked to a lack of opportunities or gender inequality at home as well as exploitative practices. In the home country, this can include pre-departure training and visa process. Upon arrival at the destination, precarity is heightened in domestic work, where women may be subjected to physical, financial, sexual and verbal abuse. Precarity on return is linked to reduced remittances sent, which is compounded by COVID-19.

TRAFFICKING AND FORCED LABOUR

Sustainable Development Goal 8.7 specifically aims to eradicate forced labour, modern slavery and human trafficking[1] by 2030, and monitors efforts toward eradication that are being put in place. Due to the risk of falling prey to fraudulent recruitment agencies and fake promises of high-paying jobs, migrant women are particularly vulnerable to trafficking. Women working in private homes as domestic workers are especially susceptible, particularly in their first migration. Abuse and exploitation of women migrant workers may take place at any point along the migration pathway. In the home country, this includes coercion from families and being misled by local recruitment agents who sometimes charge exorbitant fees, and provide little information about the job, pay rates and housing conditions during employment. In the host country, private employment agencies and the private nature of domestic work but also the remote location of some of the factory work may open up opportunities for abuse.

THE CHALLENGES OF COVID-19

Migration vulnerabilities have increased as a result of COVID-19, with millions of migrants losing their jobs and facing stigma as potential disease carriers upon return to their home country. For female migrants to the Middle East – one in three migrants out of 35 million in this corridor are women (Karasapan, 2020) – the COVID-19 crisis has been intertwined with recession-based local shocks.[2] Many migrant laborers lost their jobs, accommodation and due wages. With the crisis duration extending, many migrant women have become stranded overseas with no resources or support. Undocumented migrants face additional barriers to accessing official channels such as consulates and embassies, especially if the country of origin has a punitive stance against women in situations of illegal migration and trafficking. This deepens their vulnerability and increases risk of exploitative work conditions.

PROPOSAL

Proactively focusing on precarious migration of women from the Global South to destination countries to provide much needed domestic and care work is a growing challenge in a post-COVID-19 world. The G20 is called to provide a leadership role in reducing risk and vulnerability of women migrants, which have been magnified as a result of COVID-19 and will likely remain a key challenge during 2022 and beyond and also contributes to global gender inequality which has been compounded by the pandemic We propose the following policy actions for uptake by G-20 countries:

Along the entire migration pathway:

1. Elevate the voice of vulnerable migrant women to catalyse action

The locations where migrant women work, live and move between are both gendered and intersectional. These spaces and locations produce different experiences for individuals based on their position in society. Common spaces of work and accommodation (for domestic care work), or quarters close to the workspace (in the case of the garment sector, for example) are important drivers of migrant women's precarity.

Many migrants, for example those from Ethiopia, Bangladesh and Nepal, are predominantly from rural areas. This creates barriers and inequities in terms of lower education, lack of vocational training and absence of alternative job opportunities. Migration for domestic work is a readily available "choice", and the work carried out is perceived as low skill and consequently low paid (Rajan and Neetha, 2019; Fernandez, 2020).

The spaces/locations/sites in which migrant women originate, live and work affect the changing opportunities they have. In turn, this contributes to unfair and unequal migration processes, work experiences, and return to their country and home. These structural issues need to be acknowledged and addressed through improved policy and practice. Specifically, programmes should be targeted to the source country and should address the particular context of that area such as knowledge, skills and simpler migration processes that suit the area, such as documentation and local agent registration.

Migrant women may leave their home and community due to precarity brought about by poverty, lack of local opportunities and better income, as well as interpersonal factors such as unhappy family situations, domestic and intimate partner violence and patriarchal norms (Fernadez, 2020). In the case of Nepal, travel bans for domestic workers to the Middle East have resulted in many women migrants travelling a circuitous route via India. This exposes women to deception and exploitation by smugglers and traffickers (Kilby and Wu, 2020). Travel bans should not be part of any policy prescription given the burden of risk they put on the migrant.

While many women are treated with dignity by their employers, it has been widely documented that women experience long work hours, severely limited autonomy, abusive work conditions and in some cases sexual and gender-based violence in common living and workspaces (Silvey and Parreñas, 2020; Fernandez, 2020). Policies in the host countries

should be adjusted to ensure that visa processes are transparent. Furthermore, binding a worker to one employer as a condition for receiving a visa and residency, such as the *kafala* system in the Middle East, should be abolished.

The context of reception also influences migrant women workers' experiences in destination countries. In the Middle East, for example, some countries have centralised systems for recruiting and hiring migrant domestic workers. In other countries, these processes are decentralised and carried out by private and unregistered recruitment agencies with little government oversight. Recruitment agencies are often very powerful and their interest in keeping workers with original employers can increase the precarity of women's employment. Policies should be in place to have a common regulatory framework for migration agents and migration policy to ensure transparent and clear information for the migrant. In all of these instances, migrant women's experiences in public and private spaces are shaped by their gender, ethnicity, migrant status, religion and the type of paid labour they perform.

The myriad factors shaping precarity can vary dramatically for each migrant woman. G20 countries have a role to play in documenting challenges along the migration pathway and to thus elevate the voices of migrants toward catalysing action by countries and other actors. Moreover, G20 countries should take action on policies where evidence of adverse impacts on women is well established, such as outright migration bans and opaque contracting procedures.

2. Seek regional and multilateral solutions in support of female migrating workers

Migration is not a phenomenon limited to specific countries. The highest impact interventions will require actions not just from one country but also actions in neighbouring countries. It is easier to enforce safe migration and decent work when multiple countries in the same region come together and agree on standards rather than individual sending or receiving countries. Regional and multilateral solutions are required. For example, in South Asia, India has become a migration hub for the surrounding countries and would need to be part of any solution-seeking process, even if it is not the sending or receiving country, but rather a country that migrants are passing through. Working with migration hub countries is vital to ensure accessible, culturally and gender-sensitive services and support (Haque, 2020). This can be done through existing forums such as ASEAN and the South Asian Association for Regional Cooperation (SAARC), and by strengthening existing regional dialogue spaces, such as the Colombo Process and the Abu Dhabi Dialogue.[3]

In countries of origin:

3. Officially recognise female short-term labour migrants

Formal recognition of women's short-term migration by all G20 countries in partnership with and supporting countries of origin can reduce precarity and risk of female migrants during the entire migration process. Key areas that such recognition could support include improved facilitation of documents related to the migration process, such as passports, visas, bank accounts, pension funds and health documents, including vaccination records. This recognition can help countries of origin in developing and pushing through legislation and regulation and can increase transparency and accountability of actors affecting documentation of female migrants.

4. Support certification of migration agents

Informal migration agents play key roles in female migration processes, in both source and destination countries, even though they are seldom recognised in these roles (Nusrat, 2019; Fernandez, 2020). In the home country they are often the first point of contact and the main source of information for migrants. The quality of information they share and the practices they use can be decisive for the precarity of the migration process women experience. Some are former migrants, as in Bangladesh, and operate at the community level where quality and quantity of migration information is otherwise poor (Siddiqui and Abrar, 2019). Common, straightforward standards for certification of migration agents, including at community level, can help strengthen their rights and responsibilities and allow these otherwise hidden actors to access needed support. With basic registration and access to training by migration agents, information quality and transparency of migration processes for potential and first-time migrants could improve. Key is that agents remain in the communities that are home to potential migrants to ensure accessibility (Siddiqui, 2020). Likewise, in destination countries a more open and transparent registration of and reporting of employment and other migration agents would lessen the coercive power they can exert (Fernandez, 2020).

5. Improve training quality and access for first-time migrants

Improved training of first-time, short-term migrants is a key measure that has been proposed to reduce precarity and risk of forced labour and trafficking. Current pre-departure preparations vary considerably. Migrant women in Bangladesh, for example, are advised to go through pre-departure trainings provided by the government and NGOs, while Ethiopia requires participation in a three-hour session that includes a tailored ILO video (Fernandez, 2020). These trainings, however, can be precarious spaces for women, and sources of extortion and sexual exploitation (Khadka, 2021).

Pocock et al. (2020) note, based on a pre-departure training implemented in Odisha, India, that the location of pre-departure training, the target audience as well as the content are crucial to improve agency of potential migrants. Useful training would need to build on the experiences of returnee women migrants, and should include a destination language component (Hasan, 2020; Frantz, 2014; Gigauri, 2020). Regmi et al. (2020), pointing to the high suicide rates of Nepalese migrants (one in three female migrants and one in ten male migrants according to their paper), suggest the need to add a mental health component to pre-departure training materials, based on additional research on key mental health challenges.

6. Develop social assistance programmes for female migrants

Precarity of migration is linked to a lack of social assistance programmes in most countries of origin. When migrants' contracts are suddenly terminated, they might have to return to countries of origin encountering no support and having no funds to access. The G20 can promote short-term subsidised loans, access to health insurance and pension funds as means to reduce the adverse impacts many female returnees experience. This will require national support and legislation in the home country, and simple processes to access these resources, as needed, from the destination country, as well as legislation to require employers to pay into them, if feasible. For example, the government of Bangladesh has developed legislation requiring mandatory insurance of international migrant workers (Mandatory Insurance for Migrant Workers Act, 2019).

7. Develop reintegration programmes for female returnees

In light of the massive return of women migrant workers due to COVID-19, reintegration programmes for return migrants are crucial. They should include the option of halfway accommodation, while the migrant reorientates herself to the home community (Sorkar, 2020; IOM, 2020). Such programmes should also include access to credit and training opportunities to ensure that skills acquired abroad are transferable (Rahman et al., 2018).

The G20 should promote adequate funding of gender-sensitive reintegration in response to the post-COVID-19 reality. Returnee women migrants are not only subject to stigma and risk family violence upon return, but are also under severe pressure to quickly find new sources of income (Siddiqui et al., 2020).

In the receiving country:

8. Support development and implementation of standard employment contracts

The G20 can promote both the inclusion of migrant domestic workers as a protected category in local labour laws and the adoption of standard employment contracts that are in line with ILO Convention 189 on domestic work and – importantly – their enforcement. Such contracts should state the net wages being paid, including overtime payments for excessive work, the hours of work per day/week, the regular time off on both weekday and weekends for meals and rest, as well as any leave provisions throughout the year and for festivals (Bosc, 2020; OKUP, 2019). The contract should, moreover, reflect broader working conditions, including the women's control of their own documents, including passport, visas and related travel documents; that any time out should be unsupervised by the employer; and that they should have access to (and retain their own) means of communication such as mobile phones (Ayoub, 2019; Dabbous, 2020).

Whilst some destination countries have employment contracts that address basic labour standards, employer practices are not monitored, and rights are often only granted on paper. This is a major challenge for the G20, particularly in countries that have weak government monitoring systems and where recruitment agencies and employers exert power and control. Providing women with voice, documentation, monitoring mechanisms and easy redress mechanisms (see below) are needed.

9. Formalise a redress mechanism to quickly address complaints

Migrants tend to have limited means to report abuse, such as forced labour, in host countries. This is mainly a result of the exclusion of domestic work from national labour laws. In addition, constraints that prevent migrant domestic workers from seeking legal recourse include limited mobility, language challenges and lack of knowledge of host country legal and redress mechanisms. For lack of other options, the police are often the only redress mechanism that migrants can resort to. Migrants are, however, unlikely to use this mechanism because they might be illegally in the country, they might fear that the police will side with the employer, and trust between migrants and police is often limited. In some countries, formal redress mechanisms do exist, but often require the filing of lengthy reports, and might require proof of the abuse, which can be difficult to produce. To ensure that situations of abuse are reported and addressed, the G20 countries should advocate

for government-sponsored redress mechanisms through NGOs or other institutions trusted by migrant women. They should be confidential, readily accessible, not require extensive literacy skills and include mechanisms that ensure that complaints are acted upon without adverse impacts for the complainant (Kharel, 2020).

Embassy/consular support is, moreover, needed in the event of violence, and should include the provision of shelter. Such services should be mandated and budgeted for at the national level and become a normal part of consular work. NGOs and other providers could be contracted to provide this work with appropriate consular oversight and reporting mechanisms (Gurung and Sharma, 2020; Sitoula, 2020; Kharel, 2020).

10. Provide access to health services in countries of work

Although low-wage labour migration is designed to be short-term, migrants often spend long years working and living in a host country with limited or no access to healthcare. In host countries that have weak health systems and no structured healthcare services, addressing the health needs of women migrant workers will depend first and foremost on the willingness of the employer to provide sponsored access to healthcare. Even in host countries that have universal health coverage, migrants, and particularly women migrants, often face difficulties in accessing these services. Migrant health is either not or only inadequately covered by public systems, private insurance might be too costly, and there are cultural barriers as well as challenges in accessing information in host countries. Additionally, undocumented migrants generally have no possibility to access any health services. Migrating women are often doubly disadvantaged because they are discriminated against as women and as migrants (Adanu and Johnson, 2009). COVID-19 has shown the cost of the precarity of lack of health access by migrants as the disease often spreads rapidly in cramped living spaces occupied by migrants. G20 governments should address the COVID-19 disease risks linked to migrants' key care and other service activities that were heightened by their living conditions and denial to health access by host government agencies. Migrants' health needs are not only limited to infectious disease or occupational injuries. Health coverage should extend to providing chronic disease screening tests and other primary physical and mental health care services that are provided to citizens.

To reduce public health risks and to protect the physical and mental health of female migrants, the G20-supported standard employer contracts (mentioned above) should include sponsored access to health services in the receiving country.

NOTES

[1] According to UNODC, trafficking is defined as "the recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit" (https://www.unodc.org/unodc/en/human-trafficking/human-trafficking.html).

[2] As an example, women migrant workers in Lebanon have been experiencing tremendous hardships as a result of a series of crises; in addition to COVID-19, they have been severely affected by the economic collapse in Fall 2019 and the explosion of the Beirut Port in August 2020.

[3] Colombo Process: https://mfasia.org/mfa_programs/advocacy/colombo-process/. Abu Dhabi Dialogue: http://abudhabidialogue.org.ae/about-abu-dhabi-dialogue.

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