**UN Women inputs to OHCHR’s report on thecompendium of principles, good practices and policies on safe, orderly and regular migration in line with international human rights law**

**UN Women’s work on migration:**

* UN Women advocates for human rights-based and gender-responsive migration policies that protect and promote the rights of all women and girls in migration. UN Women works towards an end to gender-discriminatory policies, such as restrictive immigration policies that limit women’s mobility (including for those women who are pregnant or with young children). Such restrictions mean that women are often driven to use irregular migration routes or the services of unscrupulous recruitment agents, all of which can increase a woman’s vulnerability to sexual and gender-based violence and other human rights violations.
* UN Women recognizes the role that pervasive gender inequalities in countries of origin play in acting as drivers of women’s migration. This includes gendered labour market segregation and lack of decent work and social protection, the failure of States to recognize the value of unpaid care work, and the risks women face in relation to sexual and gender-based violence.
* UN Women advocates for the development of a global compact for safe, orderly and regular migration which contributes to achieving gender equality and promoting the empowerment of women and girls. UN Women highlights the need for gender equality to be both mainstreamed and prioritized as a central element in the GCM. The recommendations on addressing women’s human rights in the global compact for migration are a key advocacy tool for UN Women and partners (please see below for further information).
* UN Women continues to promote the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and in particular General Recommendation 26 on women migrant workers as the most comprehensive international instrument to protect and promote the human rights of women and girls.

**UN Women EU-funded migration programme:**

* UN Women’s EU-funded migration programme ““Promoting and Protecting Women Migrant Workers’ Labour and Human Rights: Engaging with International, National Human Rights Mechanism to Enhance Accountability” was piloted in Mexico, Moldova and the Philippines and had global reach through high-level policy and normative work.
* The main objective of this three-year programme (February 2014-January 2017) was to promote the rights and protection of Women Migrant Workers against exploitation and abuse at all stages of migration by 1) strengthening strategic international human rights institutions, parliaments, governments to ensure accountability to WMWs at all stages; and 2) strengthening WMWs organizations to effectively engage with these mechanisms and governments to ensure greater accountability at all stages of migration.
* Key results of the programme include:
  + a set of [expert recommendations for addressing women’s rights in the global compact for safe, orderly and regular migration.](http://www.unwomen.org/en/digital-library/publications/2017/3/addressing-womens-rights-in-global-compact-for-migration) These were developed by UN Women with experts from treaty bodies (CEDAW, CMW, CERD, CESCR), UN agencies and civil society organizations, and are available in the six official languages of the UN. They are a set of concrete gender-specific considerations to ensure that the global compact is human rights-based and gender-responsive. The recommendations have been presented at the Annual Chair’s Meeting of the Human Rights Treaty Bodies and have been formally endorsed by CMW, and are currently under consideration for endorsement by the nine other Human Rights Treaty Body Committees.
  + 41 global and national knowledge products provided the evidence base for the capacity building and advocacy initiatives that were implemented as part of the project.
  + In the Philippines, training and technical support resulted in the adoption of the CEDAW-compliant Overseas Workers Welfare Administration Act (OWWA), Republic Act No. 10801, in 2016.
  + The capacity to address women migrant workers’ rights of five human rights mechanisms (CEDAW, CMW, CESCR, CERD, Working group on the issue of discrimination against women in law and practice) was strengthened through organizing briefings, expert meetings, side events and the production of joint advocacy tools.
  + CMW reporting templates have been reviewed and adjusted from a gender perspective, thereby increasing the focus on the situation of women migrant workers.
  + The project developed capacity of more than 2200 individuals from civil society, government and national machineries in the three pilot countries on how to address the rights of migrant women workers.
  + The project also improved the public perception of women migrant workers through a multi-media campaign in Moldova which reached over 75% of the population, and the Soy Migrante public awareness campaign conducted in Mexico in collaboration with IOM and the Ministry of the Interior.

**UN Women Chairing of the GMG in 2016**

* The key theme of UN Women’s tenure as GMG Chair was **“**Strengthening the GMG’s gender-responsive engagement with migration and development”.
* UN Women leveraged its institutional capacity on gender equality and the empowerment of women throughout its tenure as Chair. For example, UN Women worked closely with the Permanent Representatives of Jordan and Ireland, as co-facilitators for the preparations of the UN Summit on Refuges and Migrants, in advocating for gender-responsive language and commitments to be included in the New York Declaration. And, as adopted, it includes commitments to:
  + “[…] ensure that our responses to large movements of refugees and migrants mainstream a gender perspective, promote gender equality and the empowerment of all women and girls, and fully respect and protect the human rights of women and girls” (para. 31).
  + “[…] combat sexual and gender-based violence to the greatest extent possible … provide access to sexual and reproductive health-care services … tackle the multiple and intersecting forms of discrimination against refugee and migrant women and girls” (para. 31).
* As GMG Chair in 2016, UN Women also highlighted the need for gender-responsive migration policies in various related global fora, such as the GFMD, CSW etc.

**UN Women Regional Office of Asia and the Pacific**

* In Asia and the Pacific, UN Women supported the development of a standardised contract for Cambodian overseas migrant workers, thereby setting a benchmark for secure and fair contracts for migrant workers. Through training programmes and socialisation methods, UN Women also supported women migrant workers to know their rights and have the capacity to claim them.
* With UN Women's support, a law on the Protection of Migrant Women was developed and adopted in Indonesia's Blitar district. The law and complementing decrees mandate significant protection for migrant women, including a protection fund to cover legal costs of discrimination and abuse cases faced by migrant women, and a provision to assign female doctors for medical check-ups to prevent sexual harassment.

**UN Women Training Centre**

* The UN Women Training Centre has developed an updated version of the manual ‘[Gender on the Move: Working the Migration Development Nexus from a Gender Perspective’](https://trainingcentre.unwomen.org/mod/data/view.php?d=6&rid=5664) which seeks to build the capacity of those working in the field of migration and development to bring about a model of development that is centered on people and the application of human rights and gender equality principles.
* A course in gender and migration (developed in partnership with IOM) is currently being finalized and will be made available by the end of 2017.

**UN Women’s expert recommendations for addressing women’s human rights in the global compact for safe, orderly and regular migration – specific recommendations which relate to each of the six thematic areas:**

1. **The promotion and protection of the human rights of all migrants, regardless of status, as well as ensuring social inclusion and cohesion and addressing all forms of discrimination, including racism, xenophobia and intolerance;**

1.1 **Eliminate all direct and indirect forms of discrimination against women** at all stages of migration by any person, organisation or enterprise

1.2 Pursue by all appropriate means and without delay a policy of **eliminating racial discrimination**, taking effective measures to condemn all acts, manifestations and expressions of racism, racial discrimination, xenophobia and related intolerance against women in migration

1.9 Ratify international conventions (and withdraw all reservations) **that promote and protect the rights of women** at all stages of migration and incorporate their provisions into national law;

3.15 Adopt policies and programmes that aim **to enable women migrants to fully participate** in the societies of both the destination country and the country of origin

1. **Addressing drivers of migration, including the adverse effects of climate change, natural disasters and human-made crises, through protection and assistance, poverty eradication, conflict prevention and resolution;**

5.15 **Address the drivers of irregular migration for work**, including those factors in countries of origin that prevent women from accessing decent work and those factors in countries of destination that promote demand for cheap labour, especially in the care sector.

1. **International cooperation and governance of migration at borders, in transit, at entry, and in relation to return, readmission, integration and reintegration;**

2.2 **Eliminate sex-specific bans** and discriminatory restrictions on women’s migration

2.8 Promote joint action between States, trade unions and other non-State actors including migrant women organisations, focusing on **greater sharing of information and good practices**, including in the identification of perpetrators of violations, abuse and exploitation.

1. **Sustainable development and migration, including harnessing the contributions of all migrants and ensuring portability of earned benefits;**

1.4 Acknowledge the **important contributions made by migrant women** to sustainable development and social change in countries of origin, transit and destination

3.15 Adopt policies and programmes that aim to **enable migrant women to fully participate** in the societies of both the destination country and the country of origin

5.9 Develop and **strengthen social protection policies that benefit women in migration** and their families and address the difficulties migrant women face in accessing social protection including the limitations in portability of benefits

1. **Identification, protection and assistance in the context of smuggling of migrants, trafficking in persons and contemporary forms of slavery;**

2.3 **Ensure that the irregular entry, stay and work of migrants is not considered a criminal offence**. Ensure that migrants are not liable for criminal prosecution for having used the services of smugglers.

2.4 **Prevent and combat trafficking** and exploitation of women and girls in line with international human rights law, norms and standards

1. **Decent work, labour mobility, recognition of skills and qualifications and other relevant measures, as well as ensuring regular pathways for migration.**

2.1 **Provide access to migration pathways** which promote empowerment of women and protect their rights.

5.1 Ensure that national laws including constitutional, administrative and civil and labour codes provide women migrant workers, in particular domestic workers, with the **same rights and protections that are extended to all workers.**

5.3 **Strengthen or make provision for adequate supervision of working conditions for migrant women.**

5.7 Ensure migrant women have **access to standardized contracts of employment** and that all contracts of employment are free, fair and fully consented to, transparent, enforceable and in a language the migrant worker understands.