

WOMEN MIGRANT WORKERS



International
Labour
Organization



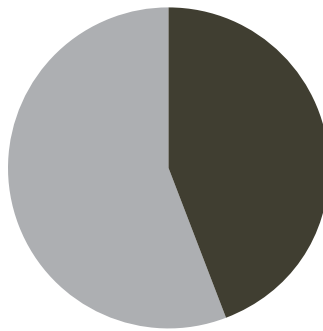
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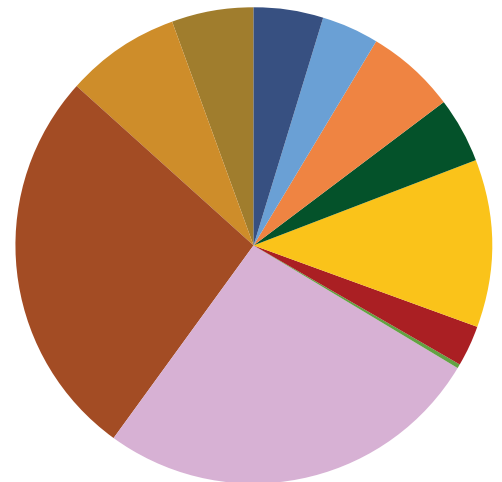
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CONTEXT

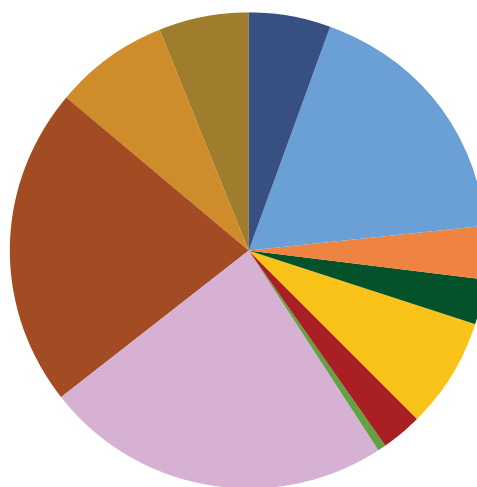
Global distribution of migrant workers, by sex



Distribution of migrant workers by sex and broad sub-region: **Female**



Distribution of migrant workers by sex and broad sub-region: **Male**



- Arab States
- Central and Western Asia
- Eastern Asia
- Eastern Europe
- Latin America and the Caribbean
- Northern Africa
- Northern America
- Northern, Southern and Western Europe
- South-Eastern Asia and the Pacific
- Southern Asia
- Sub-Saharan Africa

Source: ILO Global estimates of migrant workers and migrant domestic workers: results and methodology / International Labour Office - Geneva: ILO, 2015

Labour migration and women migrant workers in Africa

According to the 2nd edition of the ILO's Global Estimates on International Migrant Workers, women migrant workers in Africa represented 0.3 million in Northern Africa and 3.6 million in Sub-Saharan Africa. Women migrants in Northern Africa showed a labour force participation rate of 33% and women migrants in Sub-Saharan Africa 47.3%.

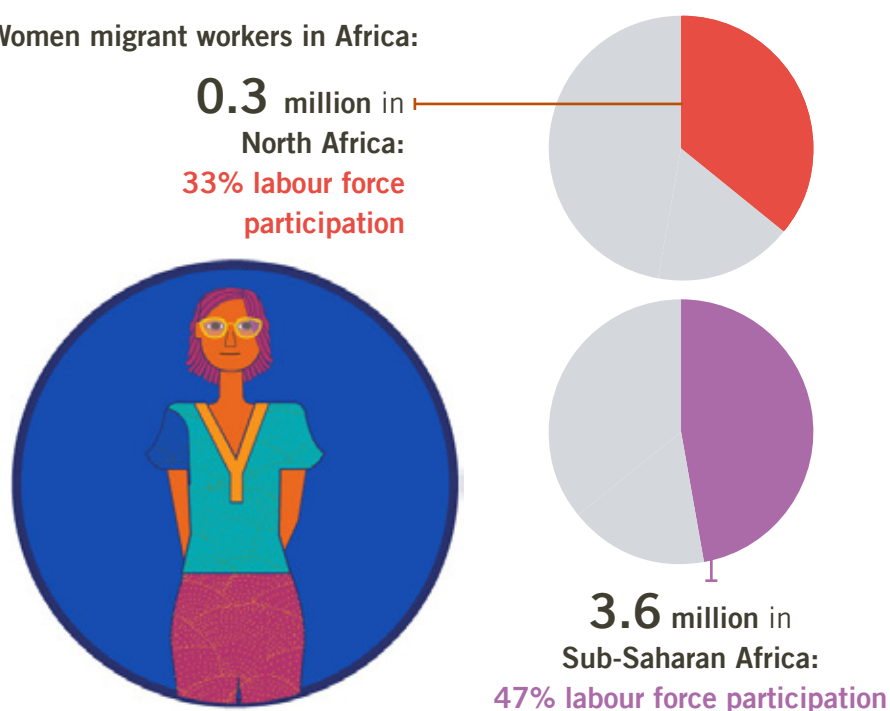
While they continue mainly migrating for family reasons, women are increasingly migrating for employment reasons on their own account, and often as their family's primary income earner. In Africa, the growing precariousness of the labour force are pushing women, as much as men, to seek employment at home and abroad while the rise in women national workers joining the labour force has resulted in an increasing need for women migrants in some main countries of destination. Indeed, the growing labour market demand in the agricultural, as well as the care sector, hotel and restaurant services, cleaning services, and others is serving as an attractive magnet.

UNCTAD's Economic Development in Africa 2018 Report mentioned that the main receiving countries of intra-African international migrants were South Africa, Côte d'Ivoire, Uganda, Nigeria, Ethiopia and Kenya and that contemporary economic migration in Africa has traditionally been largely male-dominated. Furthermore, it stated that "Southern Africa has consistently reported a much lower share and Northern Africa experienced a significant decline in women's migration in 1990–2005. Indeed, economic migrants in Africa in the nine countries¹ studied showed a considerable gender divide with men migrating in larger numbers. However, the report also identified recent growing peaks with almost half of international migrants from Burkina Faso, Ethiopia, Kenya and Senegal being women. It also mentioned that in 2017, the share of international women migrants in Eastern Africa exceeded continental average"[2].

A recent ITUC-Africa Study Africa Labour Migration to the GCC States: the case of Ghana, Kenya, Nigeria and Uganda suggested that the migration of African women as domestic workers to Gulf Cooperation Council (GCC) countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates (UAE)) is on a steady increase and that an important number are facing significant decent work challenges. For example, women migrant workers from Ethiopia are subjected to harsh working conditions and abuse of human rights including confiscation of passports, unpaid and underpaid wages, working for longer hours and sexual abuse. A study conducted by Alkarib (2016) found that women domestic migrant workers from Africa to the Gulf countries are the lowest paid among other migrant domestic workers. They argued that the wage gap is due to discrimination.

A higher proportion of male migrant workers (65.4%) was engaged in services other than domestic work compared to female migrant workers (61%)

Women migrant workers in Africa:



Source: ILO Global estimates on International Migrant Workers : results and methodology / International Labour Office - Geneva: ILO, 2018

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CHALLENGE

Challenges for women migrant workers

African States face challenges in terms of developing and enforcing legislation and policy that addresses the needs of women migrant workers specifically. Often legislation is gender blind, or directly or indirectly establishes barriers to women's regular migration into formal sector jobs. In particular, bans imposed on women's migration into specific sectors or countries, have been seen to promote the growth of unlicensed recruiters and increase the potential for forced labour or trafficking as well as reducing women's access to assistance. A lack of understanding about the specificities of women's labour migration, the limitations they face and the policy responses needed to ensure labour migration is fair and safe for women is commonly a pervasive reason for legislative frameworks that are not gender-responsive. This is often accompanied by limited resources and, in some cases, lack of political will and further compounded by the lack of standardised and sex-disaggregated data on migration".

More particularly, these challenges could include:

- › **Discrimination and violence** that limit their access to safe migration, fair recruitment and decent work throughout the migration cycle, as well as their ability to have a positive migration experience. Women have fewer options than men for regular migration, and are often employed in lower paid informal sectors with few if any labour protections. In particular, women migrant workers are overrepresented in domestic and care work, an occupation which is not covered by many labour laws in the region.
- › **Poor women migrants' organization and voice** - challenges in joining or forming workers' organisations, particularly for domestic workers who work in segregated and isolated workplaces can create important barriers to organizing and advocating for labour rights.
- › **Poor working conditions** particularly lack of regulation of working hours and poor wages. large numbers of them confront situations including withholding of wages, illegal deduction of fees, insufficient daily, weekly and holidays' rest periods, no payment of overtime and annual leave, withholding of passports and other identity documents, unjustified demands to carry out tasks other than those specified in the contract (such as cleaning other family members' houses) and unjustified terminations.
- › **Lack of freedom of movement** is common with women migrant workers, particularly those in the domestic sector not permitted to have enough daily rest and often no weekly rest periods. Women migrants usually receive the lowest wages compared to men migrant workers and women and men national workers.
- › **Lack or little respect for their human and labour rights;**



- › **Deskilling and lack of recognition and portability of skills** of low skilled women migrant workers as well as lack of access to skills development;
- › **Women migrant workers in an irregular situation** - Women migrant workers in an irregular situation continue representing at least a third of all migration flows and many of them continue falling victims of trafficking and forced labour situations.
- › **Lack of access to justice and opportunity to voice their grievances** - due to the invisibility of workplace environment, physical isolation and restricted movement, they have less access to lodge a complaint and seek redress.

Women Migrant Domestic Workers:

The Decent Work for Domestic Workers Convention, 2011 (No. 189) and its accompanying Recommendation (R. 201) **cover all domestic workers, including migrant workers.**

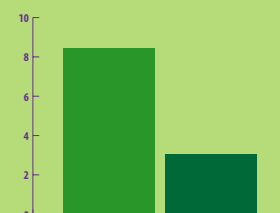
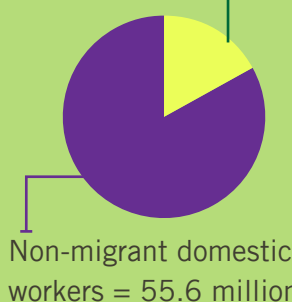
Guinea, Mauritius, Namibia, Madagascar, and South Africa have ratified C. 189.

The instruments **do not distinguish between workers on the basis of citizenship or residency status.**

A number of provision address **more specifically the vulnerabilities of migrant domestic workers** [Art. 8 (employment contract & repatriation conditions); Art. 15 (PEAs), and to a large extent Art. 9 (daily, weekly rest, annual leave; travel and identity docs)].

Domestic work is a high source of employment for migrant workers.

Total domestic workers = 67.1 million
Migrant domestic workers = 11.5 million



Out of the 11.5 million migrant domestic workers, 8.45 million were female and 3.05 were male (2013).

Source: www.ilo.org/domesticworkers

ILO's work contributes to the following Goals

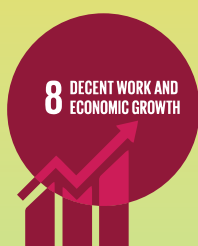


Goal 5 “Achieving gender equality and empowering all women and girls”:

Target 5.1 - end all forms of discrimination against all women and girls everywhere;

Target 5.2 - eliminate all violence against all women and girls, including trafficking, sexual and other types of exploitation;

Target 5.4 - recognize and value unpaid care and domestic work [...]



Goal 8 “Promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”.

Target 8.8 - Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

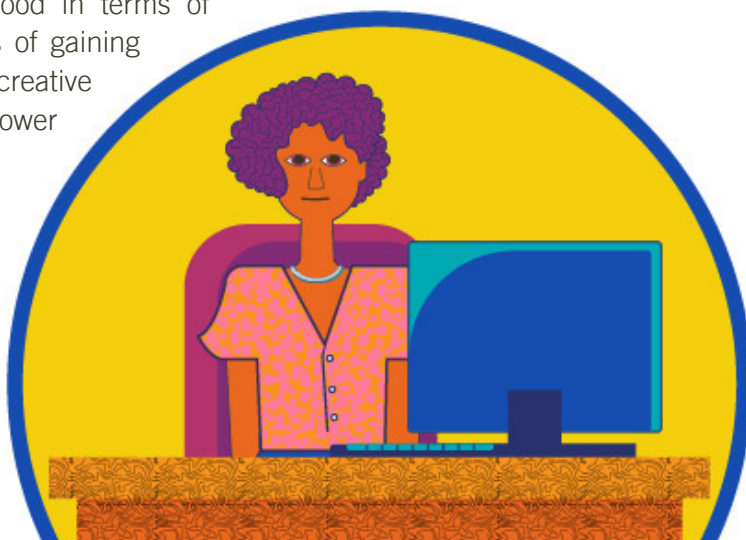


Goal 10 “Reducing inequality within and among countries”.

Target 10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.

Gender equality and Women Migrant Workers' Empowerment

- › Successful migration opportunities can foster women's migrant workers' empowerment providing them with the necessary confidence and strength to change inequalities and their economic and social position (e.g. new opportunities for personal expansion and autonomy).
- › Empowerment should not be understood in terms of domination (power over), but in terms of gaining personal power (power from within), creative power (power to), & shared power (power with).
- › Gender equality – is achieved when women and men enjoy the same rights and opportunities across all sectors of society, including economic participation and decision-making, and when the different behaviours, aspirations and needs of women and men are equally valued and favoured.



ILO's work

- › **Ensuring occupational safety and health protection for men and women migrants of child bearing age** (e.g. prohibition of exposure to hazardous substances during pregnancy) and **maternity protection for women migrant workers** (including maternity leave and benefits and protection against dismissal).
- › **Combating discrimination on the basis of reproductive rights** (e.g. prohibition to oblige women migrants to undergo obligatory pregnancy tests before they travel or to dismiss and/or deport them when they become pregnant during employment).
- › **Extending labour protection to all economic sectors and occupations** including those where there is high concentration of women migrant workers.
- › **Designing special measures to combat harmful gender stereotypes and eliminate discrimination** in migration for employment.
- › **Eliminating measures which restrict their entry into fair and productive employment.**
- › **Giving voice and representation to women migrants** to ensure their views and perspectives are taken into account in policy decision-making.
- › **Providing policy-advice to ensure flexibility in changing employers, ensuring non- contract substitution, no withholding of i.d. documents and fair recruitment practices.**
- › **Ensuring portability of social security benefits and recognition of skills**, as well as **equal legal migration opportunities for women migrants.**

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ILO'S WORK & FRAMEWORKS FOR PROTECTION OF WOMEN MIGRANT WORKERS

*Unless otherwise specified, all
ILO Conventions apply to both
women and men migrant workers
irrespective of their nationality.*

Increasingly, women migrant workers are recognized for their contributions to local and community development in countries of origin and destination.



Photo: ILO

Gender-sensitive labour migration policies take into account the differences in socio-cultural roles, needs, opportunities, constraints and vulnerabilities of women and men.

They **guarantee that human rights, including labour rights, are enjoyed equally by women and men migrant workers**, and that migration legislation, policies and programmes promote **equality of opportunity and treatment in respect of employment and occupation with a view to eliminating any discrimination based on sex.**

Rights should be enjoyed by men and women migrant workers **respecting the principles of gender equality and non-discrimination.**

This does not necessarily mean equal treatment in all instances. Promoting gender equality in labour migration policies may include **special gender-specific provisions (e.g. preferential treatment or affirmative action to compensate for long-term discrimination, particularly that suffered by women).**

An International Framework for the Protection of Women Migrant Workers

Framework of protection composed especially of:

- › **6 Key Gender Equality Conventions**
 - » Discrimination in respect to Employment and Occupation Convention, 1958 (No.111)
 - » Equal Remuneration for Men and Women Workers for Work of Equal Value Convention, 1951 (No.100)
 - » Maternity Protection Convention, 2000 (No. 183)
 - » Workers with Family Responsibilities Convention, 1981 (No. 156)
 - » Decent Work for Domestic Workers Convention, 2011 (No. 189)
 - » Violence and Harassment in the World of Work Convention, 2019 (No. 190)
- › **8 Fundamental Conventions (comprising universal principles and rights that apply to all workers regardless of nationality, residence or migrant status)**
 - » Discrimination (Employment and Occupation) Convention, 1958 (No.111)
 - » Forced Labour Convention, 1930 (No. 29)

- » Worst Forms of Child Labour Convention, 1999 (No. 182)
 - » Freedom of Association and the Protection of the Right to Organize Convention, 1948 (No. 87)
 - » Right to Organize and Collective Bargaining Convention, 1949 (No. 98)
 - » Abolition of Forced Labour Convention, 1957 (No. 105)
 - » Minimum Age Convention, 1973 (No. 138)
 - » Equal Remuneration Convention, 1951 (No.100)
- › **2 Migrant Workers Conventions (as an element of employment policy)**
- » the Migration for Employment Convention (Revised), 1949 (No. 97)
 - » Migration for Employment Recommendation (Revised), 1949 (No. 86)
 - » the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
 - » Migrant Workers Recommendation, 1975 (No. 151)
- › **Other ILS containing specific provisions on migrant workers**
- » C181 Private Employment Agencies Convention, 1997
 - » C19 Equality of Treatment (Accident Compensation) Convention, 1925
 - » C102 Social Security (Minimum Standards) Convention, 1952
 - » C118 Equality of Treatment (Social Security) Convention, 1962
 - » C121 Employment Injury Benefits Convention, 1964
 - » C157 Maintenance of Social Security Rights Convention, 1982
 - » C169 Indigenous and Tribal Peoples Convention, 1989
 - » R200 HIV and AIDS Recommendation, 2010
 - » C189 Domestic Workers Convention, 2011 (and R201)



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ILO Regional Office for Africa

<https://www.ilo.org/africa/areas-of-work/labour-migration/lang--en/index.htm>

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