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GENDER EQUALITY COMMISSION

(GEC)

Drafting Committee
Recommendation on Migrant Women (GEC-MIG)

Summary of replies to the questionnaire of June 2020

Responses were received from the following 17 countries (as of 24 June 2020): Armenia, Austria, Belgium, Croatia, Denmark, Estonia, France, Germany, Greece, Lithuania, Malta, Republic of Moldova, Norway, Poland, Portugal, Sweden, Turkey.

The question asked related to the issues and existing gaps that should be covered by a future Council of Europe recommendation on migrant and refugee women. The answers given by responding countries are summarised hereunder, starting with issues that were most often mentioned by countries.

Only issues that were mentioned by more than two member states are included in the analysis. The full text of the answers received is enclosed in the appendix.

Elimination of discrimination and awareness of rights

The broad issues of elimination of discrimination, awareness of rights, providing appropriate information and ensuring the empowerment on migrant women was mention by nine respondents, including:

- Access to information as a first step to empowerment for migrant and refugee women.
- Providing accessible information in different languages including using culturally sensitive language.
- Raising awareness about rights, obligations, and gender-based and domestic violence.
- Ensuring access to justice.

Employment

The issue of access to employment was mentioned very often (eight responding countries), notably:

- Promoting access to employment for migrant women including at an early stage within or before arrival.
- Eliminating discrimination in employment.
- Addressing the recognition of previous vocational training and work experience.
- Regulating and improving migrant women working conditions.
- Challenging the assumption that women want part-time employment.

Three responding countries mentioned the issue of childcare/conciliation of private and working life.

Social services

The question of access to social services was mentioned by seven responding countries. Different topics were mentioned: education and training (five countries), health, including sexual and reproductive health and rights (five countries), housing (three countries).

Education and training
The topics of education and training, including vocational training were mentioned by five countries. The issue of language training was specifically included by three countries.

Intersectionality

The need to adopt an intersectional approach and to include the needs and situations of different groups of women was included by five countries. Different groups and vulnerable situations were mentioned:

- Disability including mental health issues.
- Age (older women).
- Gender identity, sexual orientation.
- Specific social or ethnic minorities.
- Pregnancy, single mothers.
- Unaccompanied minors.

Trafficking

The issue of trafficking and the particular vulnerability of migrant women in this respect was mentioned by four respondents, including:

- Preventing trafficking in human beings in the migration process.
- Addressing the factors that put women at higher risk to become victims on their way to the destination country and at refugees' reception centres.
- Improving access to protection facilities.
- Implementation of the relevant provisions of the Council of Europe Convention on Action against Trafficking in Human Beings.

Violence against women

The issue of violence against women and gender-based violence was included by four respondents, including:

- Reference to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) relating to refugee and migrant women.
- Addressing greater vulnerability to violence against women and sexual violence, including for refugees and those affected by humanitarian crises resulting from armed conflict and natural disasters.
- Access of migrant and refugee women and girls to shelters and the challenges arising from issues such as residence conditions

Social norms and stereotypes

The question of social norms was included by three responding countries. This included both the issue of negative social control over migrant women in some communities and the question about migrant men's awareness of cultural norms in counties of destination.

The issue of stereotypes and invisibility of migrant women in destination countries was included by three further countries, including the need to raise public awareness and understanding among the population of the specific problems of women migrants and the need to promote a more positive view of the potential of migrant communities.

Gender sensitive asylum and migration policies

The need for gender-sensitive migration policies was mentioned by two respondents and the question of gender-sensitive asylum policies by a further two countries, including gender-based criteria for asylum requests (female genital mutilation, forced marriages) and gender sensitivity during the process (female interviewers and interpreters, allowing for enough time during interviews as victims of violence tend to keep silent about these issues).

The question of giving migrant women an independent residence status was mentioned by two countries particularly in cases of divorce or violence.

Political participation

The promotion of migrant women's political participation was included in two contributions.

Role of civil society and migrant women's organisations

The issue of the positive role played by civil society organisations, in particular, migrant women's organisations, was included by two counties.

APPENDIX

Drafting Committee-Recommendation on Migrant Women (GEC-MIG)/ Full replies of member states to June 2020 questionnaire

Question: Which issues and existing gaps should be covered by a future Council of Europe recommendation on migrant and refugee women?

Armenia

- Invite the member states to include provisions on refugee, migrant and asylum-seeking women and girls in their National Action Plan on UNSCR 1325 on "Women, Peace and Security".
- Regularly assess the needs of refugee, migrant and asylum-seeking women and girls in close co-operation with the international organisations and civil society sector.

Austria

- The provisions of the Council of Europe Convention on preventing and combating violence against women and domestic violence relating to refugee and migrant women - Chapter VII - should form an integrated element of the Council of Europe recommendation on migrant and refugee women.
- Encourage the inclusion of trafficking in the context of asylum and migration in the recommendations with reference to relevant sections of the Council of Europe Convention on Action against Trafficking in Human Beings and Article 6 of the UN Convention on the Elimination of All Forms of Discrimination Against Women (including the CEDAW general recommendation on trafficking of women and girls in the context of global migration).

Belgium

- Semantics and culturally-sensitive language in general.
- Importance of accessible information (different languages, as well as available at all educational levels – easy to read).
- Awareness raising about rights (what are rights and obligations, what kind of support systems exist) and specifically about gender-based and domestic violence.
- Importance of gender-based criteria for asylum requests (FGM, forced marriages) and gender sensitivity during the process (female interviewers and interpreters, allowing for enough time during interviews as victims of violence tend to keep silent about these issues).
- Invest in language acquisition/communication skills.
- Empowerment of female refugees and asylum seekers.
- Access to education and formation (training).
    - Tailor-made support.
    - No gender-coloured educational advice.
    - Be attentive to social, cultural and academic potential.
    - Intensive accompaniment.

- Sustainable employment
  - Monitoring of participation in employment.
  - Recognition of diplomas.
  - A quick and positive first working experience.
  - Seamless transfer to the labour market.
  - Self-employment as alternative.
  - Vigorous approach towards discrimination.
- Universal access to health care and social services (including. housing and day care)
- Specific measures towards vulnerable groups: non-accompanied minors, pregnant women, (single) mothers with young children.
- Intersectional approach: disability: very vulnerable group, invisibility, need for specific support measures. Dependency can create high risk for exploitation and abuse.
- Intersectional approach: gender sensitive policies in receiving country (focus on gender/ sexual orientation and gender identity – might be reason for migration of reason why integration process is not going smoothly).
- Intersectional approach: belonging to a specific social or ethnic minority.

Croatia

- Section on procedure for granting international protection and a section on European integration.

Denmark

- The existence of parallel legal systems based on religious traditions and beliefs, which are especially prevalent in some ethnic minority communities, and which in some cases hinder the freedom of women.
- The prevalence of negative social control in some ethnic minority communities, where religious, cultural or traditional norms are systematically enforced, restricting the individual freedom and fundamental rights of particularly girls and young women.
- The low level of employment amongst refugee women. The unemployment of refugee women risk hindering their integration and, in some cases, strengthening isolation and negative social control in the home.

Estonia

- Provide for women identity training so they do not define themselves only through possible stereotypes and would be able to freely choose their own path.
- Share best practices and learn from those to help migrant and refugee women and girls.
- Need to work with the whole family (and community) in a more systematic way because without changes in the whole mindset women and girls might be put into more risk than they already may be.

France

- Inclusion of women in migration policies.
- Accommodation.
- Reduction of inequalities between migrant and non-immigrant women in access to health and rights.
- Professional and long-term integration of migrant women.

Germany

- The factsheet covers a lot of the relevant topics concerning migrant and refugee women, which is an important starting point for the new recommendation.
- Political participation of migrant women.
- Migrant organisations and women migrant organisations as partners of integration:
    i. addressing specifically the recognition of vocational training and work experience of migrant women to ensure labour market access in the host country.
    ii. promoting employment of women at an early stage within or before arrival in the host country to ensure a family's economic stability and independence of governmental subsidies.
    iii. discussing benefits for the host country by granting 'family migrant' residence status.
    iv. further enhancing information on social and family services (i.e. information on benefits).
- Not only the deficits should be stressed, but also the potentials of migrant women and their communities should be emphasised, e.g. as employees, as entrepreneurs, as carers or for community-building.
- Access of refugee/migrant girls and women to violence protection facilities and the hurdles arising from instruments such as residence conditions.
- Avoid taking topics on board which are dealt within the Istanbul Convention.

Greece

- Draw and support comprehensive national migrant integration strategies that will include specific measures and actions to be implemented in diverse areas as diverse as service provision, introductory/language courses, employment, health, housing, political participation, anti-discrimination and intercultural dialogue, but also emphasis should be put on training and skills development for both women migrants and refugees and public employees dealing with migrant issues. Special support should be provided for older women, women with chronic diseases, gender-based violence victims, women with disabilities and mental health problems.
- Provisions should be made so that all services to women migrants and refugees are offered with respect to data protection and confidentiality of personal information. Taking into consideration the ongoing COVID pandemic and its gendered impact, the GEC-MIG could make sure that service provision to women migrants and refugees should be somehow able to adapt to emergency or other unforeseeable situations, e.g. through the use of technology or remote support with the adoption of revised protocol pathways.

- Networking and synergies of central government services with local governments and co-operation for the smoother integration of women migrants is considered necessary to be included in a future recommendation.

Lithuania

- Women's dependency on their husbands/partners immigration status. It is important to ensure that national laws would foresee that residence permits (on the ground of family reunification) would not be withdrawn in case of divorce with the spouse or in such cases, when residence permit is withdrawn for the spouse.
- Migrant women integration into the labour market and support to reconcile family life and work.
- Migrant and refugee women are at higher risk to become victims of human trafficking, especially on their way to the destination country, as well as at the refugees' reception centres.
- Awareness of male migrants/refugees about the cultural norms and rights related to the women status in the destination country.

Malta

- The crucial importance of early access to the host country's language/s.
- Positive discrimination to achieve equality in at least family and childcare obligations.
- Disruptive thinking about the assumption that women want part-time employment.
- Integration services should be designed primarily for women, then extended to men.

Republic of Moldova

- Ratification of international conventions and signing of bilateral agreements (addressing domestic work).
- Information support and access to social and health services to irregular migrants.
- Integration measures for vulnerable migrants.
- Prevent trafficking in human beings in the migration process (both emigration and immigration).
- Co-ordinated and integrated approach to manage migration.

Norway

- It is important to look at migrant women in general, not only refugees.
- It might be relevant to look to the International Organization for Migration (IOM) who report almost daily on migration/refugees – including situation for women. IOM and the Council of Europe may benefit from allying.

Poland

- Member states should see that national legislation and regulations concerning women migrants are fully adapted to existing international standards which are in force for their countries.
- All actions taken in the asylum procedure must respect women's dignity.
- While examining the facts and circumstances regarding women seeking international protection, best standards should be maintained.
- While conducting the case for international protection, it should be determined whether the woman applying is a vulnerable person.

- There still remains the need to assist women migrants to adapt to the social environment of the receiving country, notably by providing better reception facilities such as housing, hostels, schools, etc. suited to their needs and those of their families.
- The conditions of access to and enjoyment of childcare facilities are based, as far as possible, on a criterion of equality should be looked at.
- Public awareness and understanding should be promoted among the population of the specific problems of women migrants.
- There is need to extend to women migrants the benefit of vocational guidance, vocational training and permanent education.

Portugal

- The invisibility of migrant and refugee women and girls, which results in greater vulnerability and being exposed to bigger risks:
  - violence against women, including sexual violence.
  - access to basic services, such as sexual and reproductive health services.
  - trafficking in human beings for sexual and/or labour exploitation.
- Particular attention should be given to refugees and those affected by humanitarian crises resulting from armed conflict and natural disasters, where the risk of sexual and gender-based violence is higher.
- Sex and age disaggregated data is necessary in order to have a clear picture of who is migrating and their particular needs.
- Recommendations for social inclusion of these women and girls, including labour market, language skills, education, access to justice, health services, among others.
- Regulation and improvement of migrant women work conditions, considering that migrant women tend to benefit less from social and economic opportunities.
- An intersectional analysis should be included, such as legal status or grounds including race, ethnicity, nationality, age, religion, sexual orientation, gender identity, disability, health and pregnancy status, or occupation.

Sweden

- A future recommendation can address the issue of information: access to information is a first step to empowerment for migrant and refugee women.

Turkey

- Appreciation of the efforts of the states that host a considerable amount of refugee population.
- Promotion of a fairer distribution of work and responsibilities among European states regarding refugee issue.
- Protection and promotion of human rights of migrant and refugee women.
- Discrimination against migrant and refugee women.
- Gender-based violence.
- Access to sexual and reproductive health.
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