



Background Paper

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Roundtable 2 - Human mobility and human development

RT Session 2.2: *Migration, Gender and Family*

Chair of RT 2.2: Government of Mexico

Team members preparing the session: Governments of Armenia, Chile, Ecuador, Greece, Israel, Philippines, Portugal, Spain, Sudan, Ukraine, United Kingdom; IFAD, ILO, IOM, UNIFEM (now part of UN Women), WHO.

Roundtable 2 Coordinator: Dr Irena Omelaniuk

This paper has been prepared by Dr Salvador Berumen and Dr Juan Carlos Calleros (Centro de Estudios Migratorios, INM, México), on behalf of the Mexican Government, in consultation with the RT 2 Coordinator, and with substantial input from the RT 2.2 team members. The paper is based on open sources and does not aim to be exhaustive. It does not necessarily reflect the views of the GFMD organizers or the governments or organizations involved in the Roundtable sessions. Any reproduction, partial or whole, of this document should cite the source.

1. Executive Summary

This paper supports the preparation and discussion of GFMD Roundtable session 2.2, which focuses on two issues central to any debate on migration and development: family and gender. These have to date been treated in a peripheral way by the GFMD, despite increasing evidence of the importance of family integrity and a gender perspective in the achievement of the Millennium Development Goals (MDGs). In line with the partnership orientation of the Forum, the session will consider complementary and joint actions by countries of origin (COO) and countries of destination (COD) to include family and gender perspectives in migration policies, and optimize human development opportunities for women, children and families in the migration context.

The main assumption of this paper is that special policy consideration of family unity, gender-related needs and social welfare of migrants and families abroad, as well as the families who stay behind, can amplify the developmental effects of migration. It will therefore highlight the importance of family unity and a gender perspective for understanding the causes and developmental consequences of migration; and how to factor these into coherent policy making.

The session will deepen the earlier GFMD discussions on protecting and empowering migrants, and complement RT 2.1 by approaching human development through the prisms of family and gender. This new perspective is important because traditionally policies have mainly focused on migrants as individuals.

This paper is not intended to be exhaustive, but to present current good practices and suggest issues for further consideration by policy makers towards some concrete outcomes.

2. Objectives

Contribute to a better understanding of the impacts that migration processes have on family structures, gender roles and female empowerment, both in communities of origin and in societies of CODs.

Identify good practices by governments and other agencies that strengthen the well-being and human development of women and families in the migration and development context. These could include, among others, family reunification, child support in COO and COD, diaspora youth identity and mobilization, senior migrant care, gender-specific education and training, gender-sensitive immigration policies, legal and psycho-social assistance to victims of gender-based abuse, as well as bilateral or multilateral social security agreements to extend coverage to migrants and members of their families.

3. Background and context

Migration studies and public policies traditionally have focused on individuals (workers, women or children), rather than on the **family as a unit of analysis**. Without replacing the focus on migrants as individuals, there is a need to add new perspectives of analysis based on family and gender. Despite growing evidence about the importance of gender and family for development, there has been little international discussion of the concrete interfaces between family, gender, migration and development.¹

¹ UNDAW, 2009 *World Survey on the Role of Women in Development*, New York, 2009.

The *new economy of labor migration*² proposes that **the decision to migrate is not made exclusively by the individual but by the family group as well**. The family acts in a collective manner to maximize income and minimize economic risks through the departure and work abroad of a family member. These family dynamics have a direct impact on the gender of the family member that will be supported to migrate. Despite this important theoretical contribution, and although the *family* is a significant force for social cohesion and societal development, migration policies have continued to focus on individuals rather than families.

As a result, **family transformation and fragmentation** are not addressed in migration management and policies. This can cause severe problems for migrants and their families, who may face long periods of separation, and/or be scattered across countries. Traditional family structures and intra-family gender roles change as a result of migration; and the development of children is likely to be affected, with boys, girls, and adolescents facing risks and responsibilities beyond their age. In many cases, they are forced to abandon school, and their human development is thus affected. In other cases, educational outcomes for children of migrants are enhanced, as remittance receipts enable them to stay in better schools and for longer, or parents develop a greater appreciation of education as a result of their migration experience. These differential effects need to be understood and policies adjusted accordingly.

Many migrants see their migration as a temporary solution, for long enough to save money and then return to their places of origin. But it is also common for migrants to extend their stay in the COD because they have not yet saved enough, or because immigration policy restrictions - especially for undocumented migrants - hinder their mobility. As a result, **families are kept apart for longer periods**. The family may join the migrant and stay indefinitely, with some members enjoying legal status and others having no authorized status in the COD.³ As the children develop their own social networks, their main socio-cultural references are increasingly more linked to the COD than to the COO, while parents often maintain their social and cultural ties with the COO.

Mixed-status families in the same location are one of the **new migration realities** that challenge the traditional concept of family. Today, **transnational families** - with members living in different countries - are a common outcome of complex global labor market developments (e.g. Turks in Germany, Moroccans in Spain, Mexicans in the USA, etc). They are also often a consequence of, and can be affected by, restrictive migration and residency policies of the CODs. Such policies can have significant repercussions, e.g. even if a child acquired citizenship by birth in the COD, s/he may be denied certain rights, such as health and education, if the parents are in an irregular migration situation. Deportations also have more tragic consequences for migrant families with mixed migration status: this is not just about migration or deportation of undocumented migrants, but also about separation and disruptions in family life. There is a need to be more sensible in migration policies about not detaining children, or deporting migrants with citizen children, or deporting migrant women because of pregnancy.

To date, migration policies have not responded sufficiently to the new challenges posed by transnational families. Whatever the definition of family - which can vary widely across regions and cultures - and independent of the migration status of the family members, new policies are needed to preserve the **principle of family unity**, a fundamental right under international law. The definition of "family" may be a sovereign decision of every state, but equality of treatment between native and immigrant families is key to family-friendly migration policies.

2 O. Stark, *The Migration of Labor*, Cambridge: Blackwell, 1991.

3 See S. Castles, "Why migration policies fail?" in *Ethnic and Racial Studies*, 27 (2), 2004, pp. 205-227.

Migrant workers with access to their usual family structures are **potentially more productive**, possibly healthier and better adjusted than those isolated from their family. Fostering the well-being of migrants within the family setting, either through family reunification, circularity or closer cross-border communication, may have positive externalities, such as reduced stress for the migrants and more regular availability of migrant workers for employers in the COD.

The family perspective in migration policies goes beyond a development approach centered on remittances, since migration also involves the transfer of competencies (social remittances), which can improve education and health care of those who stay home. In high pressure migration environments, however, young people often prefer to emigrate rather than continue with their education. That is why **development policies must be embedded in the migration context**.

In major emigration countries like Albania, Moldova, Philippines, Sri Lanka or some Central American and the Caribbean countries, migration has helped boost economic growth, but has also changed customary family behavior, deprived children of their parents and left aged people without their family members' social support. This can set back development of the family and home communities in the COO.⁴ Yet, with the exception of a few cases (Philippines, Portugal, Spain) **family reunification, family unity** or care and empowerment of the family remaining in the COO, are still rare policies, particularly for temporary and circular migration.

Experience has shown that **circular migration programs may create better conditions** for maintaining family links and sustaining the family, also through incentives for voluntary return and reintegration at the end of the migration cycle. But circularity is often constrained by restrictive migration policies, which can lead to more irregular migration, which in turn restricts the mobility of the migrants, including their ability to return home. As a result, migrants become stuck in the COD. This can have two consequences: the family is kept apart much longer, or irregular migration of the whole family unit is encouraged.

The incidence of family members being compelled to reunite with the migrant despite a lack of appropriate documentation could be minimized if more options for circular migration, or visas for relatives, were available. It would also be desirable to have *ad hoc* policies in countries of transit (COTs) to protect and meet the needs of **vulnerable groups** such as children, adolescents, women and senior migrants travelling on their own.

Distance may also hinder family unity, resulting in the creation of second families either by the migrant in the COD or the spouse in the COO. Many families manage to nurture a common emotional space across borders, for example by sharing common developmental goals for the family back home.

Studies of the effects of migration on **families who stay behind** in countries of origin like Mexico, Moldova and the Philippines have produced scanty and variable results. In many cases, the impacts on the family and children of parental absence are negative, ranging across the critical areas of health, educational attainment, social relations and family cohesion. A Moldovan study shows how parental deprivation has in many cases led to emotional distress, substance abuse, school dropout, early sexual relations, inappropriate behavior, and trafficking in human beings.⁵

⁴ UNICEF research in Moldova suggests that the increase in juvenile crime between 1993 and 2000 is positively correlated to a rise in the number of children remaining in the country of origin (nearly 60% of the offenders).

⁵ See the report "Empowered to Cope: Independent review of the "Social Inclusion of Children Left Behind by Migrating Parents" Project", commissioned by Save the Children Sweden.

Migration may also have similar effects on **children** migrating with their parents, who face the extraordinary challenges of a new culture, new language, new environment, often coupled initially at least with insufficient information, support and access to essential services. In the short term, immigrant children may have more health problems than if they had stayed home, but studies by UNICEF and others have also observed a paradox in the US, where immigrant children and youth can often be in better health than their local-born counterparts in the host country, despite overall lower socio-economic levels and higher poverty rates. This can change over time as the protective role of the migrant family changes with adjustment to the host country.⁶

The effects of migration on families who stay behind also depend on the sex of the migrating parent. An IOM study on Filipino migrant workers and their families in Italy has shown that where the father migrates the woman tends to assume the child care and household responsibilities, while fathers who stay behind tend to rely more on the help of extended families, such as grandparents, aunts and uncles.⁷ Where women migrate, a **lack of gender equality** in the division of household tasks can also result in the neglect of children or the perpetuation of gender stereotypes through the transfer of child care responsibility to other women (paid or unpaid). Annex 1 on the “global care economy and chains” demonstrates the globalized dimensions of this phenomenon.

In many countries, the emigration of the male head of family often exposes women staying behind to stresses and challenges described as the “**Penelope syndrome**”, which can lead to somatic and psychic disorders that affect the family and community.⁸ On the other hand, positive effects of migration on spouses left behind can be observed when they became stronger as new heads of households and managers of family finances (as has been the case in Kerala, India).⁹

An earlier study in the Philippines¹⁰ finds that migration may not be so disruptive for the development of the children left behind, if the mother remains home, or where the extended family fills the gaps left by the absent parents. It points to the **crucial role of the state and other support agencies** and networks in providing family members with adequate training in child rearing, counselling, and different forms of support. Important, however, is the fact that stereotypical roles in the family are changing – care is not just the responsibility of women today – and policies in COOs, COTs and CODs need to adjust accordingly.

There continues to be a **dearth of information** about children, or aged persons, who migrate, or stay behind, or about the changes to family structures and relations of the absence of parents or other family members; which accounts in part for the lack of policies to address these issues, either in COOs or CODs.¹¹

⁶ See UNICEF, “Children in immigrant families in eight affluent countries”, UNICEF Innocenti Research Centre, Florence, 2009; http://www.unicef-irc.org/publications/pdf/ii_immig_families.pdf Also, David North, “The Immigrant Paradox: The Stalled Progress of Recent Immigrants’ Children”, September 2009

⁷ See the chapter “Working in Italy: the experience of Filipino workers and their families” in *Gender and Labor Migration in Asia*, IOM, Geneva, 2009.

⁸ G.L. Castro, “El Síndrome de Penélope: problema de salud en esposas de migrantes” Tijuana, Baja California, México. Seminario Regional sobre migración y familia. 21-23 April, 2010.

⁹ See K.C. Zachariah and I. Rajan “Gender Dimensions of Migration in Kerala: Micro and Macro Evidence”, *Asia-Pacific Population Journal*, September 2001.

¹⁰ Graziano Battistella and Ma. Cecilia G. Conaco, “The Impact of Labour Migration on the Children Left Behind: A Study of Elementary School Children in Philippines, SOJOURN: *Journal of Social Issues in Southeast Asia*, Oct, 1998.

¹¹ See UNICEF 2009.

All of these issues need to be addressed by health care and other support institutions (education, women's support groups etc.) in both origin and CODs. Governments and civil society working in this field have also found the creation of **social support networks** to be an optimal way to protect children from negative consequences and risks caused by the separation from parents.

Gender roles within and outside family structures can be greatly affected by, and greatly affect, migration patterns and outcomes for development, and vice versa. Despite the key role women play in the process of social integration, they frequently face exploitation and discrimination, even within their respective communities. Integrating gender into migration policies is aimed at examining their effects on women and men, so that there are benefits for all. There is a need to ensure that a gender perspective and non-discrimination on the basis of sex are present in all policies and services, including social support, health, justice and employment.¹²

The effects of migration on **gender roles and female empowerment** can vary across regions and cultures. Gender inequality and gender-based violence can be a strong push factor for women's migration. In many parts of the world, women are substantial, if not the sole, economic providers for their families. This situation, linked with labour market demand, results in the migration of women often being identified by the family as a survival option. For example, a recent report from Southeast Asia shows that for some women migration is an effective escape from unhappy marriages.¹³ In Latin America, gender based violence and unequal gender roles within the family have also been cited by women as reasons to migrate.¹⁴

For some women, migration may bring increased social mobility, economic independence, and relative autonomy. This is especially true if women's moves are accompanied by **increased participation in the labor market**. New economic and social responsibilities may change the distribution of power within the family, leading to greater authority and participation in household decision-making and control over the family's resources. These also may cause positive shifts in the relationship between immigrant women and their husbands and children.¹⁵

However, changes which occur during short term migration may also not endure the return to former home cultures. For example, after accepting changes in gender roles, female empowerment and access to reproductive health (services and education) in the COD, the family may revert to the **pre-migration gender roles**, reduced female empowerment and limited access to reproductive health after return to the COO. In other cases, male migrants in the COD are more exposed to health hazards such as HIV and STDs, in part due to the prolonged separation from their spouses, who are then at a higher risk of contagion when reunited, due to prevailing gender roles and reproductive health practices.

The **mixed impacts of migration** on women migrant workers and families left behind are a function of: (a) enabling gender sensitive policy and institutional environments; (b) the ability of migrants and their families to access resources/entitlements; (c) gender responsiveness of cultures of COOs and CODs, which can include family and kinship systems, community attitudes, etc, (d) value placed on the contributions of migrants, including migrant women; (e) levels of shared domestic responsibility between household members, especially men and women in the family.¹⁶

¹² See also International Labour Organization, *ABC of Women Worker's Rights and Gender Equality*, Geneva, 2000.

¹³ T. Lam and L. A. Hoang. "Effects of International Migration on Families Left Behind" Paper presented at the Experts Meeting, Civil Society Days GFMD, Mexico 2010, July 13, Mexico City.

¹⁴ IOM Colombia. "Género y Remesas: Migración colombiana de AMCO hacia España" Bogotá, Colombia, 2007.

¹⁵ Monica Boyd y Elizabeth Grieco. "Women and Migration: incorporating gender into international migration theory", Marzo de 2003, Migration Information Source.

¹⁶ Some patterns observed are the result of traditional and prevailing gender roles in the family.

A good demonstration of the link between gender, migration, family and development is provided in the Annex of this paper on the global care economy and chains.

Migration is **not a gender neutral phenomenon**, and should be analyzed from the perspective that “female migrants are in a different position as compared to men in terms of legal migration channels, the sectors where they may work, the forms of abuse they suffer and the consequences thereof.”¹⁷ To generate gender sensitive policies and practices in the migration field, the effects of migration on gender roles and female empowerment should be analyzed, both where women migrants are part of a family (daughters, mothers, spouses, relatives or companions) and where they are individual or principal migrants.

A number of **international standards** exist to advance and protect the rights of all migrants, including women workers. Some are broad and general, applying to all human beings; others are narrower and work-related, applying variously to all workers, or all migrants or only to those in regular status.¹⁸ Yet these are inadequately reflected in migration or development strategies in either the COO or COD. Even where basic rights are observed, there are few efforts by governments or other players to correct the (often unintended) gender biases inherent in most labor markets, immigration systems and even ‘migration for development’ programs.

The beneficial effects of migration on diverse forms of development (social, economic, etc.) are well known, especially through remittances. Yet the patterns, motivations and types of benefit of migration can be different for men and women. For example, there is evidence that **women migrants and/or recipients of remittances** are more likely to channel these earnings into the education, health and well-being of the family than their male counterparts.¹⁹ Empowering women migrants and diaspora can be a critical factor for family formation, community development and poverty reduction. But most immigration and emigration policies of COOs and CODs still do not sufficiently distinguish and support these efforts, or remain gender blind.

Many migrant **women begin their migration experience in a disadvantaged way**. Poverty and social exclusion are not neutral, and particularly affect women in low income countries. Their economic resources are more limited, they have less social protection, and irregular participation (if any) in economic life (e.g. because of traditional gender roles and reproductive responsibilities). And the poverty and exclusion are often compounded by multiple discrimination based on race, place of origin, religion, disability, age and/or sexual orientation. Families, mainly

¹⁷ See CEDAW, 2008, General Recommendation No. 26 on Women Migrant Workers (5). November 7; and UNIFEM, 2005, “Claim & Celebrate Women Migrants’ Human Rights through CEDAW”.

¹⁸ The 1990 *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, considers migrant workers as documented or in a regular situation if they are authorized to enter, stay and work pursuant to the law of the destination country and international agreements to which it is a party. Similarly, the Migration for Employment (Revised) Convention, 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), their accompanying Recommendations and the ILO Multilateral Framework on Labour Migration, provides a set of standards for the formulation of labour migration policies that guarantee the rights of migrant workers, the development of their potential, and measures to facilitate as well as to regulate migration movements. UNIFEM (now part of UN Women) reports “the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international human rights treaty that can be effectively invoked to address the concerns of women migrants– socio-economic, civil and political – in both public and private spheres. It ensures both *de jure* (in law) and *de facto* (in actual fact) equality between men and women, through legal guarantees, a transformation of institutional and social environments, and special temporary measures that compensate for women’s cumulative disadvantage”, UNIFEM Briefing Paper, 2005.

¹⁹ World Bank, *The International Migration of Women*, Washington D.C., 2008

the responsibility of women, are also in some contexts particularly vulnerable to poverty and social exclusion.

In many COOs, women have **restricted access to education**, training and full information on migration. They are also **vulnerable to sexual and physical abuse** by agents or escorts when travelling in COTs. In CODs, they may face *de jure* and *de facto* discrimination, e.g. through unintentionally biased admissions or job requirements, or where the occupations they dominate (e.g. domestic work or certain forms of entertainment) are excluded from legal definitions of work, thus depriving them of the benefits of legal protection. In some countries, a woman migrant worker may become undocumented when she leaves her job (because of pregnancy or to leave an abusive employer, etc.), rendering her powerless.²⁰ It is often structural imbalances/defects that cause women migrants or women and families remaining in COOs to be vulnerable to poverty, abuse, exploitation, and even trafficking.

Assuring independence and liberty for migrant women has been identified as a main feature of any gender sensitive policy.²¹ Accordingly, **special measures to protect women migrant workers** (WMW), particularly in unregulated sectors, should include: a) prohibiting the confiscation of travel documents, b) preventing dependence on one employer, by allowing a person to change employers without risking loss of the work permit,²² and c) enabling unionization of domestic workers, as these are usually outside traditional union structures. The ultimate aim should be to recognize these types of jobs as real waged and regulated jobs.

Family and gender can be useful lenses through which to examine and better understand the connections between migration and development. They bring to light the fact that poor or non-existent social policies in COOs are one of the biggest causes of irregular migration, including trafficking in persons, which can undercut the positive effects of migration for development. This is clearly a broader development issue with migration consequences.

New comprehensive policy approaches are needed to address these kinds of inter-linked migration/development challenges that affect the most vulnerable in society at home and abroad.

4. Current good policy practices

Some COOs and CODs have recognized the importance of gender and family for understanding the causes and developmental consequences of migration; and have begun to factor them into coherent policy making.

A number of good practices exist in developed CODs such as Australia, Canada, Greece, Israel, Italy, Portugal and Spain, mostly in regard to social support and protection for women and children immigrants, and protection and prevention in cases of human trafficking, which still largely targets women. These could be examined during the discussion for possible adaptation to low-middle income countries, including in south-south scenarios. There is, of course, still a huge lack of evaluation and evidence of such examples being “good practices”.

But some of the most notable policies and actions in regard to gender, family and transnational families have been taken by developing COOs, such as Mexico or the Philippines, who variously

²⁰ CEDAW’s General Recommendation No. 26, *Op. cit.* (10-15).

²¹ See Helen Schwenken, “Gender Sensitive Migration Policies” Paper presented at the Experts Meeting, Civil Society Days GFMD Mexico 2010. July 13, Mexico City.

²² E.g. in 2009 the Kingdom of Bahrain abolished the “Kafeel” sponsorship system for contractual employees. The Ministerial Decree No. 79, “Freedom of Contracted Laborers: Internal Movement.”

inform, orient, train and protect their emigrants abroad while also supporting families staying behind, and strengthening the ties between families in the COO and their relatives abroad.

Most good practices appear to work best for migrants and families where there are complementary or joint strategies between COOs and CODs, for example bilateral or multilateral labor agreements or Memoranda of Understanding (MOUs) on recruitment, social security and skills recognition, as well as labor contracts that specify working and living conditions, consular cooperation, social security and skills recognition etc. (see also RT 2.1)

The relevant practices identified for this session refer to emigration and immigration policies/strategies directed at preserving family unity and/or communication between migrants and their relatives in the COO, and reducing gender-related barriers to maximize the benefits of migration for them and their families. Most good practices are unilateral, even if there are some partnerships with other countries, the private sector and/or the diaspora (especially in transnational family care).

The following examples and models cover some key gender and family-related challenges that arise in the migration life cycle:²³ family reunification, transnational families, migrant children, gender-sensitive policies and health care (in COO and COD).²⁴

4.1 Family reunification in the COD

Family reunification of migrant workers is possible in many CODs, such as Australia, Canada, Greece, Israel, Italy, Spain, USA and UK. It has been the main source of immigration flows in Australia, USA and other CODs; and continues to be the main type of flow for women migration in some countries. However, it is not a universal practice, and in some cases family reunification is allowed only after 12 or 18 months of legal residence of the main migrant (e.g. Germany and the Blue Card scheme in the European Union). And it is often subjected to socio economic criteria such as level of income, or secure accommodation, that can prove difficult to meet. It is thus important to identify family reunification as a fundamental priority in international practice.

Some countries, which have transitioned from being major emigration countries to hosting large inflows of foreign workers, such as Portugal and Mexico, have adopted family-friendly immigration schemes, both for temporary and more permanent foreign workers.

- **Portugal** recently established an Office for the Support of Family Reunification (GARF) in each of its National Centers for Immigrant Support, in Lisbon, Porto and Faro. In 2009, these offices assisted 10,831 family reunification migrants, an increase of 17% compared to 2008.
- In 2008, **Mexico** adopted a work permit for Guatemalan and Belizean frontier workers (*Forma Migratoria de Trabajadores Fronterizos*). This document allows the migrants to work in any economic sector of the Southern border states, with multiple entries. The accompanying spouse and/or children can also obtain their own card, thus preserving the unity of working migrant families, family reunification and circularity of documented

²³ UNFPA and IOM, *Female Migrants: Bridging the Gaps Throughout the Life Cycle*, Selected papers of the UNFPA-IOM Expert Group Meeting, New York, 2-3 May 2006.

²⁴ See “Migration and the Family Circumstances of Children: Mexican-Origin Children in the United States and Mexico” Population Research Institute, Pennsylvania State University, 2010, for the importance of linking migration, family change, and socioeconomic change in efforts to understand the implications of migration for the long-term outlook of future generations.

migration. On the other hand, a card for local visitors (Forma Migratoria de Visitante Local) has been implemented for people in Guatemala and Belize living near the border with Mexico. The FMVL was launched in May 2000 for Guatemalans and in 2002 for Belizeans, permitting them to enter and visit Mexico for up to 72 hours. This card offers people on both sides of the border, including transnational families, the opportunity to communicate with each other and undertake cross-border activities, such as shopping, in regular and safe ways.

4.2 Support for transnational families in COOs and CODs

- **The Philippines** has established family counseling and welfare services for overseas Filipino workers (OFWs) and their families abroad and at home, and organizes **OFW Family Circles** as part of the psycho-social program for reintegration. To better link emigration and reintegration planning with development, a digital registry of the poorest households with OFWs is being constructed, to inform future comprehensive social welfare services for the families of OFWs.

An innovative initiative is the **Tulay Project**, in partnership with Microsoft Co., to provide IT training and access to technology for the overseas workers and their families back home and maintain regular contact through Internet applications. 19 national centres and 6 centres abroad are already functioning as part of this project.

- Through the Financial Facility for Remittances, the **International Fund for Agricultural Development (IFAD)** is funding a pilot program on entrepreneurial leadership aimed at transnational migrant family networks in the **Junin region in Peru**. The objective is to prepare business plans for productive investment of remittances for 80 families in partnership with 10 local governments and 10 Peruvian migrant organizations in the US and Canada. To date, 20 business plans have been achieved, including some involving transnational trade with potential trickle-down effects for the communities of origin.
- In 1989, **Mexico** implemented a special program for Mexicans abroad (“**Programa Paisano**”) involving cooperation among 21 government agencies coordinated by the INM, which promotes visits of migrants to their communities of origin and families; and disseminates information about Customs duties and regulations for visiting and returning migrants.

4.3 Support and protection for migrant children and adolescents

- **The Philippines** has deployed social workers in Japan (ISSJ) for child protection and alternative parental care and other services for migrants and their families. A complementary scheme provides scholarships to children of migrant workers in families remaining in the COO.
- In 2008, **Mexico** implemented the model of Officers for the Protection of Infants (OPIs) within the INM. These are quality personnel trained to provide specialized care to unaccompanied migrant children, either Mexicans received by the INM from the US Border Patrol or foreigners removed from Mexico. Currently, there are more than 300 OPIs across the 31 states and the Federal District in Mexico, which provide such care to around 17,000 Mexican and 4,000 non-Mexican unaccompanied migrant children on average per year. As a first action within the MOU signed with Central American

countries, INM trained 55 OPIs from Honduras, 12 from Guatemala and 10 from El Salvador in 2009. As an example of international (specifically regional) partnership, the Governments of Costa Rica, Dominican Republic and Nicaragua have requested INM to train OPI's in their countries.²⁵

The minor migrants assisted by OPIs are channeled into the National System for Family Development (DIF), which has consolidated a strategy to protect unaccompanied migrant children and adolescents repatriated to Mexico, as well as foreigners migrant minors (mostly Central Americans) in undocumented transit to the USA. The purpose is to reintegrate Mexican minors into their families and communities in their place of origin, and to host foreign minors while the repatriation process is conducted in a safe way in order to deliver them to their families or guardians. To this end, a network of 39 transit shelters for migrant minors has been established, along with 52 Community Child Protection Centers in places of origin.

In addition, DIF has established a Trust with HSBC Bank and Save the Children to support actions in the COOs such as educational and food scholarships for repatriated migrant children, improvement of infrastructure, material development, resources for migrant transportation etc. Together with the Appleseed Foundation (US), DIF is undertaking a study on this issue, to draw attention to it on both sides of the border.

- **Moldova** has established a *National Action Plan on the Protection of Children without Parental Care (2010-2011)*, and set up a Child Rights Information Centre. The Centre has produced “pocket books” for parents and children²⁶ and a guide for professionals who work with children of migrants (teachers, psychologists, youth workers, NGOs), to reduce the vulnerability of the children to social risks. In 2005, a movie on this issue (“360 degrees of loneliness”) made by a teenage girl from Moldova, received the Award of the International Festival of One Minute Movies in Amsterdam.
- The **Sri Lanka** Bureau of Foreign Employment offers programs to protect and support families of Sri Lankans working overseas. It has established a special unit to provide for the needs of the children of migrant worker parents, including a 24-hour service to coordinate the protection and welfare of such children.²⁷
- **In Honduras**, the government is working prophylactically with a consortium of international organizations (UNDP/FAO/ILO/UNODC/UNFPA/UNICEF/IOM), as well as local youth groups, families, communities and migrant associations abroad on a 3-year program to generate jobs and business opportunities at the local level for youths between 15 and 29 years of age. The program aims to empower youths at home and reduce their susceptibility to embarking on risky forms of irregular migration.²⁸
- **In Armenia**, the Ministry of Diaspora has developed a Diaspora Youth Mobilization program (“Ari-tun-come home”), which aims to keep the Armenian diaspora youth informed about their homeland, and nurture their Armenian identity by accommodating and hosting them in Armenian families. Similarly, Pan Armenian Games, another Government supported undertaking, mobilizes the Diaspora Armenians by bringing

²⁵ “Regional Guidelines for the Assistance to Unaccompanied Children in Cases of Repatriation”, RCM, July 2009.

²⁶ See the Child Rights Information Centre website: www.childrights.md

²⁷ Sri Lanka Bureau for Foreign Employment <http://www.slbfe.lk/article.php?article=28> Accessed 29th June 2010

²⁸ See the program “Human Development for Youth: Overcoming the Challenges of Migration through Employment”.

together thousands of young people and athletes in periodical multi-sport competitions.

- Since 2001, **Portugal** has been implementing the “Choices Program” (Programa Escolhas), which aims to mobilize local communities for projects of equal opportunities and social inclusion of children and young people (6-24 years) from vulnerable socio-economic contexts, particularly the descendants of immigrants and ethnic minorities. The areas of intervention are: entrepreneurship and empowerment of young people; school inclusion and non-formal education; vocational training and employability; streamlining community and citizenship; and digital Inclusion. By 2009, the Choices Program had brought together 780 institutions and 480 technicians covering about 81,695 recipients.

4.4 Migration policies with a gender perspective

- Through its mandatory pre-departure orientation seminar, the **Philippine** Overseas Workers Welfare Administration (OWWA) provides information to women migrants on remittance transfers and savings mobilization, self defense, risks of trafficking and HIV/AIDS awareness. Since 2007, household workers (traditionally women) receive language training and cultural orientation free of charge. There is also a Gender Focal Point in all Philippine Embassies and Consulates for advisory services, counseling and legal services, while systematic data collection of victims and survivors of human trafficking is a work in progress. The Philippine government also stipulates for its domestic workers a guaranteed basic wage, regular working hours, free transport to and from the worksite, fair grounds for termination of employment, health cover, protection of documents and rest periods, through a standard labour contract.
- **Nepal** has recently lifted its ban on women’s out-migration; and in partnership with IFAD and UNIFEM (now part of UN Women), has started a pilot program to foster the economic security of women migrant workers through technical managerial training and productive investment of remittances, targeting 1500 beneficiaries clustered in 12 entrepreneur groups.
- **Mexico** has installed “Gender and Migration Networks”, multi-sectoral mechanisms in different states of the country, to contribute to the design of public policies, programs and strategies from a gender and human rights perspective.
- **Portugal** has a *National Plan against Trafficking in Human Beings (2007-2010)* with over 90% of measures already implemented. Likewise, in the framework of the *3rd National Plan on Equality – Citizenship and Gender (2007.-2010)*, which mainstreams gender in all policies at the national level, the *Action Plan for the elimination of female genital mutilation (FGM)* brings forward a two-way approach to developing partnerships (COO): 500 Portuguese teachers are to be trained in the cultural and social aspects of FGM before being deployed in the COO, and will offer advice on legal support available in Portugal. A Support Unit for Immigrant Victims of Ethnic or Racial Discrimination offers psychological and legal assistance to immigrant women victims of racial or ethnic discrimination; and a Pilot Project for the Promotion of Migrant Entrepreneurship has since 2009 supported 106 business projects involving 1,462 migrant women. A national Network of Offices for Professional Insertion of Migrants has trained women entrepreneurs and referred thousands of migrant women to job vacancies in Portugal, while also facilitating access to funding for their entrepreneurial ventures in CODs.

- As part of its migrant mainstreaming approach to integration, **Greece** offers “Learning of the Greek Language tailor-made for migrant mothers” to promote linguistic skills and women’s capacities to assist their children in school attendance and life. For non-native children with long term residence, Intercultural Schools and special tutorial classes within the public school system are key tools for preventing dropouts or poor school achievement of non-native or foreign language speaking minors. The General Secretariat for Gender Equality (Ministry of Interior) has issued a guide for migrant women concerning their rights in the areas of work, health and social security. This also helps to sensitize officials and others to the need for equal treatment.
- **Spain’s** Strategic Plan for Citizenship and Integration (end of 2010) includes facilities for migrant women and applying a gender perspective to all phases of migration policies. A Law to address violence against women migrant workers (including undocumented) is also under discussion.
- Since 2000, **Canada** has been analyzing the impacts (intended and/or unintended) of policies, legislation and regulations on men and women under its Gender Based Analysis (GBA) approach to policy-making across government. This ensures that gender is mainstreamed into immigration policy, practice and research; and that policies relating, for example, to admission requirements, health checks, skills recognition, family reunification etc. are not gender discriminatory. The Canadian International Development Agency (CIDA) offers a guide and tools to assist policy makers in addressing the connections between gender and race, ethnicity, culture, class, age, disability, etc.²⁹

4.5 Health care provision for migrants in the migration process

The right to health is recognized in international law as a human right, and is essential for the human development of all family members. Health is also a key determinant for the empowerment of women, and the protection of children at all stages of the migration life cycle.

Yet in many parts of the world, there are huge numbers of migrants without adequate access to health care. Women and children, especially when undocumented, are at disproportionate risk of poverty, marginalization and related health problems. Studies indicate that even if specific health services are available for migrant women, many may not access them because they are not available in culturally or linguistically appropriate ways, are not available at times when migrants can access them; or migrants are not aware of the services, or fear deportation if they seek the care. Limited access to services increases the risk of illness and conditions that could be successfully mitigated at reduced cost or complexity. This is of particular relevance in situations that involve mother-and child health.³⁰

²⁹ “**Gender-Based Analysis** refers to the variety of methods used to understand the relationships between men and women, their access to resources, their activities, and the constraints they face relative to each other. Gender analysis provides information that recognizes that gender, and its relationship with race, ethnicity, culture, class, age, disability, and/or other status, is important in understanding the different patterns of involvement, behaviour and activities that women and men have in economic, social and legal structures.” (Canadian International Development Agency, (CIDA))

³⁰ Wolf et al. Undocumented migrants lack access to pregnancy care and prevention. BMC public health, 8::93. Available from: <http://biomedcentral.com/1471-2458/8/93>.; Machado M et al. Equal or different? Provision of maternal and child healthcare to an immigration population. In: health and migration in the European Union: better health for all in an inclusive society. Lisbon, Instituto Nacional de Saude Doutor Ricardo Jorge, 2008; WHO. Poverty and social exclusion in the European Region: Health systems respond. Follow up to resolution EUR/RC52/R7 on Poverty and Health. Copenhagen, WHO Regional Office for Europe, 2010./Avialable at: <http://bit.ly/cnZ0xU>;

Long term separation from family members and loved ones, especially common among migrants in an irregular situation, and temporary migrants, has been associated with psychological problems, substance abuse, high risk-taking behavior and related adverse health outcomes.³¹ Separation from family support structures, and work in informal sectors, put migrant women and girls at particular risk of exploitation, violence and abuse, as well as sexual abuse, increasing their vulnerability to health problems, including HIV.³²

At the pre-departure stage, health education and preventive services play an important role in preparing migrants and their families both for life abroad and life back home when they return. As part of its the Pre-Departure Orientation Seminar, the **Philippines** offers courses in HIV awareness and stress management to household workers; and all overseas Filipino workers are required to take out health insurance and pay into a Welfare Fund. Through its Consulates, **Mexico** has implemented health referral facilities for migrants in the USA, and raises awareness among intending migrants about health hazards through the program “Vete sano regresa sano” (“Go healthy, return healthy”). In most OECD receiving countries, maternal and child health care is available to migrants regardless of their status, but in many parts of the world, there are huge numbers of migrants, particularly women and children, without adequate access to health care.

For the last five years, at the **Mexican-Guatemalan border**, there has been a multisectoral response to transit migration and health. Medical aid services, community based organizations, academia, and local government have organized a “Comprehensive health care model for migration: rapid mobility- rapid response from health care services”, which includes: HIV prevention, promotion and application of HIV rapid tests for early diagnosis, access to condoms, and access to universal care for victims of sexual violence (both men and women). In this period, around 20,000 migrants received preventive care or had access to these health care services, and more recently this model is being scaled up for other cities in the country where migrants transit through Mexico to the US.

Roundtable session 2.1 will bring the issue of health to the attention of policy makers within a broader discussion of human mobility and human development. For session 2.2, several issues remain to be studied further in the context of gender and family: the need to address health vulnerabilities and needs of women and children, including reproductive and sexual health, throughout the migration process; how some countries of origin could better protect the health needs of women and children who stay behind, and how immigration and development policies should take account of the health concerns and social protection in health of families,

In addition to all of the above practices, there are some outstanding efforts **by regional entities and international organizations:**

Regional entities such as the Council of Europe and the Organization for American States (OAS) have established mechanisms to address the situation of vulnerable women migrants such as domestic workers, and to redress abuse and discrimination against such groups (e.g. European Court of Human Rights; and the Inter-American Court of Human Rights). Additionally, the Regional Conference on Migration (Puebla Process) has discussed the subject of “Family and

³¹ Maguire S, Martin K.(2007) Fractured migrant families: paradoxes of hope and devastation. *Family and Community Health*, 30:178-188.; International Centre for Diarrhoeal Disease Research, Bangladesh (2005). Sexual risk behaviour of married men and women who have lived apart due to the husband's work migration. *Health and Science Bulletin*, 3:10-15 (http://www.icddr.org/images/hsb34_en-Sexual.pdf)

³² UNFPA (2006) *State of the world population 2006-a passage of hope: women and International migration*. New York, United Nations Population Fund (http://unfpa.org/swp/2006/pdf/en_sowp06.pdf); Commission on AIDS in Asia. *Redefining AIDS in Asia: Crafting an effective response*. India 2008.

Migration”. The Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children, 2006, adopted by the Ministerial Conference on Migration and Development in Tripoli in 2006 outlines national and joint actions by the European Union and African states to prevent trafficking, protect its victims and create greater awareness of this crime. A joint program of the African Union, ECOWAS, IOM and the UN Office for Drugs and Crime (UNODC) has developed a road map to implement the Ouagadougou plan of action. It would be helpful for the discussion of RT 2.2 to know how effective these regional initiatives are.

International organizations have also acted individually, jointly and with governments, private sector and migrants to address strategic gender-related issues such as the inclusion of gender in migration policy,³³ labor rights and protection of domestic workers (INSTRAW, UNIFEM (now part of UN Women), ILO, IOM)³⁴, standard contracts for labor migrants, particularly domestic workers (UNIFEM (now part of UN Women), ILO),³⁵ trafficking in persons (IOM, OSCE, ILO), protection and support to children remaining behind (UNICEF, OSCE, IOM in Moldova),³⁶ and cooperation and partnerships among governments, private sector, NGOs and migrants on these issues (UNIFEM (now part of UN Women), IOM, ILO, WHO).³⁷

5. Questions to guide the discussion

The following questions, drawn from the policy areas above, may guide the discussion of RT 2.2:

1. “How can migration policies and programs support and provide benefits to families in a range of “transnational” situations, particularly in gender-sensitive ways?
2. How to create partnerships to provide assistance for children who are alone in the COO at risk of becoming unaccompanied migrant children, and those separated from their parents in COD?
3. How to address the concerns of unregistered children in CODs whose parents are undocumented or in irregular migration situations?
4. What tools and mechanisms can effectively orient, support, protect and empower women migrants at all points of the migration cycle in the COO, COT and COD?

6. Possible Outcomes of the RT discussion.

- a) Recognize the importance of focusing on the family, in addition to individual migrants, as a unit of analysis in migration studies and public policies.
- b) A set of “good practice” models of development-friendly migration policies that take account of gender and family.
- c) Identify data gaps for tracking, recording and analyzing women and children migration

³³ IOM, “Migration and Gender”, Section 2.10, *Essentials of Migration Management*, Volume Two, Geneva, 2008.

³⁴ See the joint work by INSTRAW/IOM/ILO on the wider context of the social organization of care as a gendered problem in countries of origin and destination.

³⁵ See the work of UNIFEM with Jordan, Indonesia, Philippines and Sri Lanka on standard employment contracts for migrant domestic workers. The Special Working Contract for Non-Jordanian Domestic Workers (2003), was the first of its kind in the Middle East (*Legal Protection for Migrant Domestic Workers in Asia and the Arab States*, UNIFEM (now part of UN Women).

³⁶ See the Guide for Professionals Who Work with Children of Migrants, supported by Save the Children Sweden, OSCE and IOM.

³⁷ Notable are the CEDAW General Recommendation (GR) No. 26 on Women Migrant Workers, developed in partnership with UNIFEM (now part of UN Women), which lay out the human rights standards for women migrant workers, and provide substantial guidance on gender sensitive rights protection measures to be introduced by COOs, COTs and CODs.

- and its possible effects on families back home and in the COD.
- d) Establish mechanisms for information exchange on research studies of the effects of migration on children and their families both in the country of origin and in the COD.
 - e) Identify opportunities to implement bilateral/multilateral agreements or MOUs in promoting and protecting the rights of migrants, especially women and children, as well as in providing better and faster social welfare services and interventions in welfare centers both in the COOs and CODs.

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