Background paper

Prevention of Gender-Based Violence and Harassment against Women Migrant Workers in South and Southeast Asia

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Table of Contents

Acronyms

ASEAN	Association of Southeast Asian Nations
C4D	Communications for Development
CBO	Community-based Organization
GBV	Gender-based Violence
GCC	Gulf Cooperation Council
GOALS	Governance of Labour Migration in South and South-East Asia
IPV	Intimate Partner Violence
MOU	Memorandum of Understanding
MRC	Migrant Resource Centre
OSH	Occupational Safety and Health
RWMW	Returned Women Migrant Workers
SAARC	South Asian Association for Regional Cooperation
SAF	Safe and Fair: Realizing Women Migrant Workers' Rights and Opportunities in the Association of Southeast Asian Nations
VAW	Violence against Women

Introduction

There is a large body of literature (quantitative and qualitative), spanning decades, that has documented women's experiences of violence across the globe, including in specific contexts and among specific populations such as women migrant workers. There have also been a number of international agreements, standards and conventions articulating the obligations of States and other parties to prevent and respond to all forms of violence against all women, whether occurring in public or private space, and to hold perpetrators accountable (See Annex A).

International, regional and national commitments have commonly been framed as "eliminating" or "ending" violence against women as the ultimate goal. In practice, however, the majority of investments have until recently, broadly focused on: improving data; expanding and refining national legislation and policy; and strengthening the delivery of quality coordinated, multi-sectoral services for those who have already experienced abuse.[1] These interventions are fundamental to a comprehensive approach, but alone, do not prevent violence or stop it from happening in the first place.[2] Dedicated prevention efforts, on the other hand, have often been equated with awareness-raising and/or campaigns, which have proven ineffective as stand-alone initiatives.[3,4]

Prevention of violence against women requires a suite of complementary and mutually reinforcing interventions that 1) address the root cause (i.e. inequality/power imbalances between men and women) and 2) mitigate the array of risk factors for perpetration and victimization that exist at the individual, interpersonal, community and institutional levels.[5,6] In the context of violence against women migrant workers, prevention efforts also require understanding the factors that put women at greater risk at various stages of the migration cycle: pre-departure, transit, in country of destination and upon return/re-integration; as well as nuances in their experiences that result from other defining characteristics, such as migration status (i.e. "documented" or "undocumented"), language(s) spoken, nationality and/or ethnicity, sector of employment, etc.

Gender-based violence (GBV) and harassment against women migrant workers in South and Southeast Asia have been well-documented, underpinning the need for large-scale comprehensive programmes, such as, Safe and Fair: Realizing Women Migrant Workers' Rights and Opportunities in the Association of Southeast Asian Nations (SAF) and Governance of Labour Migration in South and South-East Asia (GOALS). Similar to broader efforts in the field of ending violence against women, programmes focusing on women migrant workers have advanced the knowledge base, supported critical reforms of laws and policies around labour migration and violence and harassment (in both countries of origin and countries of destination) and have made great improvements in the delivery of multi-sectoral support services, including through innovative methods to circumvent the barriers posed by COVID-19. On the other hand,

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1 Equality Institute. 2019. Global Scoping of Advocacy and Funding for the Prevention of Violence against Women and Girls.
2 Stopping abuse before it occurs is often referred to as primary prevention.
3 WHO. 2019. Respect Women: Preventing Violence against Women.
4 UN Women. 2021. Ending Violence against Women and Children in Asia and the Pacific: Opportunities and Challenges for Collaborative and Integrative Approaches.
5 What Works to Prevent Violence.
6 Equality Institute and UN Women. 2021. Making Progress in Prevention Possible: A Monitoring Framework for the Prevention of Violence against Women and Girls in the Asia-Pacific Region.

preventative actions that are more gender-transformative in nature and that tackle power inequalities and the discriminatory social norms that drive inequality between men and women and especially women migrant workers have been more limited, especially at scale.[7]

This background paper consolidates the risk and protective factors for violence against women migrant workers[8] from existing literature and articulates the strategies and stakeholder actions along the migration cycle that can accelerate the prevention aims of the SAF and GOALS programmes.[9]

Background

Context

The number of estimated international migrants has been rising over the past three decades, reaching nearly 281 million worldwide.[10] Countries in the Asia-Pacific region comprise nearly 30% of international migrants with the biggest out-migrations (of men and women) occurring from India, China, Bangladesh, Pakistan, the Philippines, Afghanistan, Indonesia, Myanmar, Viet Nam and Nepal, the vast majority (80%) ending up in other Asia-Pacific countries.[11] Cambodia, Indonesia, Lao PDR, Myanmar, the Philippines and Viet Nam are larger net-sending countries, while Brunei Darussalam, Malaysia, Singapore, and Thailand, along with Gulf Cooperation Council Countries are the net-receiving countries of labour migration. Overall, women constitute nearly 50% of migrants in the region (with variations at the country level), though the figure could be much higher when considering women who have migrated through irregular channels and therefore do not present in official statistics. Evidence from Malaysia and Thailand, for example, indicate large numbers of undocumented women migrant workers in those countries.[12] From Nepal, more than 2.5 million migrants are estimated to be working in an irregular status in various countries (not including India, which is the primary destination on account of its porous border and proximity).[13]

In ASEAN as a whole, more women than men tend to be undocumented, stemming from gender-related barriers to migration through formal channels (explained further below).[14,15,16] Women from Bangladesh, Pakistan, Nepal and Sri Lanka migrate to Gulf States and Middle East countries, particularly to Qatar, Bahrain, Oman, Libya, Kuwait, Saudi Arabia and the United Arab Emirates for domestic labour.[17]

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7 Garven, K. and Garabit, F. 2021. Midterm Evaluation of the ILO-UN Women Safe and Fair Programme: Realizing Women Migrant Workers' Rights and Opportunities in the ASEAN Region (2018-2022) (Internal document).

8 Countries included in the literature review: Afghanistan, Bangladesh, Brunei-Darussalam, Cambodia, China (Hong Kong), India, Indonesia, Lao PDR, Malaysia, Myanmar, Nepal, Pakistan, Philippines, Singapore, Sri Lanka, Thailand and Viet Nam.

9 SAF Objective 2 and GOALS Output 2.3

10 UNDESA. 2020. International Migrant Stock.

11 IOM. 2021. Asia Pacific Regional Data Hub: Regional Secondary Data Review.

12 UN Women. 2017. Migrant Women Workers in the ASEAN Economic Community.

13 UNODC. 2018. Migrant Smuggling in Asia and the Pacific: Current Trends and Challenges, Volume II

14 ILO and UN Women. 2017. Protected or Put in Harm's Way? Bans and Restrictions on Women's Labour Migration in ASEAN Countries.

15 ILO and IOM. 2017. Risks and Rewards: Outcomes of Labour Migration.

16 ESCAP. 2020. Asia-Pacific Migration Report 2020: Assessing Implementation of the Global Compact for Migration.

17 UNODC. 2018. Migrant Smuggling in Asia and the Pacific: Current Trends and Challenges, Volume II

Women have also been smuggled from Lao PDR to Thailand or deceived into migrating to certain countries for jobs only to be sexually exploited, for example from East Asia to the Republic of the Marshall Islands and from China, Indonesia, the Philippines, Malaysia and Thailand to Papua New Guinea under the auspices of Malaysian and Chinese logging companies.[18] Practices where migrants rely on smugglers, who are abused and later exploited, often become victims of human trafficking.

There are a number of factors at macro and micro levels, mediated by gender, that push and pull women to migrate for employment. More women entering the labour market in middle and higher-income countries, along with aging populations and a collapse of the extended family care model, is creating a rise in demand for domestic and care work in particular.[19,20] **Domestic work constitutes a large share of employment worldwide for women, including migrant women**, making up the vast majority of the sector in China (22 million), India (4.8 million), the Philippines (2 million), Bangladesh (1.5 million) and Indonesia (1.2 million).[21] Critical labour migration corridors for domestic work run from the Philippines and Indonesia to Malaysia and Hong Kong (China) and there is expanding migration in this sector from Viet Nam to Eastern Asia. The Arab States also host a large migrant domestic worker population with some countries, such as Kuwait hosting a significant percentage of women domestic workers from the Philippines, Sri Lanka and Nepal.[22] More women than men have been migrating from a number of countries in the region for this purpose, including Thailand, Malaysia and the Lao People's Democratic Republic.[23] Significant increases in women's labour migration from Bangladesh (along with Nepal) in South Asia is also occurring on account of loosened restrictions that previously limited or restricted women's mobility.[24] Agriculture, construction, manufacturing, food processing, service industries and entertainment are other key sectors of employment pulling women migrant workers from the region.[25,26]

Demands for women's labour are met with several push factors in countries of origin, where girls and women face restrictions on their freedom; gender-based discrimination in their ability to have and enjoy equal rights, access to education, decent employment and resources; and where they may be facing poverty, domestic violence and harmful practices, such as early or forced marriage.[27,28,29] Women will migrate to escape these challenging situations, to earn an income, buy land and build a house, acquire new skills, to support their families, to service [family] debts, and to explore the world and have greater opportunities for personal freedom, experiences and growth.[30]

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[18] UNODC. 2018. Migrant Smuggling in Asia and the Pacific: Current Trends and Challenges, Volume II
[19] ILO. 2019. A Quantam Leap for Gender Equality: For a Better Future of Work for All.
[20] ADB, OECD and ILO. 2017. Safeguarding the rights of Asian Migrant Workers from Home to the Workplace.
[21] ILO. 2021. Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189).
[22] ILO. 2021. Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189).
[23] Migration Data Portal. 2021. Migration Data in South-eastern Asia.
[24] UN Women. 2017. Neither Heroines nor Victims: Women Migrant Workers and Changing Family and Community Relations in Nepal.
[25] UN Women. 2017. Migrant Women Workers in the ASEAN Economic Community.
[26] ILO and UN Women. 2017. Safe and Fair: Realizing Women Migrant Workers' Rights and Opportunities in the ASEAN Region Project Document.
[27] Human Rights Council. 2019. Report of the Special Rapporteur on the Human Rights of Migrants: The impact of Migration on Migrant Women and Girls, A Gender Perspective (A/HRC/41/38).
[28] ADB, OECD and ILO. 2017. Safeguarding the rights of Asian Migrant Workers from Home to the Workplace.
[29] KNOMAD. 2016. Understanding Women and Migration: A Literature Review.
[30] GAATW. 2019. Demanding Justice: Women Migrant Workers Fighting Gender-Based Violence.

Migration has a positive impact on the economies of origin and destination countries as well as for women (and their families), though the benefits are dampened by labour violations, abuse and harassment. Migration can foster women's empowerment, increasing their skills, knowledge and income, and improving their status, agency and autonomy. These benefits, however, are diminished when women migrant workers are relegated to feminized sectors that are informal and undervalued, at the bottom of global supply chains and when characterized by low wages, poor working conditions, limited labour and social protections, and exposure to gender-based violence and harassment.[31,32,33] The risks and experiences of labour violations, GBV and harassment are far too common for the majority of women migrant workers, further amplified for those who migrate through irregular channels.[34,35,36]

Women may choose to migrate through irregular channels for a number of different reasons, many of them stemming from gender-based discrimination that make regular migration channels untenable. Even when women can access formal channels, they may be gender-blind creating inadvertent risks that influence women's decisions to migrate irregularly or render her in an irregular position in the country of destination following regular migration. Some of the reasons and contexts, include[37,38,39,40,41]:

- Legal restrictions or bans based on: the sector women can work in, age, marriage status, education or skill level requirements, ability to bring children, need for consent from a male family member, etc.

- Strict border/travel controls tied to immigration restrictions that would preclude women without access to the formal process from going through regular air, land and sea ports.

- Not possessing the documents required for the formal process, as girls may not have been registered at birth and/or women may not possess any form of identification

- Costs of migration and the inability to finance the process. Women may lack income and the collateral (e.g. property, land or other assets) required to access funds.

- Lengthy, bureaucratic procedures agreed by countries of origin and destination that are challenging to navigate, especially for women who have lower literacy, education and exposure to such processes.

- Customary or religious laws that uphold restrictions on women's mobility and right to work, even if statutory laws allow it.

[31] United Nations. 2019. Report of the Secretary-General on Violence against Women Migrant Workers (A/74/235)
[32] IOM. 2020. Addressing Women Migrant Worker Vulnerabilities in International Supply Chains.
[33] The Asian Confederation of Employers. 2020. A Business Case for Gender Equality and Empowerment in the Workplace: the Untapped Power of Women Migrant Workers.
[34] ILO. 2018. Ending violence and harassment against women and men in the world of work (V1).
[35] CEDAW. 2009. General recommendation No. 26 on women migrant workers.
[36] UN Women. 2021. From Evidence to Action: Tackling Gender-Based Violence against Migrant Women and Girls.
[37] Equality Institute. 2020. Research on Experiences of Violence among Women Migrant Workers Migrating from Lao PDR, Myanmar, and Cambodia to Thailand.
[38] IOM. 2019. Supporting Brighter Futures: Young Women and Girls and Labour Migration in South-East Asia and the Pacific.
[39] KNOMAD. 2016. Understanding Women and Migration: A Literature Review.
[40] ADB, OECD and ILO. 2017. Safeguarding the Rights of Asian Migrant Workers from Home to the Workplace.
[41] Shivakoti, R. 2020. Protection or Discrimination? The Case of Nepal's Policy Banning Female Migrant Workers.

- Visa restrictions or sponsorship schemes that tie the employee to the employer (e.g. domestic workers) giving them considerable power and control over women migrant workers.

- Ineffective recourse mechanisms for women migrant workers facing abuse, forcing them to run away from their employers and become irregular.

Gender-based Violence and Harassment

Women migrant workers, whether migrating regularly or irregularly are at great risk of being subjected to gender-based violence and harassment at various junctures in their lives - from intimate partners and family, prompting them to migrate in the first place - and from those with whom they may interact across the migration journey: individuals (e.g. landlords, other migrants, service providers, etc.), criminal gangs, public officials and employers.[42]

Abuse can take many forms along a continuum of violence: verbal, psychological, physical and sexual, including exploitation, human trafficking and slavery, as well as those that are labour-related, such as non or partial payments of wages for work performed; withholding of food; withholding of passport; forced or excessive workloads; inhumane living conditions; restrictions in contacting or communicating with family and friends; and curtailment in their freedom of movement while employed, including their ability to leave.[43,44] GBV and harassment also occur in transit lodging (including in cases of detention) and employer-provided accommodations at the workplace (e.g. homes, farms, factories, etc.) and on the way to and from work on streets and public transportation.[45,46] Research in ASEAN for example, found that accommodations often had inadequate separation between women and men's sleeping quarters with communal bathing spaces in many cases. In the absence of appropriately divided living spaces, women migrant workers were exposed to risks related to sexual harassment and/or abuse not only from employers but also from co-workers and strangers.[47] In the Thai construction sector, women migrant workers faced privacy and safety concerns for lack of lighting, insecure locks on doors and separate bathing spaces.[48]

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[42] Human Rights Council. 2019. Report of the Special Rapporteur on the Human Rights of Migrants: The impact of Migration on Migrant Women and Girls, A Gender Perspective (A/HRC/41/38).
[43] UN Women. 2017. Neither Heroines nor Victims: Women Migrant Workers and Changing Family and Community Relations in Nepal
[44] Monash University. 2019. Safe and Fair Scoping Studies in Cambodia, Indonesia, Lao PDR, Myanmar, Malaysia, Philippines, Thailand and Viet Nam.
[45] Equality Institute. 2020. Research on Experiences of Violence among Women Migrant Workers Migrating from Lao PDR, Myanmar, and Cambodia to Thailand.
[46] GAATW. 2019. Demanding Justice: Women Migrant Workers Fighting Gender-Based Violence.
[47] UN Women. 2017. Migrant Women Workers in the ASEAN Economic Community.
[48] ILO. 2016. High Rise, Low Pay: Experiences of Migrant Women in the Thai Construction Sector.

Illustrative statistics from the South and Southeast Asian region demonstrate the pervasiveness of gender-based violence and harassment:

<u>Internationally Agreed Definitions related to</u>

<u>Gender-Based Violence</u>

…any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life.

UN General Assembly Declaration on the Elimination of Violence Against Women,
20 December 1993

"violence and harassment" in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.

"gender-based violence and harassment" means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.

ILO Convention 190 (C190), June 2019

See also Infographics: Risks of Violence against Women in the Labour Migration Cycle and Services that Need to be in Place throughout the Migration Cycle

- Slightly over 27% of women across 12 countries in the region have experienced intimate partner violence over their lifetime, with country variations ranging from 14% in the Philippines to 50% in Bangladesh.[49]

- Over one quarter of girls are married as children in Afghanistan, Bangladesh, India, Lao PDR and Nepal.[50]

- In Asia-Pacific countries between 30-40% of women workers reported some form of harassment in surveys and reports compiled from various countries.[51]

- A survey among 13 domestic workers' organizations across 12 countries in Asia found that all organizations had received complaints of violence and harassment (economic, psychological, physical, sexual, verbal and a lack of access to appropriate food) from their members (the vast

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[49] World Health Organization. 2021. Violence against Women Prevalence Estimates, 2018
[50] UNICEF. 2021. Child Marriage Data Portal
[51] ILO. 2001. Action against sexual harassment at work in Asia and the Pacific.

majority women), noting that the main perpetrators were employers and other members of their households, employment intermediaries and members of their own families.[52]

- In a survey of returned women migrant workers from Bangladesh, all reported that they had been abused physically, psychologically, or sexually abused at the employers' house with 60% reporting that they often faced physical torture during employment.[53]

- In 2020, the largest group of detected victims/survivors of human trafficking in Southeast Asia were women (64%) and for the purpose of sexual exploitation.[54]

- Over 76,000 workers, the vast majority being migrant workers from South and Southeast Asia, make up the garment sector in Jordan.[55] Many of these workers pay unauthorized fees to recruitment agents in their country of origin; are charged illegal fees each year to renew their work permits; are subject to deception in employment processes; are denied contracts in a language they understand; have their identification and travel documents confiscated; suffer excessive working hours without sufficient breaks (including with respect to rest and leisure; sexual harassment and abuse; sub-par living conditions; and threats of or forcible deportation.[56,57] Some of these practices are also indicators of human trafficking.

- Seventy-five per cent of women in 35 Indian and Bangladeshi factories reported regular verbal abuse at work, such as: offensive and sexually explicit language, hitting, suggestions to become a prostitute, slapping on heads and pulling of hair, among others.[58]

- In Lebanon, a study of domestic workers (a majority who come from South and Southeast Asia) admitted to the hospital found that 50% had experienced verbal abuse (including racist insults), 37.5% had experienced physical abuse, and 12.5% had experienced sexual assault, mostly from employers.[59]

- In Nepal, nearly 54% of women workers reported sexual harassment in their workplaces.[60]

Intimate Partner Violence (IPV)

Intimate partner violence[61] is pervasive across the countries of South and Southeast Asia, as in other parts of the world (See Annex B). Harmful practices, such as child marriage are also prevalent in a number of countries (see Annex B). In countries where women join the husband's family, domestic

[52] International Domestic Workers Federation. 2020. Gender-based Violence and Harassment against Domestic Workers: Case Studies from Asia.
[53] OKUP. 2021. Access to justice for Bangladeshi migrant workers: Opportunities and challenges.
[54] UNODC. 2021. Global Report on Trafficking in Persons 2020.
[55] Better Work Programme. 2018. Jordan Protecting Migrant Workers.
[56] Business and Human Rights Resource Centre. 2020. Jordan's Garment Sector: How are Brands Combatting Worker Exploitation and Abuse?
[57] GAATW. 2019. Expectations and Realities in Labour Migration: Experiences of Filipino Domestic Workers in a Government-run Shelter in Kuwait.
[58] Fair Wear Foundation. 2018. Violence and Harassment against Women and Men in the Global Garment Supply Chain.
[59] Zahreddine et al. 2014. Psychiatric Morbidity, Phenomenology and Management in Hospitalized Female Foreign Domestic Workers in Lebanon.
[60] ILO. 2004. Sexual Harassment at the Workplace in Nepal.
[61] Domestic violence is often used interchangeably with intimate partner violence (IPV). Though they are not the same, IPV is most often used in population-based studies and includes domestic violence.

violence can be perpetrated by spouses, but also by parents and in-laws.[62] The experience or threat of these forms of abuse has been documented as an important factor in women's decisions to migrate. In Bangladesh, for example, it is estimated that one-fifth of migrant workers were women escaping gender-based violence at home.[63]

IPV can also be experienced in the destination country when spouses accompany their wives or when women form relationships with nationals or other migrants while abroad. Upon return and reintegration, IPV can increase as a result of the changes in gender roles and dynamics that challenge traditional power structures in the household. Women who have migrated return as established independent income-earners (who likely remitted funds to support their families), bringing new skills and knowledge that they acquired, as well as a greater sense of autonomy and self-confidence.[64] Men who stayed behind are likely to be un or under-employed having taken up additional domestic duties to support the household with expectations that roles would go back to the pre-migration status quo. IPV escalates with household tensions arising from these renegotiations of power and is used as a mechanism for men to reassert their control.[65] In other instances, the influx of new resources might be misused (e.g. on alcohol and extramarital affairs) by spouses causing friction in the family and feeding into domestic violence.[66]

Consequences

Gender-based violence and harassment against women migrant workers is a grave violation of human rights with short and long-term costs and consequences. GBV and harassment affect a woman's health and overall well-being; has negative implications on her family; and results in costs to employers and the economy. Some of the specific consequences that have been documented include[67,68,69]:

- Mental-health challenges, physical injuries or permanent disabilities, sexual health problems and suicide.

- Unintended pregnancies with no access to reproductive health.

- Compromised dignity and self-esteem.

- Poor social functioning and harmful coping mechanisms (e.g. becoming withdrawn or misusing alcohol/substances).

- Motivation, performance and attachment to the workplace are compromised.

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[62] UN Women. 2017. Neither Heroines Nor Victims: Women Migrant Workers and Changing Family and Community Relations in Nepal.
[63] OKUP. 2021. Access to justice for Bangladeshi migrant workers: Opportunities and challenges.
[64] Human Rights Council. 2019. Report of the Special Rapporteur on the Human Rights of Migrants: The impact of Migration on Migrant Women and Girls, A Gender Perspective (A/HRC/41/38).
[65] IOM. 2009. Gender and Labour Migration in Asia.
[66] IOM. 2009. Gender and Labour Migration in Asia.
[67] UN Women. 2020. Covid-19 and Women Migrant Workers in ASEAN.
[68] ILO and UN Women. 2019. Addressing Violence and Harassment against Women in the World of Work.
[69] ILO. 2018. Spotlight on Sexual Violence and Harassment in Commercial Agriculture: Lower and Middle Income Countries.

- Capacity to carry-out the job is reduced with higher rates of absenteeism and higher turnover/loss of employment/earnings.

- Harm and danger for victims' friends, co-workers or others who may intervene to stop violence and harassment.

- Negative impact on workplace relations and team working performance.

- Lost profits and damage to brand and company reputation.

- Financial impacts from lost wages, costs related to repatriation and medical expenses.

- Marital conflict and divorce.

- Negative impact on parenting which affects the development of children.

- Stigma, discrimination and rejection by family, friends and community.

- Risks of further harm and exploitation, possibly amounting to exploitation under human trafficking frameworks.

What does gender-based violence cost?
Illustrative examples from the broader economy

- In Australia, just workplace sexual harassment cost $2.6 billion in lost productivity and an additional $0.9 billion in other related costs. These costs were shared by individuals, their employers, government, and society with approximately 70% of lost productivity borne by employers and 23% by government in lost tax revenue. [Deloitte. 2019. The Economic Costs of Sexual Harassment in the Workplace: Final Report]

- In Cambodia, workplace sexual harassment costs the garment sector an estimated US$89 million per year due to turnover, absenteeism and less effective performance, which accounted for the highest cost. [CARE International. 2017. 'I know I cannot quit.' The Prevalence and Productivity Cost of Sexual Harassment to the Cambodian Garment Industry.]

- In China, a popular ride-sharing company (Didi Chuxing) lost nearly $1.6 billion in 2018 following the murder of two women passengers by drivers. [Social Development Direct. 2020. Addressing Gender - Based Violence and Harassment Good Practice Note for the Private Sector.]

- In Pakistan, a total 6.5 million female workers missed their paid work in 2017 as a result of violence with monetary losses amounting to $174.3 million due to absenteeism. [Raghavendra, S., Kim, K., Ashe, S., Chadha,M., Sabir, M., Piiroinen, P.T. and Duvvury, N. (2019). The Macroeconomic Loss Due to Violence Against Women and Girls: The Case of Pakistan. Galway: NUI Galway.]

- In Viet Nam, the costs of intimate partner violence were estimated at 1.41% of the GDP. [UN Women and UNFPA. ESCWA Estimating the Cost of Domestic Violence].

- In the United States, annual costs of intimate partner violence were calculated at $5.8 billion [Department of Health and Human Services. 2003. Costs of Intimate Partner Violence against Women in the United States.]

Root Causes, Risk and Protective Factors

Women migrant workers are subject to gender-based violence and harassment both because of the discrimination and inequality that they live as women (including in their countries of origin) and as migrants (especially in countries of destination).[70] The legal, economic/labour and social systems and structures that govern our lives have imbalances of power embedded within them, placing women in positions of disadvantage that underpin gender-based violence and harassment across the life cycle and across the migration cycle (pre-departure, in transit, in the host country and upon return and reintegration). [71] Girls and women have unequal access to education, skills and vocational training, employment (including conditions of employment) and representation in public and political life. In addition, there are prevalent gender and social norms that perpetuate ideas that women are inferior to men and that men are superior to women with authority over them, children, resources and decision-making. In addition to broad-based gender discrimination, there are specific social and cultural practices from the region that further highlight the widespread discrimination that women and girls face, such as the dowry system, early marriage, son-preference, seclusion or covering of the female body (*purdah*) and segregation of women during menstruation (*chaupadi*).[72,73,74]

The nature and experiences of gender-based violence and harassment for women are also mediated by other defining characteristics of their identity, such as age, race, ethnicity, migration status, class, educational level, nationality, language, sexual orientation and disability, among others.[75,76,77] Young women from the region, for example, are more likely to migrate, when they come from situations of poverty, lack education and where social and cultural norms condone it (e.g. when her mother has migrated for work before her and/or if she is already married and thus considered an adult and expected to contribute to the family income[78]). She is less likely to have extensive life experience, knowledge of her rights and self-determination leaving her more susceptible to false promises, deception, coercion or threats made by recruiters, smugglers and employers.[79]

Intersections of vulnerability can also be inculcated in formal migration documents and processes. For example, women migrant workers from several countries of origin in Asia are subject to bilateral agreements on domestic work with Gulf Cooperation Council Countries (GCC) that reinforce stereotypes about the value of work performed by women based on their nationality, promoting 'nationality-based wage discrimination'.[80] On the contrary, MOUs and other bi-lateral agreements that uphold equality, rights, good working conditions and social protections support safer and fairer migration for women. In Thailand, for example, research found that women migrant workers who went through the MOU process

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[70] ILO. 2018. Ending violence and harassment against women and men in the world of work (V1).

[71] UN Women. 2016. Women Migrant Workers' Journey through the Margins: Labour, Migration and Trafficking.

[72] UN Women. 2019. In Digital Campaign, UN Women Hits Back at the Scourge of Dowry in Pakistan.

[73] UNICEF. Child Marriage.

[74] UN Women. 2017. Neither Heroines nor Victims: Women Migrant Workers and Changing Family and Community Relations in Nepal.

[75] UN Women. 2016. Women Migrant Workers' Journey through the Margins: Labour, Migration and Trafficking.

[76] Romero, M. 2018. Reflections on Globalized Care Chains and Migrant Women Workers.

[77] GAATW. 2019. Demanding Justice: Women Migrant Workers Fighting Gender-Based Violence.

[78] For example, in Myanmar, daughters who do not provide for their family may be considered "immoral" and in Cambodia, traditional Theravada Buddhist beliefs prescribe a role for daughters to provide for their families.

[79] IOM. 2019. Supporting Brighter Futures: Young Women and Girls and Labour Migration in South-East Asia and the Pacific.

[80] Taya and Assaf (Abhu Dhabi Dialogue). 2018. The Future of Domestic Work in the Countries of the Gulf Cooperation Council.

were able to access health and social services, were paid better wages and had better working conditions than those who did not.[81,82]

Discrimination and inequality play a role in women's ability to migrate and migrate through regular channels. Coming from disadvantaged backgrounds characterized by poverty, limited education, skills, income and financial autonomy, women cannot often independently afford the costs associated with migration and may have to forgo critical pre-departure training if costs prohibit traveling to urban centres, where they are often conducted.[83,84] This results in recruitment-related debt or debt-bondage to the lender/recruitment agent or the employer who has paid the fees up front, resulting in these actors having a tremendous amount of power and control over her and increasing her risks of exploitation and abuse.[85,86] Debt-bondage is also an indicator of human trafficking. Countries may agree to temporary schemes or require that women migrant workers are sponsored[87] by employers, essentially, making women dependent on them and locking her into a legal relationship where she has no freedom or control, including the ability to stay in the country, change employers or return to her country of origin without permission.[88,89,90]

Banning women from migrating under the auspices of keeping them safe, has inadvertently put them at greater risk of GBV and harassment. Though policy changes ebb and flow, there have been many attempts to deter or ban women from migrating, especially from countries of origin in South Asia. These efforts, despite being well-intentioned violate principles of equality and non-discrimination and have only created greater risks for gender-based violence and harassment.[91] Studies from Bangladesh, Cambodia, India, Indonesia, Myanmar, Nepal, and Sri Lanka demonstrate that women throughout Asia will still pursue migration through irregular channels and through unlicensed brokers, recruiters or other agents promising work abroad.[92,93] Where there are bans on certain work, some licensed recruiters will also illegally recruit in countries of origin, falsifying documents, substituting the jobs being recruited for and/or not registering them at all, leaving women completely reliant on the recruiter with no other recourse or information.[94] Bans also often mean foregoing air travel and taking more precarious routes by land or sea. Where intermediaries are not monitored or have sub-contracted security to private

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[81] Verité. 2019. Thailand Bound: An Exploration of Labor Migration Infrastructures in Cambodia, Myanmar, and Lao PDR.

[82] Equality Institute. 2020. Experiences of Violence among Women Migrant Workers from Cambodia, Lao PDR and Myanmar Migrating to Thailand.

[83] Asia Forum. 2010. CEDAW and the Female Labour Migrants of Bangladesh.

[84] Equality Institute. 2020. Experiences of Violence among Women Migrant Workers from Cambodia, Lao PDR and Myanmar Migrating to Thailand.

[85] ILO. 2020. Listening to the Voices of Women Migrant Workers: Gender Mainstreaming in the Draft Law on Vietnamese Workers Working Abroad under Contract

[86] PICUM. 2020. Key Messages and Recommendations on Human Trafficking.

[87] This system in the Persian Gulf is often referred to as 'Kafala'.

[88] ILO. 2021. Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)

[89] Focus on Labour Exploitation. 2018. The Risks of Exploitation in Temporary Migration Programmes: A FLEX response to the 2018 Immigration White Paper

[90] ILO. 2018. Spotlight on Sexual Violence and Harassment in Commercial Agriculture: Lower and Middle Income Countries.

[91] ILO. Promoting Fair Migration: General Survey Promoting Fair Migration, International Labour Conference, 105th Session, Report III.

[92] ILO. 2017. Protected or Put in Harms Way: Bans and Restrictions on Women's Labour Migration in ASEAN Countries.

[93] PICUM. 2020. Key Messages and Recommendations on Human Trafficking

[94] ILO. 2017. Protected or Put in Harms Way: Bans and Restrictions on Women's Labour Migration in ASEAN Countries.

companies, women are at risk of exploitation and abuse in detention centres or from border guards. In some circumstances, irregular migration can amount to human trafficking.

Women migrating through irregular channels lack protective mechanisms, such as pre-departure training; standard employment contracts; access to information and complaints mechanisms or government assistance or other support services; and often end-up paying higher informal costs, including at exit ports and in transit countries. A survey of returned migrant workers from Bangladesh found that: 24% emigrated with a clearance card without having the mandatory pre-departure training; 17% were sent with forged medical certificates; nearly 88% did not receive a job contract in time or with translation and orientation; and 65% paid between US$ 60 – 1,785 to migrate despite stipulations of zero fees.[95] In Viet Nam, pre-departure information and orientations are widely available, yet returned migrants surveyed demonstrated that only one third received information and only seven per cent attended training prior to leaving, relying heavily on friends and family or brokers for advice.[96] The same study found that on-the-job training was much more successful with 15 times as many workers reached compared to pre-departure training.

Inequality in countries of origin that hinder women's educational attainment, skills acquisition and empowerment, together with discriminatory policies and practices by destination countries limit women from the region to working in certain employment categories and sectors (e.g. domestic work, agriculture, manufacturing, services) that are commonly characterized as low-skilled, low-paid, informal and less visible with no bargaining power, labour and social protections, and lack of enforcement where they do exist.[97,98,99] For example, in the destination countries (Arab States and Asia and the Pacific) for women migrant domestic workers from South and Southeast Asia, the majority are legally excluded or are covered under less favourable conditions than general workers.[100] Collective bargaining coverage and trade union density is also weak. In Thailand, for example, only a little over three percent of migrant workers had collective bargaining coverage or were included in a trade union.[101] Most sectors with global supply chains are male-dominated in their management structures, rarely including women in higher-level or leadership positions, reproducing structural gender inequality and power dynamics that enable violence and harassment. In agriculture, for example, a study that included Indonesian plantations found that perpetrators of sexual violence and harassment have the power to deny their victims work, appropriate payment, benefits, or fair treatment at work, and to reward them if they respond favourably to their advances- this was especially true for least qualified workers, those who are alone or at night or where perpetrators had contact outside the immediate work area.[102]

The lack of women's voices, experiences, influences and decision-making undermine systems and practices for more gender-equitable workplaces; the ability to shape workplace norms that uphold principles of equality, respect, non-discrimination and non-violence; and safe 'spaces' for women to

[95] OKUP. 2021. Access to justice for Bangladeshi migrant workers: Opportunities and challenges.
[96] ILO and IOM. 2018. Risks and rewards: Outcomes of labour migration in South-East Asia Key findings in Viet Nam.
[97] UN Women. 2017. Women Migrant Workers in the ASEAN Economic Community.
[98] IOM. 2020. Addressing Women Migrant Worker Vulnerabilities in International Supply Chains.
[99] ILO. 2021. Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189).
[100] ILO. 2021. Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189).
[101] ITUC. 2021. Thailand: A Trade Union Focus on the SDGs.
[102] ILO. 2018. Spotlight on Sexual Violence and Harassment in Commercial Agriculture: Lower and Middle Income Countries.

network and report abuse.[103] Women migrant workers in ASEAN also earn significantly less than men and the local female workforce.[104] Further, most countries exclude forms of violence and harassment as a category in their assessments of occupational safety and health (OSH) risks and do not consider the grave health consequences of such abuse within their worker's compensation insurance schemes.[105] The sectors and nature of employment for women migrant workers also often carry stigma upon return to their home countries, negatively impacting their ability to reintegrate.[106] The majority also return with substantially greater skills and knowledge, though these new acquisitions do not often translate into better livelihoods and opportunities back home, especially when expectations are that women will return to their traditional gender role. In Nepal, for example, 84% of RWMW noted improvements in their skills and changed their attitudes about life and work; 68% reported having greater confidence; 40% noted living in a different culture changed their worldview; and 52% had become proficient in another language, yet only 4% said that these skills acquired helped them find work back home.[107]

At all stages of migration, obtaining accurate and reliable information is a major challenge, especially for women, who have low literacy, less education, resources and access to the internet. In Asia Pacific, only 41.3% of women use the Internet, with figures dropping substantially in rural households.[108] The gender gap in mobile internet use in South Asia, however high, is steeply declining from 50% in 2019 to 36% in 2020.[109] Research has found that women are more likely to use smartphones and social media channels to access information as opposed to traditional sources of information (e.g. signboards, leaflets, websites, the United Nations and non-governmental organizations) and are even more likely to rely on personal contacts.[110] Studies across Asian countries show that women who plan to migrate most often contact personal references and networks to connect them to recruiting agencies, but then rely on the embassy or the recruiter when a problem arises. Mobile phones are, however, becoming indispensable and can provide important information and tools when fully harnessed. Women from the Philippines, for example, report using phones for a variety of purposes related to their future migration, such as downloading maps and translation apps, accessing travel websites and joining forums or group chats to prepare for their arrival in the destination country.[111] Networks of migrant women in countries of origin can provide a number of benefits, such as fostering interpersonal connections between migrants, former migrants and non-migrants; helping with job training, knowledge and information transfer; securing safe accommodation and supporting financial management (e.g. banking and sending remittances), but have also been found to make social integration in the country of destination more challenging and increase feelings of isolation when they are over-relied on. [112]

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[103] IOM. 2020. Addressing Women Migrant Worker Vulnerabilities in International Supply Chains.
[104] UN Women. 2017. Women Migrant Workers in the ASEAN Economic Community.
[105] Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189)
[106] ILO. 2020. Listening to the Voices of Women Migrant Workers: Gender Mainstreaming in the Draft Law on Vietnamese Workers Working Abroad under Contract.
[107] UN Women. 2018. Returning Home: Challenges and Opportunities for Women Migrant Workers in the Nepali Labour Market.
[108] ITU. 2021. Digital trends in Asia and the Pacific 2021 Information and communication technology trends and developments in the Asia-Pacific region, 2017-2020.
[109] GSMA. 2021. Connected Women: The Mobile Gender Gap Report.
[110] United Nations. 2019. Report of the Secretary-General on Violence against Women Migrant Workers (A/74/235)
[111] ILO. 2019. Mobile Women and Mobile Phones: Women Migrant Workers' Use of Information and Communication Technologies in ASEAN.
[112] Human Rights Council. 2019. Report of the Special Rapporteur on the Human Rights of Migrants: The impact of Migration on Migrant Women and Girls, A Gender Perspective (A/HRC/41/38).

Discriminatory attitudes, beliefs and social norms about women and about migrant workers in the general population and among employers, stemming from nationalistic and patriarchal ideas fuel gender-based violence and harassment. This is reflected in the language used to talk about women migrant workers and is perpetuated through strong influencers, such as depictions in school curricula and the media.[113] Host country populations often exhibit common negative misperceptions of women migrant workers despite the actual positive contributions they make. In countries of destination, such as Japan, Malaysia, Singapore and Thailand, discriminatory attitudes and perceptions are perpetuated by the media and absorbed by individuals, as has been well-documented through knowledge, attitude and practice surveys.[114] Some of these negative misperceptions include that:

- Crime had risen due to migration.

- Migrant workers threaten the culture and heritage of the destination country.

- Migrant workers have a poor work ethic and cannot be trusted.

- Migrant workers should not expect the same pay as nationals for the same work, especially if undocumented.

- Low-skilled labour through migration was not necessary to fill domestic labour shortages.

These findings held true even in countries where legal frameworks protecting migrants were in place. For women, these perceptions intersect with gender discriminatory beliefs that women's work is easier, of lesser value and optional; that they are weak or submissive; and that they are inherently vulnerable or at fault for abuse perpetrated against them. Research has demonstrated that such beliefs are also internalized by women (who sometimes expressed greater discriminatory beliefs than men) and that they are prevalent regardless of age. Women also reinforce gender stereotypes and roles, for example, as the caring mother and loyal daughter who pledges to remit most of her overseas earnings for the well-being of her family back home, as a strategy to bypass restrictive gender norms and be allowed to migrate.[115]

Positive attitudes and perceptions toward migrants were found when individuals had greater direct interaction with migrants and when they generally engaged with more than one media source.[116] A global index also found that in every region, people who were more social and who ranked their quality of life as higher were more accepting of migrants.[117] Further, the majority of people surveyed in Japan, Malaysia, Singapore and Thailand supported stronger law enforcement and shelters for women migrant workers experiencing abuse, yet only half noted that they have or would speak out against someone saying discriminatory things about migrants.[118] Upon return, women who migrated are also discriminated against with families and communities perceiving that they were morally deviant,

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[113] ILO. 2019. Changing Attitudes and Behaviour Towards Women Migrant Workers in ASEAN: Technical Regional Meeting.
[114] ILO. 2019. Public attitudes towards migrant workers in Japan, Malaysia, Singapore, and Thailand
[115] Human Rights Council. 2019. Report of the Special Rapporteur on the Human Rights of Migrants: The impact of Migration on Migrant Women and Girls, A Gender Perspective (A/HRC/41/38).
[116] ILO. 2019. Public attitudes towards migrant workers in Japan, Malaysia, Singapore, and Thailand
[117] Esipova et al. 2017. Acceptance of Migrants Increases with Social Interaction. Based on the Gallup Migrants Acceptance Index.
[118] ILO. 2019. Public attitudes towards migrant workers in Japan, Malaysia, Singapore, and Thailand.

sexually promiscuous or disgraceful in some way, causing psychological harm, isolation and loneliness.[119,120,121]

Covid-19

The COVID-19 pandemic has increased the risk of gender-based violence and harassment women migrant workers experience perpetrated by employers, partners, law enforcement officials and/or front-line service providers.[122,123] The effects of the pandemic have exacerbated the known risk factors for violence and victimization, such as, financial distress from loss of employment, income or increased medical bills; increased household tension and stress from greater care responsibilities (including on domestic workers); movement restrictions trapping women with abusers or limiting their access to work and services; harmful consumption of substances used as coping mechanisms; and lack of social protection and health care.[124,125] In addition, COVID-19 has exacerbated other risk factors, such as discrimination related to unfounded blame for migrants spreading the virus, as well as, restrictions on travel/regular migration channels, giving way to a surge of restrictive immigration policies and border controls that can increase demand for smuggling services to circumvent them.[126,127] Women migrant workers in the health sector have also faced a greater risk of violence and harassment from patients, their relatives and other healthcare workers who are facing pandemic-related stress. For example, in China, frontline healthcare workers, many of whom are migrant women, reported increased levels of physical and verbal attacks.[128] Domestic workers have reported being overburdened, given additional duties, not paid overtime and not receiving paid leave days during lockdowns.[129] Caregiving to the sick at home has its own health risks.[130]

[119] GAATW. 2019. Demanding Justice: Women Migrant Workers Fighting Gender-Based Violence.
[120] Equality Institute. 2020. Research on Experiences of Violence among Women Migrant Workers Migrating from Lao PDR, Myanmar, and Cambodia to Thailand.
[121] OKUP. 2021. Access to justice for Bangladeshi migrant workers: Opportunities and challenges.
[122] ILO and UN Women. 2020. Policy Brief: COVID-19 and Women Migrant Workers in ASEAN.
[123] UN Women. 2020. Guidance Note: Addressing the Impacts of the COVID-19 Pandemic on Women Migrant Workers.
[124] UN Women.2020. Guidance Note: Addressing the Impacts of the COVID-19 Pandemic on Women Migrant Workers.
[125] IOM. 2020. COVID-19 and Women Migrant Workers: Impacts and implications.
[126] IOM. 2020. Analytical Snapshot #6: Stigmatization & Discrimination.
[127] IOM. 2020. COVID-19 Impacts on the Labour Migration and Mobility of Young Women and Girls in South-East Asia and the Pacific.
[128] UK AID. 2020. Impact of COVID 19 Pandemic on Violence against Women and Girls.
[129] International Domestic Workers Federation. 2020. THe impacts of COVID-19 on Domestic Workers and Policy Responses.
[130] UN Women. 2020. COVID-19 and Women Migrant Workers in ASEAN.

Prevention Approaches

Overview

Migration should be an informed choice that is free from all forms of violence and harassment. This broadly requires efforts to establish more peaceful, gender-equitable societies that are based on principles of human rights and human development. Gender-based violence and harassment against women migrant workers is a product of systems and structures that are inequitable and discriminatory with concomitant factors stemming from this root, that cause additional risk along the migration journey. Inequalities between countries and the political will or lack thereof to extend rights to migrant workers also factor into the risks and available protection mechanisms.

Providing for human rights-based, gender-responsive labour migration for women where they are not subjected to gender-based violence and harassment requires a multi-level approach that tackles longer-term structural inequality and discrimination in both countries of origin and countries of destination, as well as more targeted interventions linked across the migration cycle from pre-departure to return and reintegration.[131] While the strategies presented below articulate entry points at various levels and at different stages of the migration cycle, they are not to be considered independent and stand-alone, but part of an integrated and interdependent approach. The strategies focus on actions that can support prevention of gender-based violence and harassment from occurring in the first place, although, as noted above, access to quality services for those who have already experienced abuse is a fundamental right and critical in providing women with the multi-faceted support they need to move from victim to survivor; to avert re-occurrence and to set the normative standards that gender-based violence and harassment are not acceptable and that perpetrators will be held accountable.

Enabling Environment

Political Will and Financing

States and other stakeholders have taken important steps to demonstrate political will through the adoption of international, regional, bi-lateral and national agreements, binding instruments, commitments and policies related to women's labour migration, violence and harassment (See Annex A). There have also been communication efforts, such as on the International Day of Migrants, to acknowledge the issue and speak-out on zero-tolerance for violence and harassment against women migrant workers. Practically, greater investment is needed in making this a reality, by changing structural inequality and adequately equipping women with substantive equality (tangible equality in their lives and not just in law and policy), opportunities, knowledge and skills they are entitled to for safe and fair migration channels that are well-regulated and have functioning mechanisms in place to hold perpetrators of abuse accountable at all stages of migration. Adequate budget allocations are needed to implement dedicated preventative actions (as identified in the strategies below) that are layered, multi-pronged and well-coordinated with various government counterparts (e.g. ministries of labour, women's

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[131] ILO. 2019. A Quantam Leap for Gender Equality: For a Better Future of Work for All.

affairs, foreign affairs, etc.), private sector and non-governmental actors who have capacity and expertise on gender, migration, violence and harassment.

Regional Cooperation and Coordination[132,133,134]

Interstate dialogue and bilateral, regional, interregional and international cooperation, including through bodies such as ASEAN and SAARC and through consultative processes such as the Colombo Process and the Global Forum on Migration and Development have yielded important cross-country learning and commitments to improve the rights and experiences of women. These give labour sending countries the opportunity to engage with destination countries on the rights of women migrant workers. Bilateral agreements and MOUs established based on consultations with women migrant workers should be established through cooperation and coordination to ensure that gender-specific labour and social protections are included; that nationality-based wage discrimination and inequality are prohibited; and that required documentation for labour migration is reasonable, transparent and entails minimal cost. Many of these standards are reflected in the ILO Multilateral Framework on Labour Migration, as well as ILO conventions and regulatory mechanisms (see Annex A). Labour migration agreements guaranteeing minimum standards for worker protections may be more systematically and equally achieved through ASEAN joint negotiation that also includes countries from South Asia, discouraging competition that undercuts wages and working conditions. A joint and several liability system for country of origin and destination recruiters can be created bi- or multilaterally to ensure there are no gaps in accountability as workers move through cross-border systems of recruitment and employment by holding all relevant parties (employers, recruitment agencies in countries of origin and destination) jointly liable for abuses that occur during the migration process. Existing regional cooperation processes provide an important avenue for strengthening a gender-responsive joint and several liability system, such as was done more broadly through the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers.

Research, Monitoring, Evaluation and Learning[135,136]

Qualitative and quantitative information is key to understanding the root causes and contextual risk factors that drive violence and harassment against women migrant workers in order to inform policies and interventions based on evidence. Routine data collection related to labour migration (formal and informal) should be minimally gender and age disaggregated. Such data that provides a picture of 'who' and 'what' requires additional probing to examine the genuine experiences of labour migration for women, including an understanding of any violence and harassment they have been at risk of or experienced. The latter requires more dedicated research that explores 'why' and 'how' risks arise for women at different stages in the migration cycle (and whether there are age-related or other intersectional differences to be aware of) and by whom under which conditions and in which contexts.

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[132] ILO. 2017. Protected or Put in Harm's Way: Bans and Restrictions on Women's Labour Migration in ASEAN Countries.
[133] UN Women. 2018. Women and Migration in Bangladesh.
[134] Human Rights Council. 2019. Report of the Special Rapporteur on the Human Rights of Migrants: The impact of Migration on Migrant Women and Girls, A Gender Perspective (A/HRC/41/38).
[135] The Asian Confederation of Employers. 2020. A Business Case for Gender Equality and Empowerment in the Workplace: the Untapped Power of Women Migrant Workers
[136] CEDAW. 2009. General recommendation No. 26 on women migrant workers.

Programmes and interventions should be informed by documented evidence and from the knowledge garnered from women and girls who have migrated for work and their networks. Prevention experts should be engaged to support the development of robust research, monitoring and evaluation plans that can support a rigorous assessment of what works, in which contexts, under which conditions, supporting documentation, adaptation and scale-up of initiatives, while minimizing unintended consequences and any potential harm. Continuous learning specific to violence and harassment against women migrant workers in South and Southeast Asia can be facilitated through a multi-lingual regional/sub-regional platform that can consolidate relevant studies, data, promising practices and tools, while providing space for relevant stakeholders to dialogue, share information, brainstorm solutions and engage in joint undertakings.

Specific Strategies[137]

Promote Gender Equality and Eliminate Intersectional Forms of Discrimination

Women should have viable opportunities and meaningful choices to remain in their countries if they so choose. This requires dismantling discrimination against all women irrespective or race, sexual orientation, gender identity, disability, religion, etc.; tackling poverty; putting in place social protections; ensuring registration of girls at birth and issuing civil documents; promoting girl's education and delaying marriage and child bearing; facilitating women's employment, training and skills-building of vocational and life skills; increasing access to and ownership of land, assets and material and financial resources; fostering participation in public and political life; and addressing the harmful gender social norms that operate to curtail their freedom and choices with respect to marriage, sexual and reproductive health and rights, mobility and the pursuit of endeavours that make them happy. States should uphold the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and implement the agreed Beijing Platform for Action and Sustainable Development Goals.

Address Intimate Partner Violence and Harmful Practices

The right for girls and women to be free from violence and harmful practices is fundamental. Evidence-based strategies articulated in the global framework Respect Women: Preventing Violence against Women include: strengthening relationships skills; empowering women and girls; ensuring services; reducing household poverty; making environments safe; preventing child and adolescent abuse; and transforming attitudes, beliefs and norms that condone gender discrimination, inequality and violence. In the context of migrant women workers experiencing intimate partner violence in countries of destination, additional considerations are necessary, including that her visa, work or residency status is not dependent on her partner and that child custody laws do not penalize survivors; that mainstream support services are culturally and linguistically competent or, where possible, that dedicated services exist for survivors and for perpetrators; that law enforcement officials are sensitized to the unique experiences and risks that immigrant women face, making it challenging to trust and navigate support systems in countries of destination; and that immigrant communities are reached through various media (e.g. ethnic radio and tv programmes, social media, etc.) and in-person venues (e.g. community

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[137] The strategies noted in this section derive from internationally agreed norms and standards noted in Annex A with additional supporting references noted throughout.

centres, faith institutions, schools, sporting events and through organizations serving migrants) with accurate information regarding laws, policies and services, as well as, gender-transformational communications conveying zero tolerance for abuse, respect, equality and human rights.

Establish and Amend Legal and Policy Measures for Gender-responsive Safe Migration[138,139,140, 141,142,143]

In all countries, anti-discrimination and equality laws and those dedicated to eliminating violence against women, together with the gender-responsive approach outlined in the guiding principles of the Global Compact for Safe, Orderly and Regular Migration, can provide an important foundation for women to exercise their rights and be free from abuse wherever they may be. More targeted measures for women migrant workers, through general or specific laws, should be established in step with evolving international legal instruments and with effective instruments for implementation that consider gender and racism. For example, agreements with destination countries should protect women workers irrespective of their visa status, sectors of employment or the formal or informal nature of their labour arrangements, enabling access to safe and regular migration pathways, transit, family unity and regularization. Irregular migration should not be criminalized. Women should not be confined to migrate for work in particular sectors or types of work and should have the ability to upskill, strengthen capacity and be promoted. Legal protections, regulations and guidelines should specify costs, fees, dispute resolution mechanisms and the content that should be present in contracts to ensure they are fair and do not discriminate on the basis of gender. Women should have access to contracts in languages they understand well-ahead of departure, in order to review the content, raise questions and concerns and have the opportunity to amend clauses if necessary. Building on the gender-responsive approach outlined in the guiding principles of the Global Compact for Safe, Orderly and Regular Migration (GCM), States should ensure the specific issues relating to migrant women and girls are addressed with concrete measures across all of its 23 objectives.

Provide Unbiased, Accurate and Comprehensive Information that is gender-specific[144,145,146]

Transparency in information and processes is a basic requirement for women to know their rights and be able to make informed decisions, including whether to migrate at all (pre-decision), through to different stages in the migration cycle: pre-employment, pre-departure, in transit, post arrival, during employment, before return and upon return. Information should be tailored to different stages as it

[138] ILO. 2019. A Quantam Leap for Gender Equality: For a Better Future of Work for All.

[139] UNODC. 2015. Combating Violence Against Migrants: Criminal Justice Measures to Prevent, Investigate, Prosecute and Punish Violence Against Migrants, Migrant Workers and Their Families and to Protect Victims.

[140] ILO. 2021. Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189).

[141] UNODC. 2015. Combating Violence Against Migrants: Criminal Justice Measures to Prevent, Investigate, Prosecute and Punish Violence Against Migrants, Migrant Workers and Their Families and to Protect Victims.

[142] IOM. 2020. Addressing Women Migrant Worker Vulnerabilities in International Supply Chains.

[143] ILO. 2020. Listening to the Voices of Women Migrant Workers: Gender Mainstreaming in the Draft Law on Vietnamese Workers Working Abroad under Contract

[144] UN Women. 2017. Recommendations for Addressing Women's Human Rights in the Global Compact for Safe, Orderly and Regular Migration.

[145] UN Women. 2020. Gender Equality update-27: The Future of Women Migrant Workers.

[146] ILO. 2020. Listening to the Voices of Women Migrant Workers: Gender Mainstreaming in the Draft Law on Vietnamese Workers Working Abroad under Contract

relates not only to employment, but to all other aspects of people's traveling, living, working and public/social life. Some key aspects of ensuring unbiased and accurate information, include:

- Establishing and maintaining a centralized database or digital platform with up-to-date materials can assist women and their supporting networks to verify information on labour migration documentation and laws, as well as on reliable recruitment agents, employers and jobs abroad.

- Developing well designed and executed pre-departure sessions that are based on principles of human rights and gender equality, ensuring access to rural women (and their spouses/families) and areas with high levels of female labour emigration. Sessions should be available well ahead of departure and should cover critical topics within a suitable duration to provide women with: an understanding of the migration process, work systems, customs and traditions, and basic laws of the country of destination, language training, skills-building, knowledge of common risks and responses to violence and harassment, and digital literacy, including awareness about the use of social media by traffickers to deceive and lure migrant workers.

- Providing women migrant workers (in writing) with detailed information on their rights as migrants and their rights in employment, with viable mechanisms to seek legal support and recourse, especially should they experience violence or harassment.

- Strengthening migrant resource centres (MRCs) that have expanded throughout Asia to deliver information and tailored support services (e.g. counselling for safe migration, education, skills-building and training, recruitment and employment, family and social services; those related to return and reintegration; and referrals to GBV services if abuse does occur).

- Strengthening communications and partnership between government and women's networks, community-based organization, peer networks and labour unions, which are often the first point of contact and preferred source of information for most women across the migration cycle. A more coordinated approach can help meet the needs of women migrant workers through viable channels, while also providing a feedback loop to authorities to improve processes and capacities.

Regulate, Monitor and Hold Recruiters Accountable[147,148,149,150]

When employment agencies, labour intermediaries and other operators (including sub-agents) are adequately regulated, they play an important role in the efficient and equitable functioning of labour markets by matching available jobs with suitably qualified workers. States should align their policies with international standards established in the ILO Private Employment Agencies Convention, 1997 (No. 181), the accompanying Private Employment Agencies Recommendation, 1997 (No. 188), and the 2016 ILO General Principles and Operational Guidelines on Fair Recruitment, including zero-recruitment fees. States should provide a unified database with a reliable and vetted list of recruitment/employment

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[147] ILO. 2021. Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189).
[148] ILO. 2017. Protected or Put in Harms Way: Bans and Restrictions on Women's Labour Migration in ASEAN Countries
[149] ILO. 2020. Listening to the Voices of Women Migrant Workers: Gender Mainstreaming in the Draft Law on Vietnamese Workers Working Abroad under Contract.
[150] Human Rights Watch. 2008. "As If I Am Not Human" Abuses against Asian Domestic Workers in Saudi Arabia.

agencies and viable jobs abroad. Business and licensing of state-run and private employment/recruiting agencies (including subsidiaries and village-level brokers) should be transparent and require that entities undertake training to better understand the rights of women migrant workers, of sex and gender-based discrimination and their responsibilities vis-à-vis women. They should also be required to provide training for women workers with a measurable level of capacity and skills obtained to prepare them for their overseas employment and ensure their well-being. Establish an inspection body and mechanisms for rigorous oversight, regular and independent monitoring of labour agencies and recruitment practices, including through unannounced inspections and consultations with women migrant workers, providing for investigations into allegations of misconduct, fraud and abuse; and maintain the ability to impose penalties and provide recourse (e.g. revocation of operating licenses, imposition of fines and redress to victims, and referral of cases for criminal prosecution of perpetrators). Institute a system for women migrant workers to report any costs paid to recruitment agencies and a platform to lodge complaints of abuse or labour violations, ensuring women are protected from retaliation and deportation while cases are being investigated. Recognize and reward agencies that demonstrate gender-equitable, human rights-based practices.

Strengthen Opportunities and Capacities for Women to Exercise their Empowerment[151,152,153]

Empowerment entails having the individual capacity, resources and agency to make and undertake important life decisions, situated within a context of legal, substantive and social equality reflected in structures and systems that can facilitate realization of empowerment. Women who wish to migrate should have the ability to do so, including through strengthening their capacities around negotiation, self-assertiveness, rights and decision-making power within families and households (which also requires working with households, especially spouses to recognize women's rights and equality); equipping women with information, skills and viable pathways to effectively exercise their choices; ensuring women's equal footing legally and practically vis-à-vis recruiters, authorities, employers and others they will come into contact with during migration; and linking women with community and RWMW networks for social and substantive support.

Expand a woman's toolkit to improve her bargaining position.

This can include training for sectors that are emerging or in high demand (e.g. electronics, manufacturing) and in financial matters, advocacy and negotiation, conflict resolution, language fluency, self-defense tactics and mechanisms to cope and navigate challenging situations to her benefit. Women's voices and decision-making in the development of migration policies, processes and dialogues are also critical to ensure gender-related aspects of migration are accounted for. Women's leadership should also be elevated through women-owned and women-led recruitment agencies and trade unions and brokerages and through appointments to government offices mandated to work on labour migration, including consular offices/embassies of countries of origin and local authorities in countries of destination.

[151] IOM.2020. Stigma and Empowerment: A Qualitative Study on Nepalese Women and Labour Migration.
[152] UN Women. 2018. Returning Home: Challenges and Opportunities for Women Migrant Workers in the Nepali Labour Market.
[153] UN Women. 2017. Migrant Women Workers in the ASEAN Economic Community

Bring-in family members from the outset

Programming efforts to strengthen the immediate support network of women migrant workers requires those who will be directly impacted, such as spouses and other family members an opportunity to obtain shared information, engage in meaningful dialogues and come to a level of mutual understanding regarding migration and those staying behind. In order to provide women migrant workers with the support that they require, husbands and other family members need to be sensitized about the migration experience, capacitated to provide emotional and other kinds of support, and be able to help women migrant workers access essential services. Women migrant workers also need to be sensitized to changes that may occur at home in their absence and how these shifting dynamics can impact her, her spouse, children and other family members. Dialogues can draw on the lived experiences of returned women migrant workers and their family members, drawing out the challenges that arose, coping mechanisms that were employed and other strategies that are based on principles of mutual respect, equality and non-violence that can be employed to improve the process and outcomes for everyone involved.

Strengthen systems and capacities for women's safe passage

Women need to have accurate and updated information on the transit portion of their journey, including where and from whom they can seek support should challenges arise. Authorities that are responsible for or are likely to come into contact with women migrant workers (e.g. border guards, immigration and law enforcement authorities, and possibly consular/embassy personnel) should receive ongoing training on gender equality, non-discrimination and human, labour and migration rights that is situated within the labour migration corridors of women migrant workers in their sub-region. Reinforce the ability of third-party groups to preside over and document irregularities and any abuses at common border crossings (e.g. possible situations of cross border human trafficking) with referrals for immediate action and protections from retaliation. Transit countries should implement and abide by all agreements governing women's rights and labour migration.

Hold migration-related law enforcement officials accountable[154]

Standards of conduct for law enforcement officials vis-à-vis their responsibilities towards women migrant workers should be drafted and implemented in accordance with the United Nations Code of Conduct for Law Enforcement Officials and the International Code of Conduct for Public Officials. Complaint mechanisms for breaches should be established, ensuring that those reporting (including colleagues of perpetrators) are protected from retaliation. Disciplinary procedures should be clearly articulated and implemented for transgressions of responsibilities.

Regulate, monitor and hold accountable detention centres and their personnel[155]

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[154] UNODC. 2015. Combating Violence Against Migrants: Criminal Justice Measures to Prevent, Investigate, Prosecute and Punish Violence Against Migrants, Migrant Workers and Their Families and to Protect Victims.
[155] UNODC. 2015. Combating Violence Against Migrants: Criminal Justice Measures to Prevent, Investigate, Prosecute and Punish Violence Against Migrants, Migrant Workers and Their Families and to Protect Victims.

Alternative accommodations should be prioritized with detention centres being a last resort. Where women are sent to detention centres, states should provide rigorous monitoring, including of those run by private companies, to ensure that they are free from discrimination and abuse. Women in detention centres should be properly screened or interviewed by trained personnel to determine if they are victims of human trafficking. Vvictims/survivors of human trafficking are entitled to protection and assistance. Civil society and non-governmental organizations that have expertise and are equipped to support women migrant workers should have access to facilities and individuals in order to provide advocacy support when needed.

Provide access to support services for women and alternatives to detention[156]

Detention facilities are often inadequate to meet the specific needs of women and girls and send a message of criminality. Alternatives to detention can include community placement or allowing for independent living with regular report-ins while immigration processes (including considerations for regularization) are being addressed. Such arrangements should be accompanied by support for women to remain physically safe and cared for, providing her information on public services that she can avail of during her stay, in addition to employment or other sources of income when stays are prolonged.

Tackle Stigma and Discrimination Based on Gender, Migration Status and other Intersecting Identities[157,158, 159,160,161]

Racism, discrimination, xenophobia and intolerance towards women migrant workers contributes to violence. States, with their partners, must make concrete efforts to combat these ideologies, including through hate speech and their own representation of migrants in public and political platforms. Even if unintentional, speech can convey negative perceptions and drive discriminatory and xenophobic attitudes. Inculcating the use of appropriate and non-derogatory terminology/rights-based language in policies, public discourse and through the media is essential, together with proactive education and communications that foster respect and acceptance of diverse cultural, linguistic and gender identities of women migrant workers. Using rights-based language can help promote social inclusion by shaping social norms that are non-discriminatory and respectful of migrant women workers regardless of their country of origin, languages spoken and the types of employment they are found in.

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[156] UN Women. 2017. Recommendations for Addressing Women's Human Rights in the Global Compact for Safe, Orderly and Regular Migration.

[157] ILO. 2019. Changing Attitudes and Behaviour Towards Women Migrant Workers in ASEAN: Technical Regional Meeting.

[158] ILO. 2020. Media-friendly glossary on migration: Women migrant workers and ending violence against women (EVAW) edition.

[159] ILO. 2019. Public attitudes towards migrant workers in Japan, Malaysia, Singapore, and Thailand

[160] UN Women. 2017. Recommendations for Addressing Women's Human Rights in the Global Compact for Safe, Orderly and Regular Migration

[161] ILO and University of Oxford Centre on Migration, Policy and Society. 2016. Worker, Helper, Auntie, Maid? Working Conditions and Attitudes Experienced by Migrant Domestic Workers in Thailand and Malaysia.

Proactively engage media to promote non-discrimination, equality, rights and non-violence.

Media can be guided by codes of conduct that: promote accurate, balanced and impartial coverage of the news; humanize migrant workers; ensure a do no harm principle to those affected by the reporting; and emphasize the positive contributions made by women migrant workers. Civil society and media outlets can work together to develop the capacities of journalists and other media representatives to better understand the situation of migrant women workers, guiding them to tell their stories in a positive light, reinforcing principles of human rights and respect for diversity. Ministries responsible for overseeing media communications (including advertising) can monitor content for stereotypical and harmful representation of women migrant workers and can facilitate partnerships with CSOs and the private sector to promote positive portrayals and messaging.

Encourage more interpersonal interaction in communities where women migrant workers live.

In order to break down social segregation and silos, planned activities through faith organizations, schools, sports and community events can help bring people together and build familiarity, trust, understanding and compassion. School curricula and activities can also proactively socialize children to be non-discriminatory and appreciative of the contributions made by migrant women by positively depicting them as they exist in the social fabric of host communities. Actual community-based programming efforts should go beyond awareness-raising to focus on changing social norms and behaviour, underpinned by theoretical models that are based on research and evidence and that include interactive dialogue and communications for development (C4D) approaches.

Align Laws and Policies with International Agreements, Frameworks and Standards [162,163,164,165,166,167]

Women migrant workers' rights and needs should be upheld in accordance with international labour standards, agreements and frameworks, as well as those dedicated to gender equality and the elimination of violence against women. This includes equality of treatment in conditions (e.g. wages, working time, rights in the workplace, access to health (including reproductive health) and safety, workers' compensation, disability, long-term illness, death benefits and insurance schemes) of work between nationals and migrants irrespective of their status, formal or informal work. Women migrant workers should have the ability to: join trade or labour unions, engage in social dialogue, collective bargaining and other processes that affect their lives and work; to work in different sectors and engage in various types of work; to change or leave an employer without having to leave the country (i.e. getting visa extensions); to determine their own accommodation; to upskill, strengthen their capacity and be promoted; to have the time and opportunity to change work permits, the type of job or sector; and to have freedom of movement, retention of their own documents and belongings (e.g. mobile phones) and freely engage in communications. Women migrant workers should be entitled to the same minimum

[162] IOM. 2020. Addressing Women Migrant Worker Vulnerabilities in International Supply Chains.
[163] PICUM. 2020. Key Messages and Recommendations on Human Trafficking
[164] Human Rights Watch. 2008. "As If I Am Not Human" Abuses against Asian Domestic Workers in Saudi Arabia.
[165] ILO. 2017. Protected or Put in Harm's Way: Bans and Restrictions on Women's Labour Migration in ASEAN Countries
[166] UN Women. 2017. Migrant Women Workers in the ASEAN Economic Community.
[167] UN Women. 2017. Recommendations for Addressing Women's Human Rights in the Global Compact for Safe, Orderly and Regular Migration.

wage or remuneration as nationals for the same work performed and should have access to social security and pension schemes (that in cooperation with countries of origin are portable).

Separate immigration enforcement and public service provision[168,169,170]

There should be a firewall between immigration enforcement and public service provision. Firewalls prohibit information sharing between service providers and authorities responsible for immigration control. Services, whether provided by state or non-state actors are part of basic social rights for individuals, especially those experiencing abuse, regardless of their immigration status. In particular, services for women at risk of or experiencing abuse, include: health (medico-legal, urgent health care and sexual and reproductive health); legal (civil, criminal and labour-related support and remedies); and social services (psychosocial/counseling, shelter/safety and temporary economic support). Women migrant workers in need of these services will not likely access them if there is any risk or fear of losing their employment or of being detained or deported. In cases where women migrant workers suffered abuse and exploitation that rises to the level of human trafficking, it is critical that they are provided with adequate information and legal representation needed to bring charges against their exploiters.

Monitor migration processes and actors for accountability[171,172,173,174]

Ensuring women's rights are upheld requires monitoring procedures, entities and individuals responsible for facilitating safe and fair migration and employment. Wrongdoing by any recruitment agencies and employers, in either commercial or domestic settings (without immunity for anyone accused of committing abuse) should be thoroughly investigated with penalties and disciplinary actions imposed as appropriate. Abusive actors should be recorded in a unified database and barred from further engagement. Risks of violence and harassment should be included under OSH management allowing for ongoing assessment and action. More women should be recruited as labour inspectors, though all agents should maintain expertise and receive training on the unique risks and experiences of women migrant workers. Inspection bodies and mechanisms should be strengthened overall, ensuring that all sectors are covered under inspections, by: training on gender-based violence, forced labour and human trafficking; providing adequate resources to implement protocols and refer victims to support; and building relationships with relevant government departments, civil society groups and trade unions to advance a common understanding and application of laws from a gender perspective. Processes should be established for migrant workers to easily obtain copies of their placement agreement, employment contract (which should not be substituted upon arrival), insurance card and any other documents needed to pursue recourse without possibilities of corruption or obstruction by recruiters, brokers or insurers. Migrant workers resource centres in countries of origin and destination, such as those in Southeast Asia

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[168] Hermansson, L. et al. 2020. Firewalls: A necessary tool to enable social rights for undocumented migrants in social work.

[169] Women in Migration Network. 2017. Criminalisation of Migration and the Importance of 'Firewalls'.

[170] OHCHR. ND. Principles and Guidelines, Supported by Practical Guidance, on the human rights protection of migrants in vulnerable situations.

[171] Human Rights Watch. 2008. "As If I Am Not Human" Abuses against Asian Domestic Workers in Saudi Arabia.

[172] ILO. 2021. Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189).

[173] ILO. 2017. Protected or Put in Harms Way: Bans and Restrictions on Women's Labour Migration in ASEAN Countries.

[174] ADB, OECD and ILO. 2017. Safeguarding the rights of Asian Migrant Workers from Home to the Workplace.

(well over 50 organizations) should be equipped with the knowledge and skills needed to strengthen women's position for safe and fair migration and gender-responsive support attending to their needs and rights.

Facilitate Mutual Recognition of Women's Skills and Expertise[175,176,177]

Mutual recognition of an expanded array of women's broad skills and expertise should be established through social dialogue involving governments, employers' and workers' organizations and training institutions. Regional qualification frameworks can enable employers in countries of destination to compare qualifications of the workers across several countries of origin in order to implement evidence-based selection procedures that are based on competency and not on who has the ability to pay high recruitment fees. Skills passports generated by countries of origin that note prior learning, experience and qualifications, as well as special visas or employment passes detailing specific skills for job matching are some mechanisms that have been effectively implemented. In addition, women migrant workers should be provided opportunities to strengthen their skills through on-the-job training, including through direct arrangements with the employers and explore training opportunities to learn new skills, especially in high-demand sectors.

Engage Employers on their Responsibilities, Non-discriminatory and Gender-equitable Business Practices[178,179,180,181]

Employers, both commercial and domestic, need to be aware of the laws and obligations related to violence and harassment and those related to women migrant workers, ideally through mandatory orientation programmes, written documentation that can be retained and frequent messaging by government expressing zero-tolerance for physical, sexual and psychological abuse of any kind with articulation of the consequences that perpetrators will face should they violate the law.

Businesses can be supported to implement systemic and structural changes that address practical risks.

Businesses, including suppliers can take steps reduce risks, such as ensuring women do not work alone with men, especially at night; that women do not travel alone to job sites and are not in isolated areas; and that men's and women's accommodation are separate and secure. These steps can mitigate risk, but should be accompanied by a process to address the deeper structural and systemic gender and migration concerns reflected in policies, procurement, recruitment, management and other business practices. At the workplace level, greater equality can be promoted by:

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[175] ILO and IOM. 2018. Risks and rewards: Outcomes of labour migration in South-East Asia Key findings in Viet Nam.
[176] ILO, IOM and UN Women. 2020. Joint Programme Document: Governance of Labour Migration in South and South-East Asia
[177] UN Women. 2017. Migrant Women Workers in the ASEAN Economic Community.
[178] IOM. 2020. Addressing Women Migrant Worker Vulnerabilities in International Supply Chains.
[179] OurWatch. Workplace Equality and Respect.
[180] ILO. 2018. Ending violence and harassment against women and men in the world of work (V1).
[181] ILO. 2018. Spotlight on Sexual Violence and Harassment in Commercial Agriculture: Lower and Middle Income Countries.

- Engaging in change management processes with senior leaders and managers that instill principles of respectful, non-discriminatory and equitable workplaces across systems, structures and organizational work culture;

- Upgrading women migrant worker's terms of employment and work arrangements to match those of national women and men;

- Advancing women migrant workers into supervisory positions;

- Expanding the scope of collective bargaining to extend negotiations to represent temporary and casual workers

- Extending legal protections to non-standard and temporary workers;

- Tightening legislation and enforcement of working conditions within women-dominated sectors and in sectors with high representation of women migrant workers (including for contracted workers)

- Promoting women into leadership roles within unions and NGOs;

- Supporting women-organized means for monitoring and reporting incidents of violence and harassment with gender-responsive policies, reporting, investigation and recourse mechanisms; and

- Expanding workplace training (beyond awareness-raising) for all personnel to change sexist, discriminatory and harmful expressions of masculinity and power dynamics.

Foster social integration with communities[182,183,184]

Women migrant workers, whether regular or irregular, should have opportunities to integrate with host communities and benefit equally from the economic support and social protection systems (including insurance and health coverage) available in the destination countries, avoiding marginalization and exclusion. Post-arrival sessions (in languages and wording that they can understand) can mitigate information overload from the pre-departure sessions and help reinforce content that was earlier provided, in addition to providing more practical information related to in-country services (including for violence against women, sexual and reproductive health), banking and money transfer, communications, transportation, education, housing, community groups, women's labour unions/federations, employment and professional programmes, and migrant support networks.

Community-based and local organizations that provide support for women migrant workers should have access to formal registration, funding and capacity-building to strengthen their services and outreach.

Interventions with host communities that foster trust building, understanding, familiarity and respect for diverse cultures are crucial. Integration may require legal or policy changes so that women migrant workers are not excluded or subject to special rules and so that they receive treatment that is fair and equal. Urban planning and housing considerations can also provide for better integration, along with

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[182] ILO. 2019. Public attitudes towards migrant workers in Japan, Malaysia, Singapore, and Thailand
[183] ILO. 2021. Extending Social Security to Workers in the Informal Economy: Lessons from International Experience.
[184] GAATW. 2019. Reclaiming Migrant Women's Narratives: A Feminist Participatory Action Research project on 'Safe and Fair' Migration in Asia.

initiatives to bring communities together, such as through public institutions, outreach and social events.

Ensure Access to Coordinated Quality Multi-sectoral Services[185, 186]

Services can empower women migrant workers and help protect their dignity. Multi-sectoral service for women migrant workers experiencing abuse include: health (medico-legal, urgent health care and sexual and reproductive health); social services (psychosocial/counseling, shelter/safety and temporary economic support); security and legal (civil, criminal and labour-related support and remedies). Justice services, for example, are not only critical in securing recourse for women who have experienced abuse, but also in ensuring that perpetrators are held accountable, which can serve to prevent further harm against other women migrant workers in future. Violence against women often has long-term consequences. Survivor support services are critical to women's resilience and recovery and will likely be needed beyond points of return, which requires coordination across borders between countries of destination and countries of origin to ensure continuity.

Strengthen Women's Networks, Support Structures and Bargaining Power[187,188,189,190,191,192]

Women migrant workers benefit from collectivity, support networks and from being included in larger organizations serving worker's rights and well-being. Promoting women migrant worker's rights in organizations, associations and trade unions that advocate for equality, respect for diversity and non-discrimination can increase their bargaining power at work, especially when their integration is mindful of both their migrant status and the occupation/industry that they are working in. In addition to strengthening women's voice and participation at work and in social dialogues, representative organizations can provide training, advice and moral support.

Ensure women migrant workers' access to mobile technologies and internet.

Technology can provide a relatively low-cost means for women to remain connected regularly to their personal and professional networks. On-demand access to information and communication helps to maintain their support systems; provides a means to advocate for change; enables them to find and share information; seek advice from peers; and download useful tools to navigate systems and structures in the destination country (e.g. maps, transportation, services, etc.).

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[185] UN Women. 2019. 16 Essentials for Quality Multisectoral Service Provision to Women Migrant Workers Subject to Violence

[186] UN Women. 2021. From Evidence to Action: Tackling Gender-Based Violence against Migrant Women and Girls.

[187] Gabriella Alberti, Jane Holgate & Maite Tapia. 2013. Organising Migrants as Workers or as Migrant Workers? Intersectionality, Trade Unions and Precarious Work, The International Journal of Human Resource Management.

[188] ILO. 2017. Protected or Put in Harm's Way: Bans and Restrictions on Women's Labour Migration in ASEAN Countries.

[189] Equality Institute. 2020. Research on Experiences of Violence among Women Migrant Workers Migrating from Lao PDR, Myanmar, and Cambodia to Thailand.

[190] Chib, A. et al. 2013. International Migrant Workers' Use of Mobile Phones to Seek Social Support in Singapore.

[191] ILO. 2019. Mobile Women and Mobile Phones: Women Migrant Workers' Use of Information and Communication Technologies in ASEAN.

[192] ILO and University of Oxford Centre on Migration, Policy and Society. 2016. Worker, Helper, Auntie, Maid? Working Conditions and Attitudes Experienced by Migrant Domestic Workers in Thailand and Malaysia.

Use radio, television and social media platforms to inform women of their rights.

Women migrant workers may not have had pre-deployment training, may lack support networks or trusted contacts at the recruitment agency and may be confided to their workplaces. Broadcasting PSAs through radio, television and through social media targeted at women migrant workers can provide critical information on what they are entitled to and where and how to access support and/or recourse when those entitlements are breached. Messages should be simple and reassuring, in languages that women migrant workers can understand, indicating the phone numbers or websites where support can be sought. These messages also provide a reminder to public and private employers of their duties and responsibilities vis-à-vis women migrant workers.

Consider forming a dedicated working group on prevention of GBV and harassment that can coordinate and collaborate across key government agencies.

A dedicated working group (at national or sub-national level) in consultation with women migrant workers' groups has the advantage of drawing on the respective mandates and expertise of various ministries or departments, such as those dedicated to labour/employment, gender/women's affairs, education, information and communication, social welfare and others that might have a context-specific role (e.g. religious affairs, youth and sports, etc.). A multi-sectoral group can support a broader and more comprehensive approach to prevention and improve coordination and communication with more effective engagements, efficiencies and better outcomes.

Increase the capacity of embassies, consulates and labour attachés to provide gender-responsive support to women migrant workers.

These entities are critical partners in facilitating positive migration experiences for women. In addition to working with labour and gender experts, regular meetings with women migrant workers can be hosted in countries of destination to better understand challenges, needs and desires related to their living and working conditions. Such engagement serves a practical purpose to improve processes and practices, while also demonstrating a pro-active interest and ability to support labour migration for women as an empowering experience without the fear of or experience of abuse.

Prepare Families to Embrace Gender-transformational Changes in Roles[193],[194]

Re-integration sessions with returned women migrant workers, their spouses and other family members is key to help manage time lapsed and changes arising in family dynamics from separation. Sessions with families should be carefully facilitated and thoughtfully designed over multiple sessions to cover issues and experiences of women who migrated and those of her family that stayed behind, in order to foster mutual understanding; provide strategies to alleviate tensions from changing gender roles and expectations; and manage fallouts that may have occurred, while promoting healthy relationships and more equitable distribution of paid and unpaid work needed to support the household. Working through existing community organizations and programmes (e.g. substance abuse, parenting, livelihoods,

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[193] IOM. 2009. Gender and Labour Migration in Asia.
[194] KNOMAD. 2016. Understanding Women and Migration: A Literature Review.

nutrition and health, etc.) can facilitate reach and maximize positive outcomes related to quality of life and well-being.

Strengthen Access to Viable Employment, Economic Opportunities and Material Supports[195,196,197]

Successful reintegration requires that RWMW be supported at district, divisional or local levels to transfer and build their skills in economically viable industries or trades so that they can continue working and earning income if they so choose. RWMW should have their skills certified/recognized and have access to quality information and be linked to services and available opportunities related to employment, agriculture, land, small business development, financial assistance, banking, loans and credit in the area where they live, considering urban and rural contexts. Trade unions, community-based organizations and migrant groups are important resource partners that can enhance access to employment or entrepreneurial opportunities and training, including technical skills, financial literacy, repayment of debts and how to manage or invest remittances. Training should be provided for RWMW, ideally in coordination with employers, for women to adapt and build-upon existing skills and to facilitate job placement, investment skills and financial management.

Tackle Gender-based Stigma, Myths and Discrimination related to Women Migrant Workers[198,199,200]

Local and provincial level governments in partnership with civil society, NGOs and returned migrant women's groups have a strong role to play in facilitating safe and respectful reintegration of RWMW into their communities through schools, faith and social organizations, local media outlets, etc. Stigma is multi-layered and must be tackled at the public/social norms level; at the individual level or self-stigma where negative beliefs have been internalized; with family and friends who face and react to stigma through association; and at the structural level where stigma is reinforced within and by institutions and systems. Media in particular should be guided by codes of conduct and receive training on gender and migration to improve the framing of issues through a human rights-based and systems lens (i.e. contextualizing violence and harassment as structural rather than as random incidents by a few bad actors), while maintaining fair and respectful representations and reporting of returned migrant workers' experiences and the huge contributions they make, avoiding negative discourses that contribute to shaping harmful societal perceptions. Programmes in schools and in communities should also be organized under the leadership and with the active participation of RWMW who can challenge misperceptions and dispel myths. Reaching youth through schools and widely used (70.3% of 15–24-year-olds in the region) mobile platforms is also critical given persisting discriminatory views and the opportunities to positively influence this age group whose hearts and minds are still evolving.

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[195] UN Women. 2018. Returning Home: Challenges and Opportunities for Women Migrant Workers in the Nepali Labour Market.

[196] UN Women. 2016. Women Migrant Workers' Journey through the Margins: Labour, Migration and Trafficking.

[197] ILO. 2014. Gender and Migration from Bangladesh: Mainstreaming Migration into the National Development Plans from a Gender Perspective.

[198] UN Women. 2020. Gender Equality update-27: The Future of Women Migrant Workers.

[199] ITU. 2021. Digital trends in Asia and the Pacific 2021 Information and communication technology trends and developments in the Asia-Pacific region, 2017-2020.

[200] IOM.2020. Stigma and Empowerment: A Qualitative Study on Nepalese Women and Labour Migration.

Integrate Returned Women Migrant Workers in Social Protection Plans[201,202,203,204,205]

Returned women migrant workers may require a suite of support to integrate back into their communities and continue building their lives. Social protection plans must recognize the unique situation of RWMW with mechanisms and allocations that would be delivered through local government and relevant partners (women's groups, community-based organizations, migration networks, etc.). The range of support will vary and should be needs-based, but may entail: psychosocial support, linking to a diverse array of public services, access to financial or material provisions, assistance with parent-child relations and education, facilitating the transfer of pensions and other social benefits obtained abroad;. Women survivors who experienced abuse while in transit or in the destination country would require quality multi-sectoral services to stem the negative consequences, facilitate resiliency and prevent further harm from violence that may begin or re-occur at home. Cash, food and/or other material support has reduced the risk of domestic violence and can be an important consideration for women returning to poor households, especially in the context of crises and emergencies, such as that caused by COVID-19. Assistance for women with labour-migration-related debt should also be considered, especially for those who lose employment prematurely.

Bolster Peer Support for Women Migrant Workers[206,207]

Peer-to-peer connections that are national or transnational and that can accompany women from pre-migration through to return and reintegration can provide a 'safety net' and support group of trusted sources who share language, heritage, and social and cultural norms. Linking women who plan to migrate with networks in host countries and with RWMW can facilitate critical information sharing, including informal knowledge of how to navigate migration processes, expected challenges and strategies to mitigate them, as well as, reducing feelings of 'being out of place', disconnected, isolated and lonely wherever women may be in the cycle (transit, destination, back home). Peer support can also be trialed with employers who can establish paid mentoring and training systems between experienced women migrant workers and other women who wish to migrate for specific jobs prior to departure and upon. Peer support is often the primary avenue through which information and guidance is solicited and received by women throughout the migration cycle, making it an important component to consider in more formal migration processes, outreach and communications initiatives.

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[201] Human Rights Council. 2019. Report of the Special Rapporteur on the Human Rights of Migrants: The impact of Migration on Migrant Women and Girls, A Gender Perspective (A/HRC/41/38).

[202] CEDAW. 2009. General recommendation No. 26 on women migrant workers.

[203] United Nations. 2019. Report of the Secretary-General on Violence against Women Migrant Workers (A/74/235).

[204] ILO. 2013. Reintegration with Home Community: Perspectives of Returnee Migrant Workers in Sri Lanka.

[205] OSCE. 2009. Guide on Gender-Sensitive Labour Migration Policies.

[206] ILO. 2016. High Rise, Low Pay: Experiencs of Migrant Women in the Thai Construction Sector.

[207] IOM. 2019. Migrants as Messengers: The Impact of Peer-to-Peer Communication on Potential Migrants in Senegal.

Tools

- RESPECT Women: Preventing Violence against Women Framework and Implementation Guide

- Policies and Practice: A Guide to Gender-Responsive Implementation of the Global Compact for Migration

- Empowering Women Migrant Workers from South Asia: Toolkit for Gender-Responsive Employment and Recruitment
    - Gender-responsive Guidance on Employment Contracts
    - Gender-responsive Self-Assessment Tool for Recruitment Agencies

- General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs

- Recruitment Advisor

- IRIS Ethical Recruitment

- Standard Terms of Employment

- Code of Conduct for Law Enforcement Officials

- International Code of Conduct for Public Officials

- Service Directory for Women Migrant Workers in the ASEAN Region

- 16 Essentials for Quality Multisectoral Service Provision to Women Migrant Workers Subject to Violence

- Migrant Resource Centre Mapping

- Media-friendly Glossary on Migration: Women Migrant Workers and Ending Violence against Women

- Gender and Migration Data: A guide for evidence-based, gender-responsive migration governance

- Women's Empowerment Principles

Annex A: Key Instruments and Processes for Human Rights, GBV, Gender Equality and Migration

All women migrant workers are entitled to the protection of their human rights, which include the right to life, the right to personal liberty and security, the right not to be tortured, the right to be free of degrading and inhumane treatment, the right to be free from discrimination on the basis of sex, race, ethnicity, cultural particularities, nationality, language, religion or other status, the right to be free from poverty, the right to an adequate standard of living, the right to equality before the law and the right to benefit from the due processes of the law. These rights are provided for in the Universal Declaration of Human Rights and the many human rights treaties ratified or acceded to by States Members of the United Nations (CEDAW General Recommendation 26).

2030 Agenda and the SDGs	▪ Goal 5 Gender Equality and Empowerment of Women ▪ Goal 8 Decent Work and Economic Growth ▪ Goal 10 Reducing Inequality ▪ Goal 16 Peace, Justice and Strong Institutions ▪ Goal 17 Partnerships for the Goals
ASEAN and South Asia Frameworks	▪ ASEAN Community Vision 2025 ▪ ASEAN Regional Plan of Action on the Elimination of Violence Against Women (EVAW) ▪ ASEAN Convention against Trafficking in Persons (2015) ▪ Gender Sensitive Guidelines for Handling of Women Victims of Trafficking in Persons (2016) ▪ ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers ▪ Dhaka Principles ▪ Colombo Process ▪ Abu Dhabi Dialogue ▪ Global Forum on Migration and Development

	▪ SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution ▪ ASEAN Guidelines on Effective Return and Reintegration of Migrant Workers ▪ ASEAN Guideline on Gender Mainstreaming Into Labour and Employment Policies Towards Decent Work for All
Gender Equality and Women's Empowerment, (including violence against women) and Migration Frameworks	▪ Convention on the Elimination of all forms of Discrimination against Women (CEDAW General Recommendations 19, 26 and 35) ▪ International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW, General Comment 1 and 2) ▪ Declaration of the High-level Dialogue on International Migration and Development ▪ UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children ▪ The Global Compact for Safe, Orderly and Regular Migration ▪ Beijing Declaration and Platform for Action ▪ Commission on the Status of Women Outcomes ▪ General Assembly Resolutions related to Gender Equality, Violence against Women and Women Migrants ▪ Human Rights Council Resolutions related to Gender Equality, Violence against Women and Women Migrants ▪ 1993 Declaration on the Elimination of Violence against Women ▪ International Convention on the Elimination of All Forms of Racial Discrimination (CERD) and its General Recommendation 25 on gendered-related dimensions of racial discrimination
International Labour Standards and Business Principles	▪ CO29 - Forced Labour Convention (1930) ▪ CO87- Freedom of Association and Protection of the Right to Organise Convention (1948) ▪ CO97- Migration for Employment Convention (1949) ▪ C098 - Right to Organise and Collective Bargaining Convention (1949)

- C100 - Equal Remuneration (1951)

- C111 - Discrimination: Employment and Occupation (1958)

- C118 - Equality of Treatment: Social Security (1962)

- C143 – Migrant Workers: Supplementary Provisions (1975)

- C155 – Occupational Safety and Health (1981)

- C157 – Maintenance of Social Security Rights (1982)

- C169 – Indigenous and Tribal Peoples Convention (1989)

- C 181- Private Employment Agencies (1997)

- C 183 - Maternity Protection (2000)

- C 184 – Safety and Health in Agriculture (2001)

- C 187 – Promotional Framework for Occupational Safety and Health (2006)

- C 189 – Domestic Workers (2011)

- C 190 – Violence and Harassment (2019)

- R 205 – Employment and Decent Work for Peace and Resilience (2017)

- R 206 - Violence and Harassment (2019)

- UN Guiding Principles on Business and Human Rights

Annex B: Prevalence of Intimate Partner Violence and Child Marriage (Countries of Origin)

Country	Lifetime Prevalence of IPV	Past 12 Month Prevalence of IPV	Prevalence of Child Marriage
Afghanistan	46%	35%	28%
Bangladesh	50%	23%	51%
Cambodia	19%	9%	N/A
India	35%	18%	27%
Indonesia	22%	9%	16%
Lao PDR	19%	8%	32%
Myanmar	19%	11%	16%
Nepal	27%	11%	32%
Pakistan	29%	16%	18%
Philippines	14%	6%	16%
Sri Lanka	24%	4%	10%
Viet Nam	25%	10%	N/A

Sources: Based on latest available data: World Health Organization. 2021. Violence against Women Prevalence Estimates, 2018 and UNICEF. 2021. Child Marriage Data Portal