

Women's labour migration in the context of globalisation

Executive summary

Anja K. Franck & Andrea Spehar



Produced by: WIDE
Rue Hobbema 49
1000 Brussels
Belgium
www.wide-network.org

Proofreading: Marilyn Thomson
Project coordination /production: Barbara Specht

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EXECUTIVE SUMMARY

Migration is an integral part of today's process of global economic, social and political integration. Nowadays, no country in the world is unaffected by migration. While migration to OECD (Organisation for Economic Cooperation and Development) countries attracts much attention, South–South migration is equally significant, given that a large share of migrants from developing countries (an estimated 74 million; 47 per cent) live in other developing countries. Globally, more than 210 million people are estimated to be migrating. Around 105 million of them are women, which is about half of the total. There are diverse reasons and causes for migrating, but labour migration driven by large economic and social inequalities in the world is a key aspect in this context.

The report *Women's labour migration in the context of globalisation* offers an introduction to important contemporary political analysis on the influence of globalisation on women's work, mobility and empowerment. It explains that globalisation shapes women's labour migration to a great extent. Global shifts in international trade and investment have had a significant impact on the geographical distribution and mobility of the workforce within and between countries. In recent decades we have witnessed a dramatic increase in international trade and investment globally. Alongside this, international and internal migration has increased. Today, large Transnational Corporations (TNCs) drive and control the production and trade of goods and services and technological development all over the world. Their activities have major impacts on regions, countries, communities and people in most of the world. Factories are closed and reopened in new areas or countries, natural resources and common goods are privatised, traditional knowledge is patented, agricultural production is 'modernised' through export orientation, and labour is exploited in both the formal and informal economies.

Countries create a regulatory environment to enable TNCs to operate smoothly and free of barriers all over the world, facilitated by a broad set of trade liberalisation policies at multilateral level through the World Trade Organization (WTO) and by a growing number of bilateral free trade agreements. The European Union (EU), with its aggressive push to open up new markets through wide-ranging bilateral trade agreements and its ambition to secure access to natural resources and cheap production costs, including labour, is a main player in this respect.

Women – and migrant women, in particular – are affected by these immense economic restructuring processes in many ways. Growing unemployment and underemployment, reduced social services, labour displacement, increasing poverty and inequality, and violence against women have created and will continue to create rising pressure on women to look for new survival strategies for themselves and their families in foreign countries.

Women migrate for work in many different sectors; the analysis of internal and intra-regional migration patterns shows that many of them find work in agriculture and export-oriented sectors, where women's relatively low wages constitute a comparative advantage. In these sectors, working conditions are often exploitative and employment is insecure and informal. The report illustrates these trends by referring to women's labour migration in the manufacturing export sectors, highlighting that the hiring of (young, flexible, cheap) women workers forms an explicit strategy of governments and big corporations in the export sector. The low wages of women and women migrant workers have been fundamental to economic growth and export-oriented development strategies in many developing countries.

Millions of women are forced to migrate out of pure necessity to secure their own or their families' livelihoods, health or security; others migrate as a way to improve their living standards, career opportunities or to increase their personal freedom by escaping political, cultural or social restrictions. Many of them have in common that they migrate autonomously and become the main income earners of the family. The patterns that shape women's migrations are manifold: while migration due to uneven economic development plays a major role, state policies, such as immigration policies in receiving countries and emigration policies of sending countries, labour market and social policies also contribute to defining patterns of migration. The level of women's autonomy in the sending country or societal environment is an additional factor. Moreover, increase migration due to a degraded environment is expected.

Finding work abroad as a way to support family members in the home country by remitting part of their wages is a motivation for many people who migrate as workers. The study notes that women and men exhibit important differences both in terms of sending and receiving remittances. For example, women play a leading role as recipients and managers of remittances and are thus important actors in the remittance-to-development paradigm and in promoting development and poverty eradication. However, although the remittances of migrants sent back home has raised the standard of living for families with a household member abroad, most migrants have no substantial savings even after years of working abroad. The impact of remittances on sustainable and just development needs further in-depth exploration.

While the majority of migrant women find jobs in low-skilled professions, they are far from being 'unskilled'. The downgrading and lack of recognition of formal skills and qualifications

obtained in the country of origin are a common problem faced by women. Most migrant women tend to be working in activities that do not reflect their training and skill levels; this 'deskilling' or 'brain waste' is cause for serious concern, not only for the individual migrant but also for the society in which they work. The fact that migrant women meet the increasing demand for cheap and flexible labour is not incidental or accidental but a result of the gender construction of labour markets.

Part of the study focuses specifically on the EU, as female migration to the EU has always been important. Similar to developments in other regions of the world, the restructuring of the European economies has contributed to informalisation, flexibilisation and casualisation of work, growing job insecurity and downward pressure on wages. The authors emphasise the contributions made by migrant women to the wealth and sustainability of the welfare and employment system. They highlight the role migration plays in economic and social development, while using the example of women migrants' work in the domestic and care sector in Europe to illustrate that women migrants contribute to sustaining the contemporary economic system and social reproduction in the region. This role is rarely recognised; on the contrary, migrant women workers are often poorly protected by labour legislation in host countries, and they face adverse conditions and multiple challenges in the labour market based on the intersection of gender, class, age, ethnicity and nationality. Particularly in the area of domestic work, where many migrants work undocumented or without an adequate contract, workers are left extremely vulnerable to exploitation. There is extensive evidence of abuse, long working hours, low wages, and lack of legal protection.

The study thus points out the ambiguity in the migration discourse in Europe, where a combination of economic needs and security interests define fairly restrictive migration policies. While the (temporary), regular movement of highly skilled professionals is encouraged, migrants moving into low-skilled jobs to meet the increasing demand for cheap and flexible migrant labour are facing manifold discrimination. They often find themselves with an unregulated status, where they are systematically denied a basic standard of living and face a de facto violation of their fundamental rights: they lack access to basic services such as health care or education, they are deprived of labour rights and social protection, and in the worst cases their bodily integrity and physical security are threatened.

The authors also draw attention to the inconsistencies and lack of cohesion between international and EU commitments to human, women's and workers' rights, on the one hand, and its migration policy discourse and practice, on the other. So far, governments and the international community have failed to create an environment that enables women migrants to fully exercise their economic, social, political and cultural rights, protects their physical security,

and enables them to fulfil their expectations and aspirations. To safeguard the human and labour rights of migrant women, the legal and normative frameworks affecting women migrants need to be strengthened, implemented more effectively and applied in a non-discriminatory manner. We should not underestimate the importance of achieving more equality and social cohesion with the help of international standards for protecting migrant women's human and labour rights, but at the same time it is of uttermost importance to address the redistribution of resources and power as well as structural inequalities between countries, between men and women and among women.

As the study shows, migration is a complex and often contradictory process. Despite the discriminatory environment, the multiple challenges and adverse conditions women migrants face, a large number of women improve their situation and gain economic independence and empowerment by migrating. The experience of migration can thus help to challenge existing gender inequalities, including ascribed gender roles and stereotypes, and lead to positive social change. Networking and organising plays an important role in this.

Following this analysis, WIDE has drawn up a number of recommendations looking at short-term objectives that strengthen the normative and legal frameworks to safeguard women migrants' human and labour rights, and to implement these frameworks more effectively, by applying them in a non-discriminatory manner. They aim to strengthen the rights and positions of women migrant workers and to improve their *protection* and *empowerment* by accommodating and not restricting migration flows – with the aim of preventing further exploitation of female migration. WIDE also proposes several long-term recommendations seeking structural change to the current unsustainable and unjust economic development model, which subordinates human and women's rights, global social rights and gender justice to corporate-driven trade and investment rules and their respective migration regimes.

CONCLUDING REMARKS by WIDE

For millions of women around the globe migration is a necessity to sustain lives or to break away from violence, thus gaining security for themselves and their families. Others migrate as a way to improve their living standards, attain career opportunities or increase their personal freedoms by escaping political, cultural or social restrictions. Globalisation, as shown by this report, significantly impacts on women's work, mobility and empowerment, and shapes women's labour migration to a great extent.

Following the analysis provided in "Women's labour migration in the context of globalisation this publication", WIDE has formulated a number of recommendations looking at short-term objectives that strengthen the normative and legal frameworks to safeguard women migrants' human and labour rights. The recommendations intend to implement these frameworks more effectively, by applying them in a non-discriminatory manner. They aim to strengthen the rights and positions of women migrant workers and to improve their *protection* and *empowerment* by accommodating and not restricting migration flows – with the aim of preventing further exploitation of female migration. WIDE also proposes several long-term recommendations seeking structural change to the current unsustainable and unjust economic development model. This combination of short- and long-term perspectives reflects the multidimensional strategies we have to engage on: next to frontline services and policies we need interventions in and a reframing of the current unsustainable economic, social and development policies which subordinate human and women's rights, global social rights and gender justice to corporate-driven trade and investment rules and their respective migration regimes. With other words, solidarity actions need to include elements to improve the protection of migrant women and prevent exploitation and abuse, but at the same time the search for sustainable policy solutions is equally important. Likewise, individual claims for rights need to be supported, while the struggle for structural transformation is also part of the agenda. This requires a dual perspective of looking at rights and livelihoods in the county of destination as well as in the country of origin.

1. Expose and resist contemporary neo-liberal policies which destroy people's livelihoods and prolong poverty

As the study has shown, the impact of globalisation upon women's labour migration is complex and varies significantly from place to place. For many women, especially poor women, the EU's increased interest in the opening of foreign markets to European TNCs and to exports and its ambition to secure access to natural resources and cheap production costs, including labour, poses a real threat to their livelihoods, working conditions and security. The failure of current

development and neo-liberal economic policies, which have placed the interests of global capital above poverty eradication, decent work and a liveable wage, gender equality and social justice, has had a major impact, creating a need for many women worldwide to search for a livelihood and employment elsewhere. The vast evidence that unfettered trade liberalisation and market opening –embodied by the current EU trade policies – have not worked to promote human well-being for all urges us to expose and resist contemporary neo-liberal policies and to promote a different model of international trade and investment policies. This new model needs to link economic and social policies, focus on people’s needs, rights and livelihoods, including the empowerment of women and social justice. It needs to promote an equal distribution of resources and power, and put the social reproduction side of the economy at the core.

2. Ensure migrant women’s access to decent working conditions, a living wage protection under labour legislation and access to social security

Considering the over-representation of women and migrants in low-wage, insecure and informal jobs, governments and the international community need to take actions to ensure that migrant women have access to decent working conditions, protection under labour legislation and access to social security. The particular challenges faced by migrant women workers need to be included when formulating labour rights and social standards at national, regional and global level. States must ensure that the laws and labour codes provide women migrant workers with the same rights and protection that are extended to all workers in the country, including the right to organise and freely associate. This includes ensuring the legal validity of contracts for women migrant workers and special attention to creating and implementing labour laws in occupations dominated by women migrants, such as domestic work.

We need to be aware that the violation of workers’ rights and exploitative policies and practices will not be stopped by simply adding a reference to core labour standards in free trade agreements or trade policies. TNCs must be held accountable for the exploitation and abuse of migrant women workers – in both formal and informal employment relationships. At the same time, the undue influence of TNCs over economic, trade and labour policies in both home and host countries needs to be curbed to ensure that those policies serve the interests of a general public and not the narrow commercial interests of big companies.

To avoid the further ‘commodification’ of migrant workers, labour migration issues need to be excluded from multilateral trade agreements such as the WTO General Agreement on Trade in Services and from bilateral free trade agreements. These agreements mainly serve corporate interests and push for the temporary liberalisation of high-skilled labour, considering labour

migration from a purely economic point of view and excluding other aspects of the migration process as well as the conditions under which migrants work and live. Moreover, it could trigger a new dimension of competition between the different geographic locations: wages and workers' rights are put in direct competition and prompt a 'race to the bottom' in terms of wages and social standards.

3. Ensure recognition of the important productive roles played by both paid and unpaid women's work, also in the context of migration

In addition to highlighting women's social, cultural and economic contribution to society in general, the study specifically focused on migrant women's contribution towards the prosperity and sustainability of welfare and employment systems in destination countries. Here, care and care work play an important role.

Care and care work must be understood as the centre of human life and social reproduction of society. The economic value of care and care work and the extent to which they contribute to economic growth must be recognised by governments and other stakeholders. The social organisation of care differs from country to country and even within countries, but, as the study has shown, a high number of migrant women find work in the health and care sector.

There is a clear link between the way care work is conceptualised and organised in the EU context, women's increased participation in the labour force, and the care labour of migrant women. Reflecting these trends, governments must ensure that women's informal care work is covered by labour legislation, by minimum wage regulations and social protection, and recognised as a major contribution to the welfare system.

When carrying out labour market needs assessments, care-related work must be taken into account and understood as a vital part of the global political economy (global care chain). Similarly, unequal power relations and the division of household work need to be understood in the context of the international division of reproductive labour. In addition to gender inequalities, disparities in relation to class, ethnicity, age, etc. play an important role.

4. Encourage transnational citizenship and global social rights: deconstruct citizenship, rights and entitlements which are linked to localities, nationality, race, ethnicity, class, caste, and gender

This is important even for migrants within countries because typically many citizenship rights are residence-based, requiring some paper proof of local residence. This affects not only political rights (such as the ability to vote) but also socio-economic rights such as access to crucial public services such as health, nutrition and education. Short-term and seasonal

migrants within countries are, therefore, excluded, as are cross-border migrants without sufficient local tenure of residence. These problems are particularly acute for women migrants who require greater support in terms of access to public services, including reproductive health services.

There is an urgent need for international regulation and legislation to ensure universal rights and transnational citizenship. Rights and entitlements travel with the migrant and must not be linked to localities, nationalities, race, ethnicity, class, caste or gender.

5. Encourage non-racist, non-sexist, non-exploitative migration regimes that are informed by human rights, equality and dignity

Current EU migration policies focus primarily on preventing and controlling migration; they are informed by a mix of economic needs and security interests. European governments continue to display a profound ambivalence about immigration. In almost all EU Member States issues of labour and irregular migration, asylum and integration have become highly politically contested. Populist mobilisation around immigration has placed even progressive governments under pressure to pursue restrictive policy approaches. Through this process many states are disregarding human rights codes as well as their own civil liberties. The result is often weakened rule of law in the spheres of labour markets and immigration. In addition, populist mobilisation which just scapegoats migrants reduces the possibilities to address real issues and structural problems.

An important area of intervention is to exert more pressure on states to protect their people from trafficking, slavery and gender-related violence. Taking action against employers who take advantage of undocumented women migrants need be encouraged. In addition to decriminalising migration, governments must address the conditions that promote irregular migration, and provide additional opportunities for regular migration (including legalising undocumented workers).

6. Expose and challenge gender discrimination in contemporary migration regimes

For many migrant women the lack of independent legal status creates dependency on the husband, the employer or the state. It puts them in a vulnerable and underprivileged position, impedes their access to fundamental rights, and increases their socio-economic exclusion. Measures need to be put in place to ensure legal recognition of women's independent status, i.e. free of family or economic ties, in order to guarantee respect and ensure implementation of the individual's fundamental rights. At the same time, gender discrimination needs to be removed from legal aspects of immigration and family reunification schemes. Bans and discriminatory restrictions on women's immigration should be done away with, such as visa

schemes that restrict the employment of women migrant workers in certain jobs where men predominate or exclude certain female-dominated occupations from visa schemes or prohibit women migrant workers from getting married to nationals or permanent residents or forbid them from becoming pregnant or securing independent housing. Similarly, family reunification schemes for migrant workers should not be directly or indirectly discriminatory on the basis of gender.

7. Encourage international recognition of degrees and qualifications earned in sending countries, and challenge the deskilling of migrant women

It is essential that women migrants are able to realise their professional potential, exercise their human rights and fulfil their aspirations in their country of origin, and hence migrate out of choice, rather than necessity. Women who enter the global labour market as migrants should be able to do so in a safe and legal manner. Their skills, competences, talents and rights need to be recognised and valued by the states and societies that receive them.

In this context it is equally important to challenge the dominant perception of female migrants as 'unskilled'. Therefore, transparent and prompt procedures for the recognition of degrees/diplomas and/or professional qualifications obtained in the country of origin must be put in place. Vocational training and free language courses must be provided. Information should also be provided about access to all public services, especially health services, as well as about the availability of legal and civil assistance when required.

8. Ensure full legal rights of women migrant workers in destination countries

This involves repealing laws and rules that prevent women migrant workers from using the courts and other systems of redress. Such laws can include the withdrawal of a worker's work permit – resulting in a loss of earnings and possible deportation by immigration authorities – when they file a complaint of exploitation or abuse and while pending investigation. Free legal aid should be provided to ensure that poor migrants have access to legal assistance.

9. Encourage more public awareness on migration issues

This requires encouraging the mass media and other forms of dissemination channels to contribute to awareness-raising on migration issues, including on the contribution of women migrant workers to the economy but also their vulnerability to exploitation and discrimination. It means challenging public images and discourses around migration and migrant women: Stereotypes of unskilled, service-providing, desperate migrant women need to be challenged with the concept of skilled, empowered, decision-making actors in the market and in the community. The victimisation of migrants, and especially of migrant women, needs to be

contrasted with empowered survivors and agents in the migration process. Discourses which reduce people to commodities, economic factors and remittances need to be contested; xenophobic talk which furthers the discrimination and criminalisation of migrants must be exposed and ended. Migrant workers must not be the scapegoats for unpopular economic and social reforms. From an intersectional perspective we must also expose and resist any categorisation and hierarchisation of migrants. At the same time we must be willing to address real issues, concerns and fears that underlie the growing support for exclusion, populist and anti-migrant political movement.

10. Encourage solidarity, organising, networking and movement building

As the study shows, in recent years more and more migrants are mobilising in Europe. Grassroots and non-governmental organisations (NGOs) are an important force for change regarding women migrant workers' rights. Old and new networks are active, and building bridges between migrants and local people, with feminists and other social organisations/movements and trade unions is an important strategy. The identification of commonalities, the building of common agendas and joint campaigns help to link the different struggles.

Trade unions play a central role in representing and promoting the rights of migrant women workers as well as in developing workplace strategies to combat racism, discrimination, xenophobia and sexism. A good example is the foundation of the European Migrant Workers Union. Still, the cooperation between these different actors can be further strengthened and developed. As the report shows a specific and urgent area for joint intervention is for example the area of domestic work.

Last but not least, the financing of the activities of (migrant) women's organisations is crucial for stimulating the political agency of migrant women in general.