FRAMEWORK:

PREVENTION OF GENDER-BASED VIOLENCE AND HARASSMENT AGAINST WOMEN MIGRANT WORKERS IN SOUTH AND SOUTHEAST ASIA

PREFACE

Violence against women is a persistent human rights violation that impedes the full development of women's potential and is an obstacle to social and economic development. It results from deep structural and gendered inequality between women and men, and has a significant impact not only on the women who are subjected to violence and harassment (their mental and physical health, education, income and employment opportunities) but also affects families, communities, economies and societies as a whole, including other male family members and counterparts in communities and societies.

Women migrant workers are a significant economic force contributing to the prosperity of origin and destination countries throughout the South and Southeast Asia. For countries of origin, migration means increased remittances, new investments, trade, and transfers of skills and experiences. In countries of destination, the benefits of migration include increased supplies of labour, skills and productivity. Migrant workers, especially women, play an essential role in contributing to socioeconomic development in countries of destination. They often fill occupations such as in the domestic and care work sectors, allowing the population in countries of destination to fully participate in the labour force. For women migrant workers themselves, migration offers the opportunity to build skills, finances and social confidence. This benefits themselves, their families and also their larger communities.

However the benefits of migration are profoundly diminished by the scourge of violence against women.

Globally, 1 in 3 women are subjected to physical and/or sexual violence by intimate partners.[1] The South and Southeast Asia regions echo the global prevalence rate with a regional average of 33 per cent of prevalence estimates of lifetime intimate partner violence. Women who suffer from multiple and intersecting forms of discrimination and inequalities are at heightened risk of experiencing violence. This includes documented and undocumented women migrants, including women migrant workers who may be at risk of discrimination and violence on account of their gender, migration status, ethnicity and the precarious nature of their work.

Women generally have fewer options than men for regular migration, and are often employed in lower-paid, informal economy jobs with few, if any, protections. Violence against women migrant workers can take many forms, from verbal, psychological, physical, and sexual violence, to human trafficking throughout the migration journey. It can also occur through violence and harassment in the world of work[2], labour specific violations such as the non or partial payment of wages, labour exploitation, economic precarity, the lack of social protection, restrictions of communication, or freedom of movement (especially for migrant workers in the domestic work sector).

To help ensure the empowerment of women migrants and the advancement of gender equality in line with international labour standards, the Global Compact for Safe, Orderly and Regular Migration (GCM) and the 2030 Agenda for Sustainable Development, it is important to address issues related to violence against women migrant workers.

This can start with preventing it from occurring in the first place. Evidence has shown that prevention is possible through multi-component interventions that address several risk factors[3]. However, the available evidence on what works to prevent violence does not account for nuances, intersectional identities and the additional risk factors that groups with specific needs such as women migrant workers face in countries of origin and destination, as well as in transit.

UN Women, ILO, IOM, and UNODC joined forces to develop a consolidated framework focused on the prevention of gender-based violence and harassment against women migrant workers in South and Southeast Asia. The framework connects the existing evidence on successful prevention initiatives, internationally agreed labour standards on violence and harassment in the world of work, and joint programmatic actions in Southeast Asia[4] and South Asia[5].

This framework articulates preventative strategies that mitigate risk factors and strengthen protective factors, situated within the necessary enabling environment and linking to critical response mechanisms that address the impact of violence, harassment and human trafficking. It is designed to guide stakeholders on supporting capacity-building of networks of women's groups, community-based organizations, workers' and employers' organizations, and local government agencies to prevent violence faced by women throughout the migration cycle.

Throughout South and Southeast Asia, women take life-changing journeys for a better life, for themselves, their families, and their communities. It is their right to be safe from harassment and violence. We believe this framework is an important step towards ensuring safe and fair migration, promoting decent work, and eliminating violence against all women in Asia.

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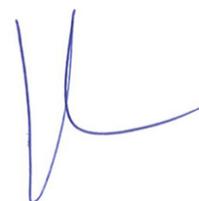
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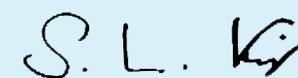
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1   World Health Organization (2021). Violence against women prevalence estimates, 2018 – WHO South-East Asia Region.
2   Please refer to the definition in Article 1(a) of the Violence and Harassment Convention, 2019 (C190).
3   UN Women, World Health Organization (2020). RESPECT Women: Preventing violence against women – Implementation package.
4   Safe and Fair: Realizing women migrant workers' rights and opportunities in the ASEAN Region, under the EU-UN Spotlight Initiative to eliminate violence against women and girls, implemented by ILO and UN Women in collaboration with UNODC.
5   Governance of Labour Migration in South and South-East Asia (GOALS), implemented by the IOM, ILO and UN Women with support from the Swiss Agency for Development and Cooperation (SDC).

INTRODUCTION

The number of estimated international migrants, in and from, Southeast Asia has been increasing over the past three decades with countries in the Asia-Pacific region comprising nearly 30% of international migrants, the vast majority (80%) of whom migrate within the region. 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 net-receiving countries of labour migration. Overall, women constitute nearly 50 per cent of migrants, though the figure is likely much higher when considering women who have migrated through irregular channels and therefore do not present in official statistics. Women migrant workers are important agents of social and economic change across households and economies. Despite the many positive contributions of women's labour migration, the risks and experience of abuse are high, violating human rights and resulting in grave costs and consequences to women, their families, employers and the economy.

Gender-based violence and harassment against women migrant workers in South and Southeast Asia have been well-documented. Initiatives to address the issue have made progress in advancing the knowledge base, supporting critical legal and policy reforms related to labour migration and violence and harassment (in both countries of origin and countries of destination) and strengthening the delivery of multi-sectoral services for women migrant workers at risk of or who have experienced abuse, including through innovative methods to circumvent the barriers posed by COVID-19. On the other hand, preventative actions (those that stop abuse from happening in the first place or from reoccurring) 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.

This framework captures the risk factors for gender-based violence and harassment against women across the migration cycle and articulates strategies and stakeholder actions that can accelerate the prevention aims of the 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) programmes. This document is based on, and should be read in tandem with, the background paper Prevention of Gender-Based Violence and Harassment against Women Migrant Workers in South and Southeast Asia.

Female Migrants from Southeastern Asia, Mid-year 2020

The **share of female migrants originating from Southeastern Asia** is close to 50 per cent, which is above the global average. This is significantly higher in some countries of the sub-region; **Thailand leads with 61 per cent**

48% of the international migrant stock world wide is female

Country	Total international migrants from the country	Share female
Myanmar	3,711,751	37%
Brunei Darussalam	45,340	43%
Indonesia	4,601,369	44%
Timor-Leste	39,588	45%
Viet Nam	3,392,025	50%
Singapore	348,464	52%
Cambodia	1,104,819	54%
Philippines	6,094,307	54%
Lao PDR	1,296,051	56%
Malaysia	1,860,037	57%
Thailand	1,086,985	61%
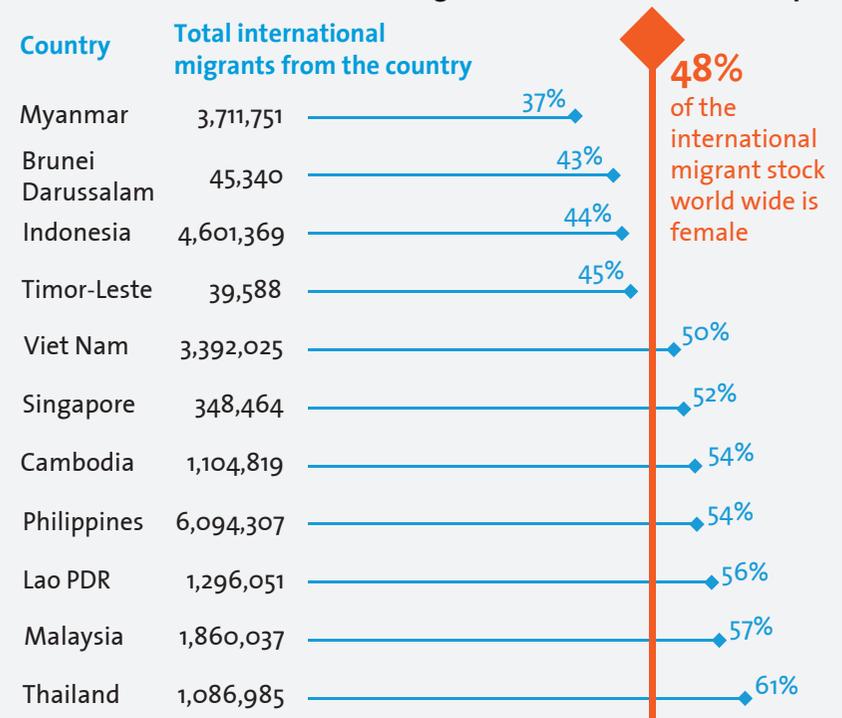
Source: United Nations Department of Economic and Social Affairs, Population Division (2020). International Migrant Stock 2020.

GENDER-BASED VIOLENCE AND HARASSMENT

Women migrant workers, whether migrating through regular or irregular channels are at great risk of being subjected to gender-based violence (GBV) and harassment at various junctures in their lives - from intimate partners and family (including threats of child, early and forced marriage), prompting them to migrate in the first place, as well as those with whom they may interact across the migration journey (e.g. recruiters, employers, migration authorities, service providers). Abuse can take many forms: verbal, psychological, physical and sexual, including trafficking and slavery, as well as those that are labour-related violations, such as non or partial payments of wages for work performed; exploiting their vulnerability; withholding of food; excessive workloads; inhumane living conditions; restrictions in contacting or communicating with family and friends; and curtailment in their freedom of movement, including their ability to leave. For women migrant workers, GBV and harassment in the world of work can include incidences that occur in transit (including in detention centres) and in employer-provided or private accommodations, as well as on the way to and from work on streets and on public transportation or within services. The pervasiveness and interrelationship of different forms of abuse is referred to as the continuum of violence.

Internationally Agreed Definitions related to Gender-Based Violence and Harassment

"Violence against women" is 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 Violence and Harassment Convention, 2019 (No. 190)

"Sexual harassment" is not defined under ILO Convention No. 190, but it is included within the definition of gender-based violence and harassment (Art. 1(1)(b)).
Sexual harassment definition contains the following key elements:
(1) (quid pro quo) Any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men, which is unwelcome, unreasonable, and offensive to the recipient; and a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job; or
(2) (hostile work environment) Conduct that creates an intimidating, hostile or humiliating working environment for the recipient."
In the framework of ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and according to the ILO Committee of Experts

Illustrative Statistics from South and Southeast Asia

- 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.

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

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

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

- 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.

- In Nepal, nearly 54% of women workers reported sexual harassment in their workplaces and 75% of women in 35 Indian and Bangladeshi factories reported regular verbal abuse at work from offensive and sexually explicit language to physical abuse.

CONSEQUENCES

Individual

- Mental health challenges (anxiety, stress, depression, disorientation, fear)
- Physical injuries or permanent disabilities
- Sexual health problems
- Suicide
- Unintended pregnancies
- Compromised dignity and self-esteem
- Motivation, performance and job attachment reduced, lost earnings

Family/community

- Poor social functioning and harmful coping mechanisms at home, with family and friends
- Marital conflict and divorce
- Negative impact on parenting/ child development
- Stigma, discrimination and rejection by family, friends and community

Employer

- Higher rates of absenteeism and employee turnover
- Negative impact on workplace relations and team working performance
- Harm and danger for victims' friends, co-workers or others who may intervene
- Lost profits and damage to brand and employer reputation

ROOT CAUSES

Gender inequality across political, economic, educational and social domains is the universal root cause of gender-based violence. GBV is an expression of power and control by people (mostly men) in privileged or entitled positions over those with less privilege and entitlement (mostly women). Gender inequality is sustained by laws and social norms that discriminate against women. These rules and norms are also reflected in and reinforced by public and private systems, structures and institutions. Women migrant workers face discrimination based on gender, and their status as migrant workers.

They can also face discrimination based on other traits, such as nationality, race or ethnicity, language, religion, education level, disability status, and gender identity or sexual orientation.

FACTS in Asia

Public attitudes on equal treatment with nationals*

	Thailand (%) n=1,034	Malaysia (%) n=1,009	Singapore (%) n=1,005	Japan (%) n=1,051
Migrant workers who end up being exploited only have themselves to blame	57	59	40	23
Migrants with irregular status who have broken the law should not expect to have any rights at work	76	86	75	56
Migrant workers should not be able to join a union	41	65	36	22
Migrant workers should not receive the same work conditions as local workers	38	73	36	22
Migrant workers should not receive the same pay and benefits as local workers	52	58	60	35

Source: ILO, UN Women (2019). Public attitudes towards migrant workers in Japan, Malaysia, Singapore and Thailand.

Women migrant workers in ASEAN earn significantly less than men and the local female workforce.

1 NO POVERTY

- ASEAN Member States have slashed poverty rates in the past decades, but women in the region are still likelier than men to live in poverty.
- **58% of women still earn less than their partners.**
- Women with children are worse off and in 2019, maternity cash benefits reached only **33% of women.**

5 GENDER EQUALITY

- More women are now participating in decision making, but parity has not been reached:
- **20% of parliament seats are occupied by women.**
- Women make up **24% of middle and senior managers** in the private sector.

8 DECENT WORK AND ECONOMIC GROWTH
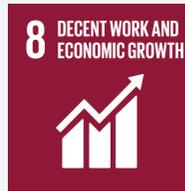
- Men are **11.5 times** as likely as women to **be employed** in ASEAN Member States. Efforts should focus on promoting, among others, young women's engagement:
- **24% of young women** are outside of education and employement, compared to **13% of young men**.

10 REDUCED INEQUALITIES

- Rural women living in poor households are lagging the furthest behind for almost **all indicators analyzed.**

Source: UN Women (2021). ASEAN Gender Outlook, Achieving the SDGs & Leaving No Woman or Girl Behind.

All of the above-mentioned statistics, especially the limited education, poverty and weak employment skills, create a vicious circle for women. Employment opportunities for women in the region remain restricted to certain occupational 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.

RISK FACTORS

In addition to gender inequality (the root cause of gender-based violence and harassment), there are several risk factors that increase the likelihood of perpetration and victimization of violence at different points in the migration cycle. Many of the risk factors delineated below for the pre-departure, transit, destination and return and re-integration stages are explicitly linked to women, to work and/or to migration. However, it is also important to keep in mind that macro factors, such as, political unrest, conflict, humanitarian crisis, economic crisis, disaster and climate change also create gendered-risks that exacerbate and compound those that already exist for gender-based violence and harassment.

Origin: Pre-departure

*Bolded items apply across the cycle

- **Young age/first migration experience**
- Poverty & debt
- Domestic violence (from spouse & family members) and/or threats of child marriage (daughters treated as property; women treated as dependents)
- **Weak networks and support structures for migration**
- Gender-specific bans and legal restrictions on women's migration, unclear and gender-blind MOUs/agreements/contracts
- **Migrating through irregular channels/no documents**
- Overreliance on employment agencies without having understanding and information for oneself

- **Lack of quality and comprehensive information,** especially related to the realities of the migration and work context; destination country social and cultural norms; risks of GBV and harassment; and rights
- **Limited education & low literacy**
- **Discrimination based on social, ethnic, religious status or caste**
- **Limited knowledge of authorities on gender, migration & GBV**
- **Lack of regulation & monitoring of recruitment agents/illegal, unlicensed or informal brokers**
- **Lack of cooperation between countries with limited funding**

Transit

- Limited legal protections
- Power over by public authorities
- **Exclusion from social protections and access to services**
- Unregulated and unmonitored detention centres/lack of appropriate accommodation
- Lack of information on rights and viable legal support
- Power over by brokers/agents
- **Language barriers**
- **Corruption by state agents**
- Lack of accompaniment/monitoring and transparent communication
- Challenges to communicating with family, friends & support persons

Destination

- Work sector is often unregulated and informal (low paid, undervalued)
- Lack of labour and legal protections, weak monitoring and/or inadequate enforcement
- Lack of social protection and access to appropriate services, including cross-border coordination
- Limited or weak bargaining power, organizing, support networks and voice
- Power imbalances and control of employer over employee with weak monitoring
- **Debt bondage**
- Limited mobility
- Exclusion from management, decision-making and leadership positions
- Discriminatory attitudes and social norms towards women and migrant workers, also perpetuated by politicians and media
- Weak justice mechanisms and perpetrator accountability
- Unclear channels for reporting, processes and support available specific to GBV and harassment
- Poor social and community integration

Return & Re-integration

- Lack of viable economic opportunities, control over, and support to manage, finances and material assets or know how to transfer skills and knowledge
- Stigma, discriminatory attitudes and social norms towards returned women migrant workers, including victim-blaming
- Lack of reintegration support, especially if irregular
- Challenges related to patriarchal social norms, gender roles & family dynamics

RISK FACTORS VISUALIZED

Women who migrate for work contribute greatly to stronger economies in both their countries of origin and their countries of destination. Nevertheless, they often face risks of violence during their migration journey.

Spotlight Initiative

Initiated by the European Union and the United Nations:

PRE-DEPARTURE

WHY DO WOMEN MIGRATE?

RISKS CAN BEGIN AT HOME FROM A HUSBAND OR FAMILY MEMBER

BUILD A BETTER FUTURE for their FAMILIES

ESCAPE POVERTY

BE FREE from TRADITIONAL ROLES

SECURE AN INCOME

ESCAPE ABUSIVE RELATIONSHIP

AVOID EARLY MARRIAGE

RETURN & REINTEGRATION

STIGMA AGAINST RETURNEE WOMEN MIGRANT WORKERS

DOMESTIC VIOLENCE

SUSPICION of 'MISCONDUCT' WHILE ABROAD

+

VIEWED AS "CHALLENGING" TRADITIONAL POWER DYNAMICS

RISKS of VIOLENCE AGAINST WOMEN in the MIGRATION CYCLE

DESTINATION

WHY DON'T WOMEN MIGRANT WORKERS SEEK HELP?

LIMITED ABILITY TO SPEAK THE LOCAL LANGUAGE

MAY FACE PHYSICAL, SEXUAL, AND PSYCHOLOGICAL ABUSE

LIMITED UNDERSTANDING OF AVAILABLE RESOURCES

ISOLATED FROM FAMILIES, FRIENDS, AND SUPPORT NETWORK

FEAR OF DEPORTATION OR DETENTION, MAY FACE RETALIATION FROM EMPLOYERS

TRANSIT

WHAT INCREASES THE RISKS?

Smugglers, brokers and recruitment agencies have a lot of power over women who depend on them to facilitate the migration process

INDEBTING WOMEN + NO LEGAL DOCUMENTS = INCREASED RISK OF VIOLENCE

Read the full brief:

8

ENABLING ENVIRONMENT

Political Will & Financing

States and their partners 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. Implementation of ILO Violence and Harassment Convention (No.190) and Recommendation 206 and the commitments in the Beijing Platform for Action are critical to addressing gender-based violence against women migrant workers. Greater investment are needed in making this a reality, by changing structural inequality and adequately equipping women with substantive equality wherever they are living, socializing and working, together with 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) that are layered, multi-pronged and well-coordinated.

Regional Cooperation & Coordination

Interstate dialogue and bilateral, regional 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 migrant workers. Consideration, in the ongoing processes of coordination and cooperation, should be given to standardizing more equitable practices and protections across countries of transit and destination for women with a possibility of establishing a joint and several liability system for abuses that occur throughout the labour 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 & Learning

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 on formal and informal labour migration should be minimally gender and age disaggregated. Quantitative data on gender-based violence and harassment should also be complemented with more dedicated qualitative research exploring 'why' and 'how' risks arise for women at different stages in the migration cycle; by whom; under which conditions; and in which contexts. Programmes and interventions should be informed by evidence, including women migrant workers' lived experience and knowledge of their networks. Prevention of gender-based violence and harassment experts should be engaged to support the development of robust research, monitoring and evaluation plans that can produce information on what works, in which contexts, under which conditions to support adaptation and scale-up of promising initiatives, while minimizing unintended consequences and harm. Continuous learning 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 stakeholders to dialogue, share information, brainstorm solutions and engage in joint undertakings.

PRINCIPLES

Principles should accompany all stages of planning and intervention. They are basic to upholding women's human rights and are fundamental to achieving effective outcomes.

Ensure their agency and autonomy in decision-making

Respect their language, beliefs and culture/ Be non-judgemental

Human rights-based & Woman-centered

Avoid doing harm by assessing the potential for unintended consequences of all actions and by monitoring process and outcomes

Maintain privacy and confidentiality of their personal information and data

PREVENTION STRATEGIES: INTRODUCTION

Realizing safe and fair labour migration for women to prevent gender-based violence and harassment requires a multi-level approach that tackles longer-term structural inequality and discrimination in countries of origin, transit and destination, as well as more targeted interventions (in the shorter and medium terms) that are linked across the migration cycle from pre-departure to return and reintegration.

The strategies presented below articulate entry points at various levels and at different stages of the migration cycle. However, the strategies and activities are not stand-alone. The strategies should be considered interdependent and mutually reinforcing. Implementation of a more comprehensive, integrated and coordinated approach that bundles multiple strategies provides the best opportunity to reduce violence against women migrant workers. How these strategies are employed over the short, medium or longer-terms depends on where countries are in their journeys with respect to their laws, policies, systems, structures, capacities and partnerships.

Monitoring progress and determining whether interventions are successful, likewise requires a multi-pronged monitoring and evaluation framework tailored to the specific context and programming being undertaken. Overall, progress can be determined by tracking incidence (experiences within the last 12 months) and prevalence (experiences over a lifetime) of gender-based violence and harassment against women migrant workers.

Photo: UN Women/Rawyan Shayema

Strategy 1: Promote Gender Equality

Origin/Pre-Departure	Transit	Destination	Origin/Return & Reintegration
▸ In conjunction with national laws and policies (which should be aligned with international norms, standards and agreements) address gender gaps in education and vocational skill-building; increase political representation of women at national and sub-national levels; increase women's labour force participation, livelihoods opportunities and asset ownership; improve women's access to sexual and reproductive health services; and women's decision-making power at household and community level. ▸ Promote women's leadership, women-owned and women-led recruitment agencies, trade unions and brokerages and through appointments to government offices mandated to work on labour migration, including consular offices and embassies. ▸ Enhance women's negotiation and decision-making skills as related to labour migration and strengthen knowledge and skills to negotiate labour contracts with rights protections. ▸ Align national laws and policies with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Beijing Platform for Action and Sustainable Development Goals and strengthen implementation.	▸ Promote and raise public awareness on gender equality and spread comprehensive information on contribution of women migrant workers at departure/arrival points.	▸ Facilitate mutual recognition of women's skills and expertise; and ensure she maintains financial control over her earnings with information on safe channels for remittances. ▸ Engage employers on their responsibilities, non-discriminatory and gender-equitable business practices; and provide on-the-job training. ▸ Increase women's representation in higher level management and in decision-making roles, including in labour unions. ▸ Include women's voices and decision-making in the development of migration policies, processes and dialogues.	▸ Strengthen access to viable employment, material and financial supports; upskilling; business and entrepreneurial, livelihoods and other economic opportunities. ▸ Issue government certificates to recognize skills and experience of returned migrant workers with reference letters from previous employers. ▸ Integrate returned women migrant workers in social protection plans.

Strategy 2: Address Intimate Partner Violence and Harmful Practices

Origin/Pre-Departure	Transit	Destination	Origin/Return & Reintegration
▸ Ensure alignment of national criminal and civil laws with international norms and standards on violence against women and girls. ▸ Implement the evidence-based Respect Women: Preventing Violence against Women global framework and the Essential Services Package based on international standards (See Tools for details) ▸ Prohibit child marriage and implement practical interventions to stem the practice to delay age at marriage and childbearing.	▸ Ensure women can communicate with family members. ▸ Enable access to helplines/counseling.	▸ Ensure women can communicate with family members. ▸ Enable access to helplines / counseling. ▸ Provide referrals and access to quality, non-discriminatory multi-sectoral services. ▸ Ensure viable complaints mechanisms and perpetrator accountability that is proportional to the offense committed and that may include behaviour change programmes, training, administrative, civil and/or criminal remedies.	▸ Prepare families to embrace gender-transformational changes through reintegration sessions that also include respectful relationships, conflict-resolution, parenting, household and financial management.

Strategy 3: Establish and Amend Legal and Policy Measures for Gender-responsive Safe Migration

Origin/Pre-Departure	Transit	Destination	Origin/Return & Reintegration
▸ Work towards ensuring that national laws and policies protect the human and workers' rights of migrant workers in line with international and regional standards, agreements and frameworks, including ratification of Domestic Workers' Convention (no. 189) and the Violence and Harassment Convention (no.190), e.g., (see Annex A for a list of relevant instruments). ▸ Ensure bilateral agreements (e.g. MoUs) are gender-responsive, non-discriminatory and transparent, reflecting ILO standards and labour rights, including specific reference to and mechanisms to address GBV and harassment that are easily understood and implementable by all parties. ▸ Delineate the specific roles and responsibilities of different stakeholders in ensuring safe migration and the prevention of GBV and harassment with monitoring for accountability and to improve laws, systems, policies and practice from a gender equality lens. ▸ Include the diversity of women's voices and decision-making at regular intervals, including through meaningful participation in existing mechanisms and/or platforms to inform the development of migration policies, processes and dialogues at national, sub-national and regional levels.	▸ Hold migration-related law enforcement officials accountable to upholding the rights of women migrant workers.	▸ Align laws and policies with international and regional agreements, frameworks and standards (See Annex A). ▸ Monitor migration processes and actors for accountability. ▸ Include women's voices and decision-making in the development of migration policies, processes and dialogues. ▸ Strengthen/develop safeguarding policies to prevent, monitor and respond to GBV and harassment (including perpetrator accountability) in private and public institutions and disseminate information through workplaces and at accommodations.	▸ Establish joint communication or MoU between local authorities and organizations to support returnees, including provision of assistance with the residency registration procedures tailored to the practical needs of each worker regardless of their employment status and conditions upon which they returned. ▸ Ensure adequate budgets to adequately provide support to returned women migrant workers.

Strategy 4: Strengthen Systems and Capacities for Women's Safe Migration

Origin/Pre-Departure	Transit	Destination
▶ Ensure unbiased, accurate and comprehensive information for families that is gender-specific through pre-departure training with skilled facilitators and through information dissemination (print, radio, digital; community groups and events) tailored to different populations covering the realities of migration; processes and documentation; work opportunities and systems; skills development; destination country customs, social norms and traditions; laws and rights; language skills; digital literacy; financial management; and common risks for gender-based violence and harassment as well as services, helplines and complaints/ recourse mechanisms available. ▶ Foster connection to women migrants' networks and improved access to mobile phones to improve communication channels and continuous support. ▶ Conduct capacity building sessions with all actors on gender-based violence and harassment and migration, not only for public officers, but also for everyone in the cycle of migration (embassies/consular offices, employers, government departments, recruitment agencies, etc.). ▶ Consider establishment of 'one-stop' or 'one-window' immigration services at the local community level for women migrant workers. ▶ Regulate, monitor, provide guidance, supervise and hold recruiters and intermediaries, including their subsidiaries accountable (with incentives and recognition for those in compliance), as proscribed in 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; and disseminate a list of vetted employment/ recruitment agencies at local community levels. ▶ Implement zero cost structures to avoid high placement costs and diversify sources of financial support to avoid high-interest loans and debt for women migrant workers. ▶ Improve the collection and analysis of data on women's migration, GBV and harassment against women migrant workers, across the migration cycle.	▶ Establish gender responsive transit policies for officials. ▶ Provide practical information (e.g. transit plans/procedures and timelines; communication channels; contact numbers for focal points, services and missions/consular offices, other key officials) and support, including for complaints, in multiple languages. ▶ Strengthen identification of victims of human trafficking by border officers. ▶ Provide access to regulated safe accommodation and alternatives to detention with monitoring to ensure women's rights are being upheld. ▶ Facilitate access to mobile communications and the Internet. ▶ Encourage agencies to send employees/officers to accompany women to prevent discrimination and ensure their safety. ▶ Facilitate opportunities for women to travel in groups. ▶ Address corruption by state officials.	▶ Strengthen women's networks, support structures and bargaining power through participation in relevant workers' organizations and trade/labour unions, including those dedicated to women. ▶ Ensure unbiased, accurate and comprehensive information that is gender-specific through post-arrival training in coordination with embassies/ consular offices and recruitment agencies to ensure continuity. ▶ Strengthen gender-responsive services through migrant worker resource centres, including repatriation support. ▶ Prepare embassies, consulates and labour attachés on the complexities and interconnected dimensions of migration, gender and GBV and harassment in order to provide gender-responsive support to women migrant workers, including safe houses and through a dedicated helpline. ▶ Provide training to GBV organizations and service providers on migration and GBV training to migration-related stakeholders to facilitate more migrant-friendly, gender responsive, and survivor-centred support. Include translators where relevant. ▶ Maintain female gender focal points that are trained and have skills to engage with women migrant workers who may have experienced violence, harassment and trauma (government, union, recruitment agency).

Strategy 5: Tackle Stigma and Discrimination Based on Gender, Migration Status and other Intersecting Identities

Origin/Pre-Departure	Transit	Destination	Origin/Return & Reintegration
▶ Raise the profile of women's work and economic contributions to the family and broader economy, including their sacrifice to seek livelihood opportunities abroad. ▶ Address ethnic, class and religious biases, among others, that perpetuate discriminatory social norms and marginalize certain groups.	▶ Work with the media to erase stereotypes and dispel myths about women migrant workers. ▶ Train public officials on gender equality, human rights, migration and trafficking. ▶ Work with the media to erase stereotypes and dispel myths about women migrant workers.	▶ Foster social integration with communities through faith organizations, schools/curricula, sports and community events, as well as through government or civil society-run migrant resource centres. ▶ Work with the media (especially editors) to erase stereotypes and dispel myths about women migrant workers (regular and irregular), while highlighting the sacrifices they make to reap the benefits of migration and make positive contributions to their families and broader economies, including through human interest stories. ▶ Inculcate the use of appropriate and non-derogatory terminology in policies and public discourse. ▶ Engage in public communications to promote the visibility and contributions of women migrant workers and foster respect and acceptance of diverse cultural and linguistic identities.	▶ Engage in public communications, especially at local and provincial levels, using common mediums (e.g. radio, social media, television) to promote the positive visibility and contributions of women migrant workers and dispel myths about their time abroad. ▶ Invest in bystander programmes and support organizations, as well as local authorities, to speak-out against discrimination, bias, GBV and harassment.

Strategy 6: Provide Access to Support Services for Women

Origin/Pre-Departure	Transit	Destination	Origin/Return & Reintegration
▸ Connect with migrant women networks to foster interpersonal connections between migrants, former migrants and prospective migrants; and strengthen partnership between these groups and government for improved communication and support with job training, knowledge and information (e.g. safe accommodation, financial management, recourse mechanisms for abuse). ▸ Bring-in the immediate support network of women migrant workers (spouses/families) to obtain shared information, engage in meaningful dialogues and come to a level of mutual understanding regarding experiences of migrating and staying behind.	▸ Provide access to services, especially health (medical, sexual and reproductive and psychological) and legal support (regardless of documentation). ▸ Allow women in detention to have access to lawyers, advocates and social workers.	▸ Separate immigration enforcement and public service provision through firewalls that prohibit information sharing between service providers and authorities responsible for immigration control. ▸ Provide access to culturally and linguistically appropriate 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), coordinated across borders through a formal mechanism with countries of origin. ▸ Raise awareness that services are available in the languages used by migrant workers, in the locations where they frequent and through social media and other channels where they receive information.	▸ In addition to all essential services (mental and physical health; security; legal and social) and economic re-integration support services, prepare families to embrace gender-transformational changes that include respectful relationships, healthy conflict-resolution, parenting and positive discipline, household and financial management/ joint decision-making. ▸ Bolster peer support for women through returned women migrants' worker organizations and networks. ▸ Facilitate access to local support services, including through connection to village elders and leaders and other local individuals who are trusted. ▸ Strengthen access to justice and recourse mechanisms for GBV and harassment.

PREVENTION STRATEGIES: PROMISING PRACTICES

Promote Gender Equality

▸ The **Empower@Work Collaborative** is a platform for leveraging knowledge, skills and networks to drive collective action for the benefit of women workers and gender equity in global apparel supply chains. The Empower@Work Collaborative has been established by organizations that have developed, tested and implemented empowerment and skill-building programs for supply chain workers and managers for over a decade: BSR's HERproject, CARE International, Gap Inc.'s P.A.C.E. Program and ILO-IFC Better Work.

▸ The **Better Work Programme**, a collaboration between ILO and IFC, works across all levels of the garment sector to improve the conditions for women workers resulting in a number of positive outcomes. The programme works across nine countries with 1,700 factories and 2.4 million workers, facilitating social dialogue, increasing the presence of women representatives, and creating space for women to exercise empowerment and express their interests and needs.

▸ **IKEA** has instituted a prohibition of workplace violence and harassment throughout its company and supply chain called the IKEA Way on Purchasing Products, Materials and Services (IWAY) Standard. The IWAY Standard applies to any seller, vendor or service provider supplying materials or services to the IKEA Group and covers all own-hired workers, on-site temporary workers, piece-rate workers and contracted workers, including migrant workers, trainees and workers on trial or probation. Under the IWAY Standard, section 14, suppliers must implement policies and routines on preventive and corrective measures against various forms of violence and must not engage in such conduct in the workplace and living (domestic) space.

▸ In **Hong Kong, China, Jordan, Lebanon, Malaysia, Sri Lanka, Singapore and the Philippines** women migrant workers have standard terms of employment.

▸ In **Indonesia**, the ENABLE programme developed a culturally grounded understanding of community structures and beliefs at the village level with community participation to build effective interventions around girls' education and the dangers of undocumented migration; providing young people with vocational training for livelihood sustainability; and prevention strategies at the local level.

▸ In **Sri Lanka**, the Ethical Tea Partnership (ETP), along with the support of producer companies, have instituted a Plantation Community Empowerment Programme, where 13 Community Development Forums (CDFs) operate in tea estates to give all groups from the estate and the local community the opportunity to influence decisions that affect their lives, linking also to Mothers' Clubs, trade unions, and Fair-Trade Committees.

▸ In **Cambodia and Lao PDR**, with the support of the Safe and Fair Programme: Realizing women migrant workers' rights and opportunities in the ASEAN region (ILO and UN Women), returned women migrant workers were supported to transfer their skills as domestic workers to the hotel industries in their home countries.

▸ In **Thailand**, IOM has developed policy recommendations for relevant ministries and has produced the "Employer's Package" (handbook and VCD) to educate employers and enable fair and better employment practices, including pregnancy-related rights.

▸ In the **Philippines**, there are livelihood and social welfare reintegration programmes at the national and provincial level.

Tackle Stigma and Discrimination Based on Gender, Migration Status and other Intersecting Identities

▶ IOM X (IOM X - LEARN | ACT | SHARE TO STOP EXPLOITATION) is a behaviour change campaign tackling stigma and discrimination for safe migration and public action to stop exploitation and human trafficking employing evidence-based and participatory approaches to communication for development.

▶ In **Hong Kong, China,** certain public areas are allocated as gathering spots for different nationalities of migrant domestic workers' rest days – Filipinas, Indonesians, Thais, Nepalis, and others. Many of the migrant associations conduct their activities in these areas on the workers' rest day.

▶ In Jordan, through ILO's FAIRWAY programme, professional journalists and representatives of Jordanian human rights associations have been provided training on ethical human rights-based reporting, including language that is appropriate to use when covering migrants in the media.

▶ The Mekong Migration Network launched a campaign focused on social exclusion of migrant workers in Japan and Thailand, as well as upon return to Cambodia and Myanmar, called "Permanently Temporary". It used a mixed approach to disseminating messaging, in addition to public dialogues with policy-makers.

Address Intimate Partner Violence and Harmful Practices

▶ In **Kerala, India**, the government launched its Bhoomika Centers in district and selected block hospitals to provide medical care to survivors of GBV. At each centre, one female counselor serves as the coordinator, and medical staff at several levels are trained to work with GBV survivors. The centers are linked with a range of other service providers and stakeholders such as legal cells, police and NGOs with a strong focus on community connections.

▶ In **Bangladesh**, a conditional cash transfer programme aimed at poor and marginalized households supported dietary diversity and nutrition, as well as, behaviour change communication and increasing women's bargaining power to reduce intimate partner violence.

▶ In numerous countries, including in the region (e.g. Viet Nam), SASA! engages in a long-term community mobilization approach for community-led change in social norms and behaviours that perpetuate gender inequality, violence against women and HIV.

▶ In the **Philippines**, violence against women help desks exist at the community, in addition to the national level, to provide for easy reporting and access to protection services.

Establish and Amend Legal and Policy Measures for Gender-responsive Safe Migration

▶ **Bangladesh, Cambodia, Hong Kong (China), India, Indonesia, Philippines, Singapore and Thailand** have contributed to the development of Regional Model Competency Standards for domestic workers in ASEAN.

▶ **ASEAN** Consensus on the Protection and Promotion of the Rights of Migrant Workers has rules on contracts that must be provided to the migrant worker in languages they can understand.

▶ **Sri Lanka and Italy** have a bi-lateral agreement in place that affirms the human rights of migrant workers, and that they should be treated in accordance with the laws of the host State. Sri Lanka has also signed a number of Bilateral Labour Agreements and Memorandum of Understanding within the corridor on fair recruitment and mutual recognition of skills.

▶ In **Nepal** the ban on women going abroad for domestic work was relaxed by the Parliamentary Committee on Commerce, Labour and Consumer

Welfare providing that seven comprehensive pre-conditions were met: 1) Strong laws protecting migrant domestic workers; 2) A bilateral agreement with Nepal that safeguards migrant workers basic human rights; 3) A labour agreement that ensures workers' basic rights, including wages, and weekly and annual leave; 4) Accessible social security mechanisms for migrants; 5) Provisions to ensure migrants' occupational safety and health; 6) Provisions that set migrants' working hours; and 7) 24-hour insurance coverage.

▶ In **Cambodia** and the **Philippines**, there are laws governing the treatment of their citizens working in other countries. In the Philippines, the amended Migrant Workers and Overseas Filipinos Act strengthens the protections for overseas Philippine workers by deploying them only in countries where the rights and welfare of migrant workers, in particular women migrant domestic workers, are protected.

Strengthen Systems and Capacities for Women's Safe Migration

- In **Indonesia**, the Federation of Indonesia Migrant workers Organization (SBMI) is working with ILO and UN Women to undertake participatory action research in 36 migrant worker sending communities to better prevent women's exploitation and trafficking and provide gender-responsive services through the migrant resource centre partner organizations at the village level.

- In **Cambodia**, the Ministry of Labour and Vocational Training, in partnership with IOM, has developed a labour migration information system that collects sex- and sector-disaggregated data on the number of Cambodian workers migrating through regular channels.

- **Nepal** and **Viet Nam**, through Foreign or Overseas Employment Funds, provide insurance, pre-departure orientation and training, compensation to migrant workers and families, rescue and repatriation and occasionally monitoring mechanisms (at airport and/or in destination country)

- In the **United Arab Emirates**, electronic bank payment of wages was made compulsory from 2008. The Government has facilitated employment transfers, enhanced the legal rights of workers vis-à-vis employers, and introduced compulsory health insurance for all workers, including those in domestic service paid by sponsors. Since 2017, Tadbeer Centers of the Ministry of Human Resources and Emiratisation provides a transparent and centralized system for hiring domestic and household workers in the country.

- In **Bahrain**, the Government and Embassy publicize the rights of migrant workers, complaint procedures and mechanisms through the dissemination of information in several languages and maintains an electronic database to maintain contact between migrant workers and welfare officers of the embassy.

- In **Malaysia**, with the support of UNODC, law enforcement actors have been trained on violence against women and anti-trafficking linking government actors who work on gender equality and labour migration to those who specialize in anti-trafficking.

- The **Philippines**, provides assistance to national helplines at the embassies and consulates in destination countries; has advanced enforcement of the Expanded Trafficking in Persons Act which addresses the use of the internet and digital platforms to commit crimes; and established an anti-trafficking hotline, including targeting transit countries.

- The **Philippines**, reviews employee contracts before women migrant workers get deployed abroad and requires departing workers to attend pre-departure orientation seminars.

- In **Thailand**, The Foundation for Labour and Employment Promotion launched the "Smart Domestic Workers" mobile application to help protect domestic workers from violence and harassment.

- In **Thailand**, with the support of the joint ILO-UN Women programme Safe and Fair, under the EU-UN Spotlight Initiative, women migrant workers have been organized into workers' unions, associations and peer networks; and women migrant workers have received information on safe and fair migration by peer networks supported by the programme.

- In **Viet Nam**, community-based networks help women migrant workers better protect their rights and migrate safely. With the support of UN Women, core members of peer networks have been trained through the Institute for Social Development Studies on gender equality, prevention and response to GBV, rights of migrant workers, ways to access information and quality support services in both countries of origin and destination. Within one year, the membership within the network of migrant workers in Ha Tinh had grown 15-fold.

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 Self-Assessment Tool for Recruitment Agencies](#)
  - [Gender-responsive Guidance on Employment Contracts under the Empowering Women Migration Workers from South Asia](#)
- [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](#)
- [Essential Services Package for Women and Girls Subject to Violence](#)
- [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](#)

Photo: UN Women/Younghwa Choi

ANNEX A

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	ASEAN and South Asia Frameworks	Gender Equality and Women's Empowerment, (including violence against women) and Migration Frameworks	International Labour Standards and UN Business and Human Rights Principles
- Goal 1 End Poverty - Goal 5 Gender Equality and Empowerment of Women - Goal 8 Decent Work and Economic Growth - Goal 10 Reduce Inequality - Goal 17 Partnerships for the Goals	- 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 Guidelines on Effective Return and Reintegration of Migrant Workers - ASEAN Guideline on Gender Mainstreaming Into Labour and Employment Policies Towards Decent Work for All	- Convention on the Elimination of all forms of Discrimination against Women (General Recs 19, 26, 35 and 38) - International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW, General Comment 1 and 2) - 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	- CO29 - Forced Labour Convention (1930) - CO87- Freedom of Association and Protection of the Right to Organise Convention (1948) - CO97- Migration for Employment Convention (1949) - Co98 - Right to Organise and Collective Bargaining Convention (1949) - C100 - Equal Remuneration (1951) - 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) - R204 - Transition from the Informal to the Formal Economy Recommendation (2015) - 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

FRAMEWORK:
PREVENTION OF GENDER-BASED VIOLENCE AND HARASSMENT AGAINST WOMEN MIGRANT WORKERS IN SOUTH AND SOUTHEAST ASIA

"Safe and Fair: Realizing women migrant workers' rights and opportunities in the Association of Southeast Asian Nations (ASEAN) region" is part of the Spotlight Initiative to eliminate violence against women and girls, a global, multi-year initiative between the European Union (EU) and the United Nations (UN). Safe and Fair is implemented through a partnership between the ILO and UN Women (in collaboration with UNODC) with the overriding objective of ensuring that labour migration is safe and fair for all women in the ASEAN region. The views expressed here in can in no way be taken to reflect the official opinion of the European Union.

"Governance of Labour Migration in South and South-East Asia (GOALS)" is a Joint Regional Programme between the International Organization for Migration (IOM), International Labour Organization (ILO), and The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). Supported by the Swiss Agency for Development and Cooperation (SDC), the overall programme goal is that labour migration is safe, orderly and regular for all women and men from Colombo Process Member States through strengthened collaboration and effective migration governance.

An initiative of the United Nations funded by the European Union

Spotlight Initiative
To eliminate violence against women and girls

GOALS
GOVERNANCE OF LABOUR MIGRATION IN SOUTH & SOUTH-EAST ASIA

Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Swiss Agency for Development and Cooperation SDC