

WHERE WE STAND

WOMEN AND GIRL MIGRANTS, REFUGEES, ASYLUM SEEKERS AND INTERNALLY DISPLACED PERSONS

Where Things Stand...

Women and girls are forced to migrate for the same reason that men and boys do - poverty, economic inequalities, oppression, conflict, war, disasters and the impact of climate change. However, gender disparity means that women and girls face additional factors compelling them to leave their homes, and they face additional challenges along migration routes:

Violence. 35% of women worldwide have experienced either physical and/or sexual violence in their lifetime. Women and girls may be fleeing domestic or other forms of violence and abuse, forced and early marriage, or female genital mutilation. They may flee from war or conflict to avoid rape and being sold into sexual slavery, only to be confronted with violence on their migration route, even in the countries of their destination.

Discrimination. Gender-biased structural inequalities and discrimination create barriers to education, skills training, life-long learning and decent work. Laws and cultural norms place many restrictions on women and girls' ability to participate fully in economic, social and political life. Millions of women and girls migrate, largely into the informal sector which is not covered by any labour legislation or social protection, to send remittances home to support their families. Some women and girls may be forced and fraudulently induced into being trafficked for labour or sexual exploitation.

...And Where Things Need to Go

Fundamental Action

CEDAW, UPR, CAT and the 2030 Sustainable Development Agenda. Civil society and individual States should employ the Convention on the Elimination of All Forms of Discrimination against Women ([CEDAW](#)), its Optional Protocol, and the [2030 Sustainable Development Agenda](#) intersecting goals and targets, as guides to the implementation of existing instruments and in the development of new international agreements, national laws and policies with respect to women and girl migrants, refugees, asylum seekers and internally displaced persons (all forms hereafter referred to as Women and Girls). SI can critically engage with the [CEDAW](#), [Universal Periodic Review](#) and [Convention Against Torture](#) reporting and monitoring process by submitting country-specific reports, ensuring the voices of the women and girls are heard and inducing governments to act.

Additional Action

Governments, non-governmental organizations, civil society, the private sector and other institutions and individuals who encounter Women and Girls must take action in the following areas:

Safety and Security. Adequate security and safe environments must be provided throughout the migration process. Girls must not be held in detention facilities. Standards for the treatment of unaccompanied and separated girls must be developed, with the best interests of the girl child given the highest priority.

Violation of Trust by Authorities. Borders are where Women and Girls experience higher levels of exploitation, abuse, violence and human trafficking. Civil society must be allowed to provide assistance to Women and Girls. Monitoring systems must be in place to identify Women and Girls and others at risk. Those who violate their human rights must be identified, arrested, prosecuted, and punished.

Health. Health is a fundamental right. When Women and Girls arrive at their destinations, they must be provided with adequate food, safe water and sanitation, and gender and age-responsive health services, including without limitation, access to reproductive, sexual health care and psychosocial support. The special needs of those who are pregnant, mothers with babies and older women must be met. Services for disabled Women and Girls should also be provided.

Education and Decent Work. States must provide equal education for migrating girls within a few months of their arrival. States should facilitate language learning, skills training and financial education for Women and Girls. They should permit and advance their employment in decent work and integration into the labour force, free from abuse and exploitation. Programmes must be established to sharply reduce remittance costs.

Data. Systems to collect data disaggregated by gender, age and marital status must be developed to assist States and others to provide appropriate aid and services to Women and Girls.

Social Inclusion. Development of programmes for themselves and those in similar situations is crucial so that Women and Girls be included as participants and empowered as leaders. States should permit and encourage the full participation of Women and Girls in the economic, social, political and cultural life at their final destinations.

Where Soroptimist International Stands

These are the principles that Soroptimist International strongly supports and will advocate for on behalf of Women and Girls:

The human rights and dignity of all migrants must be respected, regardless of their status. States must strongly condemn racism and xenophobia directed against migrants.

States must sign, ratify and implement international agreements on migration that contain provisions to protect vulnerable migrant populations, particularly women and children.

National and international policies should recognize the root causes of migration by women and girls, and eliminate the policies, practices and social norms that drive female migrants to leave their countries.

Countries of transit or destination must implement gender and age-responsive policies to meet the specific needs of women and girls in transit, at borders, and at their final destinations.

"With the 2030 Agenda, Member States have pledged to leave no one behind, including migrants and refugees. Migrants whose rights are respected, who enjoy a decent standard of living and who can apply their skills contribute more to their countries of destination and to their countries of origin. States thus have both an obligation and an interest in ensuring that migrants' rights are protected, for instance the right to be paid a fair wage, to have a legal identity and to send their children to school. But States can only offer migrants genuine opportunities if society as a whole welcomes them and is

willing to invest in making migration a success". [UN Secretary-General Special Representative on Migration Report 2017](#)

Soroptimist International supports the implementation of the 2030 Agenda through its Federations, Unions, Regions, Clubs, by working on the ground with partner organisations and UN agencies to Educate, Empower and Enable women and girls everywhere.

International Organisation of Migration Key Migration Terms

Assimilation - Adaptation of one ethnic or social group – usually a minority – to another. Assimilation involves the subsuming of language, traditions, values, mores and behaviour or even fundamental vital interests. Although the traditional cultural practices of the group are unlikely to be completely abandoned, on the whole assimilation will lead one group to be socially indistinguishable from other members of the society. Assimilation is the most extreme form of acculturation.

Assisted Voluntary Return - Administrative, logistical, financial and reintegration support to rejected asylum seekers, victims of trafficking in human beings, stranded migrants, qualified nationals and other migrants unable or unwilling to remain in the host country who volunteer to return to their countries of origin.

Asylum seeker - A person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds.

Border management - Facilitation of authorized flows of persons, including business people, tourists, migrants and refugees, across a border and the detection and prevention of irregular entry of non-nationals into a given country. Measures to manage borders include the imposition by States of visa requirements, carrier sanctions against transportation companies bringing irregular migrants to the territory, and interdiction at sea. International standards require a balancing between facilitating the entry of legitimate travellers and preventing that of travellers entering for inappropriate reasons or with invalid documentation.

Capacity building - Building capacity of governments and civil society by increasing their knowledge and enhancing their skills. Capacity building can take the form of substantive direct project design and implementation with a partner government, training opportunities, or in other circumstances facilitation of a bilateral or multilateral agenda for dialogue development put in place by concerned authorities. In all cases, capacity building aims to build towards generally acceptable benchmarks of management practices.

Circular migration - The fluid movement of people between countries, including temporary or long-term movement which may be beneficial to all involved, if occurring voluntarily and linked to the labour needs of countries of origin and destination.

Country of origin - The country that is a source of migratory flows (regular or irregular).

Emigration - The act of departing or exiting from one State with a view to settling in another.

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Facilitated migration - Fostering or encouraging of regular migration by making travel easier and more convenient. This may take the form of a streamlined visa application process, or efficient and well-staffed passenger inspection procedures.

Forced migration - A migratory movement in which an element of coercion exists, including threats to life and livelihood, whether arising from natural or man-made causes (e.g. movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects).

Freedom of movement - A human right comprising three basic elements: freedom of movement within the territory of a country (Art. 13(1), Universal Declaration of Human Rights, 1948: "Everyone has the right to freedom of movement and residence within the borders of each state."), the right to leave any country and the right to return to his or her own country (Art. 13(2), Universal Declaration of Human Rights, 1948: "Everyone has the right to leave any country, including his own, and to return to his country. See also Art. 12, International Covenant on Civil and Political Rights. Freedom of movement is also referred to in the context of freedom of movement arrangements between States at the regional level (e.g. European Union).

Immigration - A process by which non-nationals move into a country for the purpose of settlement.

Internally Displaced Person (IDP) - Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border (Guiding Principles on Internal Displacement, UN Doc E/CN.4/1998/53/Add.2.). See also de facto refugees, displaced person, externally displaced persons, uprooted people.

International minimum standards - The doctrine under which non-nationals benefit from a group of rights directly determined by public international law, independently of rights internally determined by the State in which the non-national finds him or herself. A State is required to observe minimum standards set by international law with respect to treatment of non-nationals present on its territory (or the property of such persons), (e.g. denial of justice, unwarranted delay or obstruction of access to courts are in breach of international minimum standards required by international law). In some cases, the level of protection guaranteed by the international minimum standard may be superior to that standard which the State grants its own nationals.

Irregular migration - Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term "illegal migration" to cases of smuggling of migrants and trafficking in persons.

Labour migration - Movement of persons from one State to another, or within their own country of residence, for the purpose of employment. Labour migration is addressed by most States in their migration laws. In addition, some States take an active role in regulating outward labour migration and seeking opportunities for their nationals abroad.

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Migrant - IOM defines a migrant as any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person's legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is. IOM concerns itself with migrants and migration-related issues and, in agreement with relevant States, with migrants who are in need of international migration services.

Migration - The movement of a person or a group of persons, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification.

Migration management - A term used to encompass numerous governmental functions within a national system for the orderly and humane management for cross-border migration, particularly managing the entry and presence of foreigners within the borders of the State and the protection of refugees and others in need of protection. It refers to a planned approach to the development of policy, legislative and administrative responses to key migration issues.

Naturalization - Granting by a State of its nationality to a non-national through a formal act on the application of the individual concerned. International law does not provide detailed rules for naturalization, but it recognizes the competence of every State to naturalize those who are not its nationals and who apply to become its nationals.

Orderly migration - The movement of a person from his or her usual place of residence to a new place of residence, in keeping with the laws and regulations governing exit of the country of origin and travel, transit and entry into the destination or host country.

Receiving country - Country of destination or a third country. In the case of return or repatriation, also the country of origin. Country that has accepted to receive a certain number of refugees and migrants on a yearly basis by presidential, ministerial or parliamentary decision.

Refugee - A person who, "owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. (Art. 1(A)(2), Convention relating to the Status of Refugees, Art. 1A(2), 1951 as modified by the 1967 Protocol). In addition to the refugee definition in the 1951 Refugee Convention, Art. 1(2), 1969 Organization of African Unity (OAU) Convention defines a refugee as any person compelled to leave his or her country "owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country or origin or nationality." Similarly, the 1984 Cartagena Declaration states that refugees also include persons who flee their country "because their lives, security or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order."

Remittances - Monies earned or acquired by non-nationals that are transferred back to their country of origin.

Repatriation - The personal right of a refugee, prisoner of war or a civil detainee to return to his or her country of nationality under specific conditions laid down in various international instruments

(Geneva Conventions, 1949 and Protocols, 1977, the Regulations Respecting the Laws and Customs of War on Land, Annexed to the Fourth Hague Convention, 1907, human rights instruments as well as customary international law). The option of repatriation is bestowed upon the individual personally and not upon the detaining power. In the law of international armed conflict, repatriation also entails the obligation of the detaining power to release eligible persons (soldiers and civilians) and the duty of the country of origin to receive its own nationals at the end of hostilities. Even if treaty law does not contain a general rule on this point, it is today readily accepted that the repatriation of prisoners of war and civil detainees has been consented to implicitly by the interested parties. Repatriation as a term also applies to diplomatic envoys and international officials in time of international crisis as well as expatriates and migrants.

Resettlement - The relocation and integration of people (refugees, internally displaced persons, etc.) into another geographical area and environment, usually in a third country. In the refugee context, the transfer of refugees from the country in which they have sought refuge to another State that has agreed to admit them. The refugees will usually be granted asylum or some other form of long-term resident rights and, in many cases, will have the opportunity to become naturalized.

Smuggling - "The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident" (Art. 3(a), UN Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000). Smuggling, contrary to trafficking, does not require an element of exploitation, coercion, or violation of human rights.

Stateless person - A person who is not considered as a national by any State under the operation of its law" (Art. 1, UN Convention relating to the Status of Stateless Persons, 1954). As such, a stateless person lacks those rights attributable to national diplomatic protection of a State, no inherent right of sojourn in the State of residence and no right of return in case he or she travels.

Technical cooperation - Coordinated action in which two or several actors share information and expertise on a given subject usually focused on public sector functions (e.g. development of legislation and procedures, assistance with the design and implementation of infrastructure, or technological enhancement).

Trafficking in persons - "The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation" (Art. 3(a), UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, 2000). Trafficking in persons can take place within the borders of one State or may have a transnational character.

a global voice
for women

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