

The feminization of international migration

Invisibly and silently, a fundamental change is taking place in migration flows of poor but enterprising people on their way to what they hope is the promised land. More often than not, the new migrants are women. They are exploited and often sold into prostitution or forced to work for excessively long hours. Measures should be taken now for putting a stop to this exploitation.

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While during the 1970s, the typical profile of a migrant was that of a male breadwinner, since the early 1980s increasing numbers of women, single as well as married and often better educated than men, have started moving on their own to take up jobs in other countries. In fact, if official and unofficial flows of migrants are added together, and then divided by gender, the number and proportion of women are likely to be much higher than flows of male migrant workers (see figures 1 and 2).

According to the United Nations Population Division data, obtained mostly from population censuses and covering documented as well as undocumented migrants, the stock of female migrants grew faster than the stock of male migrants in most of the world between 1965 and 1990 in the most important receiving countries, industrialized as well as developing.

However, women's opportunities to migrate legally have been more limited than men in most countries. When legal, official recruitment efforts take place, they are frequently aimed at construction workers and farm labourers.¹ For example, in 1999, while 32,372 agricultural workers were admitted as temporary workers to

the United States, only 534 registered nurses were allowed to enter.

Migration policies of Western European countries are not openly biased by sex. However, in some countries restrictions have been imposed on admissions of migrants for female types of occupations. The case of Switzerland is notorious since no immigration quotas exist for domestic workers, yet many undocumented women from a number of developing countries work as domestics in middle and upper middle class households.

Germany is also a good example of male-biased migration policies. All four legal means of migration for work are dominated by men: firstly, *project-linked employment* in the building industry; secondly, *guestworker contracts*; thirdly, *seasonal workers* for agriculture, forestry, construction and vineyards; and fourthly, *commuters* living up to 50 kilometres from the German border (80 per cent are male).

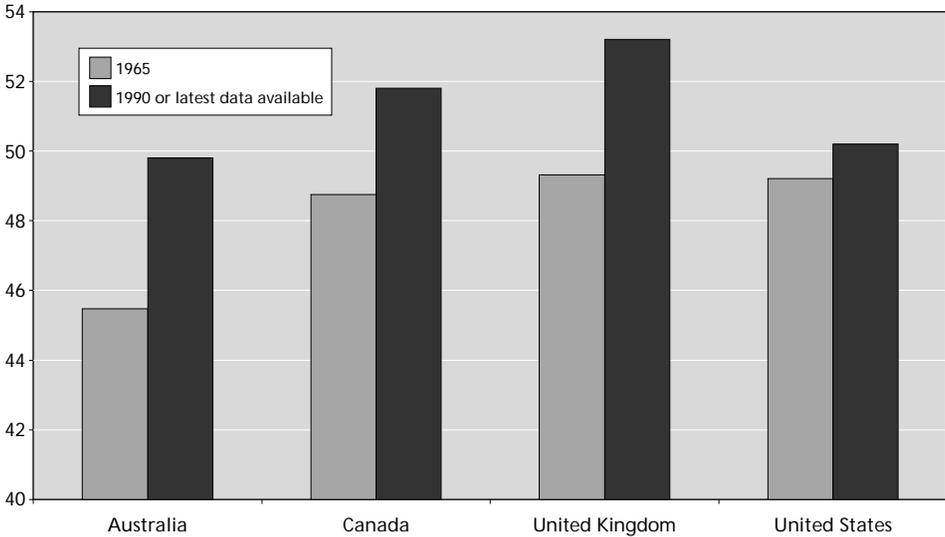
At the same time, the increasing capitalist search for higher profits by reducing costs, have increased the demand of undocumented workers in industrialized countries. Men and women undocumented migrant workers are increasingly hired because they accept lower wages and

working conditions that nationals would reject. Moreover, in some sectors like manufacturing and services, undocumented women even have a comparative advantage over male undocumented workers:

employers prefer to hire them, arguing that they are easier to manage.

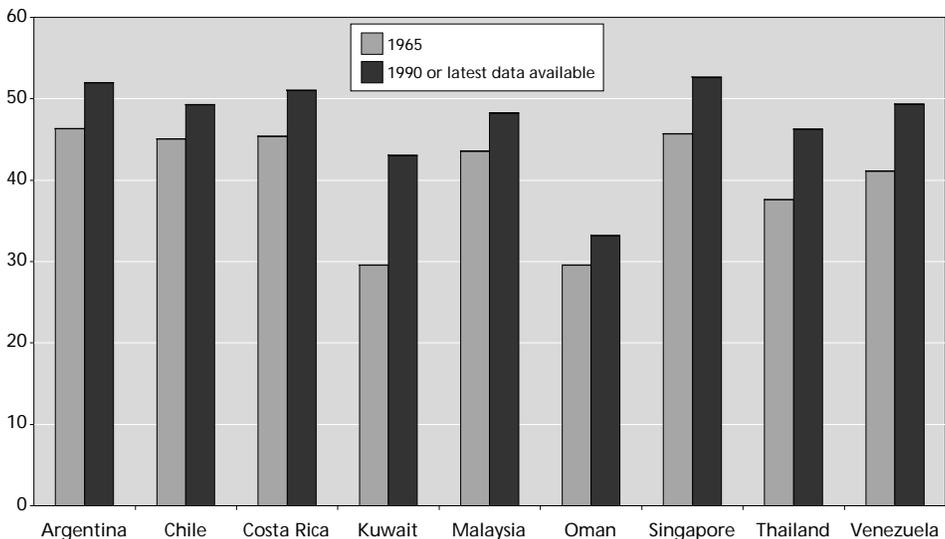
For many women, migration represents a positive experience since the fact of becoming the principal breadwinner of

Figure 1. Female migrants as percentage of total in main receiving industrialized countries



Sources: Eurostat (database New Chronos) Sweden (1998) and United Kingdom (1997); Australian Bureau of Statistics (2000); Statistique Canada (1996); US Bureau of Census (2000); United Nations Population Division, *Trends in total migrant stock by sex*, 1998.

Figure 2. Female migrants as percentage of total in main receiving developed countries



Sources: United Nations Population Division, *Trends in total migrant stock by sex*, 1998. Costa Rica: *Encuesta de hogares de propósitos múltiples*, July 1997.

the family gives them a prominent role in their family's decision-making. However, since women have less of a chance to migrate legally than men, they are relatively more vulnerable to discrimination, abuse and violence.

Sex stereotypes

Gender plays a significant role in deciding what kind of jobs can be found for migrant men and women.² While demand for migrant workers in receiving countries depends on labour markets, where opportunities exist for women, they will be in low-skilled, easily controllable jobs.³

The types of jobs where demand for women migrant workers exists often reflect traditional female roles and sex stereotypes. Demand is mainly increasing for nurses, cleaning services in hotels and restaurants, sex work and especially for domestic work. For example, domestic service is the single most important category of employment among female migrants of South-East Asia to the Gulf States. However, some of these jobs make female migrants more vulnerable to exploitation than male migrants due to individualized work environments whereas men often work in groups in construction sites or plantations.

An important source of exploitation of female migrant workers is the legal and illegal intermediaries (recruiters and agents in sending and receiving countries) involved in arranging the migration moves. One of the worst cases is that of women and girls forced against their will into prostitution. A number of receiving countries have imposed bans and restrictions on female migration to "prevent" them from falling into the hands of traffickers and smugglers.

However, restrictive regulation often drives the process further underground since it forces women migrants into even more vulnerable positions, increasing their need of "brokers" to help them migrate clandestinely. Moreover, when they reach the promised land they often find that la-

bour codes and inspection are ignored, especially in those sectors where migrant women are concentrated.

Domestic workers

As mentioned earlier, domestic work is one of the only occupations where legal migration of women workers has been recognized to be necessary in the Gulf States, as well as Malaysia, Singapore, Hong Kong and Taiwan. These countries receive thousands of women migrants for domestic work every year and their numbers are increasing in importance when compared to numbers of male migrants (see table 1). While in 1986 Sri Lanka reported that female migrants represented 33 per cent of total departures, by 2001, female migrants' percentage of total departures had increased to represent 67.5 per cent of total migration. As many as 83 per cent of all of these women migrant workers were going into domestic work.

The ILO has been concerned with the plight of domestic workers for many decades. In 1965, the ILO's General Conference adopted the "Resolution concerning the Conditions of Employment of Domestic Workers".⁴ This resolution:

- urged member States to make all practicable efforts to promote the introduction of protective measures for domestic workers, such as hours of work and other conditions of employment, as well as the training of such workers in accordance with International Labour Organization standards;
- invited the Governing Body to consider drafting a code of guiding principles for the protection of the working and living conditions of domestic workers; and
- invited the Governing Body to place on the agenda of the conference the question of conditions of employment of domestic workers with a view to the adoption of an international instrument.

While the ILO has not made significant advancement either on the question of a

Table 1. Annual outflows of female domestic workers to the Gulf States, the Middle East and other Asian countries

	Total	Saudi Arabia	UAE*	Bahrain	Oman	Kuwait	Qatar	Jordan	Lebanon	Malaysia
Sri Lanka (2001)	102811	37461	11206	2051	1806	26321	2199	5720	12070	
Philippines (2001)	70052									
Indonesia (2000)		267191								163129

* United Arab Emirates.

Note: Totals in Sri Lanka do not match with distribution per country since not all receiving countries are included.

Sources: Sri Lanka Bureau of Foreign Employment; Malaysia Immigration Department Headquarters, Pusat Bandar Damansara, Kuala Lumpur; Philippines Overseas Employment Administration; Indonesia Department of Labour, cited in Tirtosudarmo and Romdiati (1998).

code of guiding principles, or on the adoption of an international instrument, it has prepared several comprehensive reports that have recognized that domestic work is mainly performed by local or foreign workers, mostly women. These reports have recognized that domestic work remains invisible and excluded from the scope of labour legislation since it is done in houses (not considered workplaces) of private persons (not considered employers). In consequence, migrant domestic helpers are not normally considered employees themselves and their work is undervalued.

In a number of countries labour codes do not cover domestic work. In other countries not only are household helpers not considered workers per se, but they are not protected under any other national legislation. In addition, there exists no international convention specifically conceived to protect their rights. Ironically, it is precisely because domestic workers are employed within the “private sphere” that there is resistance to recognizing and regulating the domestic work relationship.

An example that illustrates how domestic workers are excluded from legal protection is the fact that they are denied the right to organize in trade unions in Brazil, Jordan, Kuwait and in the province of Ontario, Canada. In other countries, labour codes comprise discriminatory provisions for domestic workers, e.g. while in Costa

Rica any other worker will be required to work eight hours a day, domestic workers are required by the labour code to work from 12 to 16 hours daily.

In September 1997, the ILO Caribbean Office in collaboration with the Bureau of Women’s Affairs of Jamaica and the Jamaica Household Workers Association held a regional workshop where a desk review of the situation of domestic workers in the Caribbean was presented.⁵ The main objective of the workshop was to improve the status, terms and conditions of work of domestic workers in the Caribbean.⁶ The 100 participants, representing domestic workers, ministries of women’s affairs, ministries of labour, trade unions, non-governmental organizations (NGOs), individual researchers, universities and UN agencies developed the following strategy for achieving this objective:

- Achieve the full recognition of domestic workers as workers in law and practice.
- Obtain for domestic workers the same legal rights and protections as other workers.
- Defend domestic workers against sexual harassment and other forms of abuse.
- Demand better wages and conditions of work for domestic workers.

- Access, develop and promote training that will strengthen domestic workers and widen their skills base.

At the same workshop, it was decided that in order to improve the terms and conditions of domestic workers:

- legislation should be enacted or amended to fully protect their rights;
- the work to be done should be specified and agreed upon between the employer and the domestic worker at the time of employment;
- a mutual, respectful work environment should be provided;
- live-in domestic workers should be provided with adequate accommodation, meals and compensation for periods on call;
- child labour in domestic work should be prevented, prohibited and abolished; and
- legal assistance should be made available to domestic workers to safeguard their rights.

The workshop also concluded that trade unions should have as their main aim to:

- ensure fair and just working conditions and wages for domestic workers;
- protect the rights of women in domestic service; and
- provide skills training in household management.

In 1999, the ILO completed a study that examined the scope and efficacy of current labour laws.⁷ This study provides data in 70 countries comparing conditions of work, inspections and law enforcement (if any). The report concluded that the majority of domestic workers in private households are exposed to adverse conditions of employment and unfair work practices in terms of hours of work, rest periods and overtime.

Child domestic workers and migrant women workers with unregulated im-

migration status were singled out by the ILO report as being particularly vulnerable to exploitation and unlikely or unable to claim their rights.

To identify critical issues of concern to female migrant domestic workers and to determine the extent of their vulnerability, the ILO has been analysing the situation in several regions (see table 2). These studies reveal practices and patterns that are the key causes of the vulnerability of women domestic migrant workers and suggest effective alternative approaches. Research includes data to be used in a dialogue on what can be done to improve the migrant women domestic workers' working conditions. The studies are based on interviews with domestic workers themselves and their employers.

Some of the main issues the ILO has been interested in identifying are: hours of work; wages; workload and rest periods; social security coverage; physical and sexual abuse; and contractual conditions.

Another ILO study, completed in 2001 and entitled *Migrant women in the UAE: The case of female domestic workers*, provides first-hand case study data to an *Information guide on preventing exploitation and abuse of women migrant workers*.⁸ The information guide is intended to:

- present background information, practical guidelines for action and examples of "good" and "bad" practices;
- enhance knowledge and understanding of the vulnerability of women migrant workers to exploitation and abuse in the migration process, in employment in the host countries and communities both in countries of origin and destination; and
- assist and enhance efforts of government and social actors to protect women from exploitation and abuse in employment in the host countries and communities both in countries of origin and destination.

The different activities carried out under the ILO's Gender Promotion Department include a project entitled "Pro-

Table 2. ILO's women migrant domestic workers' surveys

	Lebanon	Costa Rica	Kuwait	Bahrain
Average working hours per week	102	72	97.5	108
No overtime paid (%)	100	n.a.	98	100
Number of days off per month	n.a.	4	1.5	n.a.
No resting days per month at all (%)	88	0	n.a.	90
Health fees or social security coverage (%)	n.a.	29.5	57	n.a.
More than five household residents per domestic worker (%)	n.a.	50	41	n.a.
Physical, verbal or sexual abuse cases (%)	37	14	51	47
Non-payment of wages or wages withheld (%)	19	0	n.a.	20.5
Number of domestic workers interviewed	70	54	301	34
Percentage of female domestic workers interviewed	100	100	69	100
Freedom of movement	controlled	not controlled	controlled	controlled
Withholding of passport by sponsor or employer	common	inexistent	common	common

Sources: Martin Godfrey and Martin Ruhs: *Migrant workers in Kuwait: A review of the recruitment system in an international context*, Geneva, ILO, 2002. Ray Jureidini: *Women migrant domestic workers in Lebanon*, Geneva, ILO, International Migration Papers No. 48, June 2002. Tejidos para los Derechos Humanos: *Campaña piloto de información para patronos/as y trabajadoras domésticas*, San José, ILO, IOM, Astradomes, July 2001. Sabika Al-Najjar: *Women migrant domestic workers in Bahrain*, Geneva, ILO, International Migration Papers No. 47, June 2002.

tecting migrant women and improving child welfare in Nicaragua”. This project has led to the publication of a very practical brochure that provides Nicaraguan migrant women in Costa Rica (the majority of them working as domestic helpers) with information on everything they need to know as migrants to improve their labour protection.⁹

In addition, the ILO's International Programme on the Elimination of Child Labour (IPEC) operates more than 80 “action programmes” on reducing child domestic work, mostly in Asia and Latin America. These are part of national programmes against child labour. Interventions on child domestic work have been carried out using the following approaches: *prevention*, including advocacy and aware-

ness campaigns and direct prevention measures; *protection, withdrawal and reintegration*, which include rehabilitation measures such as education and employment and training opportunities provided to the children's parents.

Some of IPEC's major projects at national and regional level concerning child domestic workers include: “Combating the exploitation of child domestic workers in Haiti”; “Prevention and elimination of child domestic work in South America” (Brazil, Colombia, Paraguay, Peru); and “Prevention and elimination of the worst forms of child domestic labour in Central America and the Dominican Republic” (Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama).

Trafficking in women

While most smuggled migrants are male and will not always qualify to be considered victims, a large number of young migrant women or children who end up being victims of coercion, abduction, fraud, deception, abuse of power or abuse of force definitely fall into the category of trafficked persons.

Jobs for which children, women and men may be trafficked can include work in construction, small shops, fishing, footwear factories, plantations and domestic work. However, most trafficked victims will be transported into other countries or far-away regions for the purpose of sexual exploitation.

Since an additional stereotype attributed to women is that of providing sexual gratification, and the "supply" of national women is decreasing, for many women migrant workers, sex work becomes one of the few steady sources of jobs, voluntary or forced. It is a fact that a larger number of migrant women can be found in the sex sector than migrant men.

Trafficking is one of the worst forms of labour exploitation and as such a gross violation of human rights and of the ILO's most fundamental principles. Trafficking reduces women and children to mere commercial commodities used for internal trade and for export. Traffickers are filling the gap between the existing high demand for migrant labour in some sectors of the economy on the one hand, and the diminishing legal channels of migration in most countries on the other.

According to ILO data, in 1999, an estimated 80,000 women and children were trafficked into the commercial sex industry in Thailand, of whom 30 per cent were under 18 years of age.¹⁰ In South Asia, the major receiving country of trafficked women and children, India, has between 70,000 and 100,000 migrant women and children, mainly from Nepal, working voluntarily or forcibly in its sex sector.¹¹

The sex sector is easily forgotten by labour or health inspectors. As a result, exploitative working conditions are the rule.

In Italy, a young woman trafficked into sex work is reportedly worth between US\$500 and US\$2,500. She is forced to earn around US\$500 per night, has to serve as many as 30 clients in working shifts of 16 to 18 hours, receives low wages or none at all and is provided with only enough food to survive.¹²

What the ILO has done and is doing

The ILO has dealt with the issue of human trafficking in relation to forced labour, the abuse of migrant workers, discrimination at work (particularly where certain social groups, such as ethnic and indigenous peoples are disproportionately affected), and as one of the worst forms of child labour. The ILO stands for firm prosecution of traffickers in women and children and supports action by governments, employers, trade unions, as well as NGOs to prevent it and to help these victims become useful and productive citizens.

The ILO's involvement in the battle against trafficking began in 1993 with IPEC programmes in Cambodia, Nepal, the Philippines and Thailand. During the biennium 2002-2003 a substantial portion of ILO's budget (almost US\$20 million) has been committed to combating trafficking.

The ILO concentrates its work on the labour side of the problem, where it has a comparative advantage over other institutions, especially in providing jobs and training opportunities to potential victims of trafficking and to trafficked women and children. The ILO is also one of the few institutions focusing on preventive action, combating the root causes (mainly lack of education, employment and training opportunities). ILO projects provide adequate educational alternatives for children and access to decent work, sufficient income and security for their families. For example, it provides microcredit for self-employment and setting up of small businesses.

The ILO has undertaken general studies on undocumented labour migration and its links with the trafficking of migrants in several countries and is preparing documentation for policy planning.

For this purpose, it has started research on the reasons why traffickers have found such a lucrative market.

The ILO is particularly interested in exploring whether restrictive immigration policies are paradoxically one of the causes of trafficking. People in developing countries seeking a better life abroad may have to seek the help of criminal rings and gangsters to achieve their goal. It follows that it is in their interest if governments maintain strict immigration laws.

The ILO is also documenting any differences between the trafficking of men and of women and children. Research under way considers issues such as at what point in the process of organizing undocumented migration do those concerned have recourse to traffickers.

Conclusion

The feminization of international migration will continue since labour market demand for women migrants in labour-importing countries is often greater than that for men. However, much of this feminization will go undocumented. Moreover, it is not certain that the increasing participation of women in international migration will provide most of them with a decent wage, good working conditions, the necessary social security coverage, and labour protection as a whole. It is therefore important to provide more attention to the labour situation of the growing number of female migrant workers.

If global development is to be successful, it must make the best possible use of women migrants' potential, and migration must be seen as one of the most significant means of achieving this purpose. However, specific institutional support will clearly be needed at the national, as well as the regional and international, level to achieve this goal. ILO's unique tripartite structure could be the ideal forum for discussion on the issue of strengthening the protection of women migrant workers.

Government, employers and trade union efforts will be necessary to guaran-

tee migrant women's fundamental human rights and rights at work. A number of international labour standards address the protection of women migrant workers and call upon States to respect the basic human rights of all migrant workers, male and female (see also the article by Cécile Vittin-Balima on page 5). A host of other Conventions cover the rights of women workers.

For domestic workers, as well as for trafficked victims, governments, and employers' and workers' associations could join efforts to provide these workers with the necessary tools to defend themselves. International legislation or the drafting of an international code of guidelines seems to be absolutely necessary to advance towards this objective. In addition, it would be advisable to promote the benefits for migrant domestic workers of organizing in trade unions. The strengthening of links between domestic workers and trade unions could contribute to an effective representation and defence of migrant domestic workers' labour rights. The issue is becoming pressing since international demand for childcare and care for the elderly is increasing and often nationals cannot satisfy the demand.

In the case of trafficked victims, the ILO has started studying the possibility of governments contributing to breaking the chain of supply and demand, possibly with the help of trade unions and employers' organizations. The ILO recognizes that its constituents – unions, employers and governments – have a unique ability to undertake actions such as reducing the supply of trafficked victims by targeting the sending communities and families, interrupting the route along which trafficking takes place, identifying trafficked victims and doing more for their rescue and rehabilitation. A joint contribution to the fight against the trafficking in women and children could include:

- providing professional training of workers in the state apparatus – police, immigration services, courts, and others, such as social workers and

health workers – to inform them properly about what trafficking is about and how to deal with it;

- playing an awareness-raising role in the mass media;
- having a watchdog role at the workplace. Workers and employers in economic sectors prone to trafficking should learn how to identify and report cases of trafficked victims;
- disseminating information in schools, colleges and universities with the help of educational sector trade unions;
- support improvement of working conditions and supporting economic sectors to meet minimum labour standards, e.g. the hotel, restaurant, entertainment and tourism industry;
- promoting the accreditation of best practice employment agencies;
- interrupting transport links used in trafficking such as buses, boats, and at airports and ports. Where these are state owned or controlled, workers' organizations could discuss with the authorities the proper implementation of international obligations and national laws to prevent trafficking. Where these are privately owned, workers' organizations and employers could use collective bargaining to develop a joint approach to the issue;
- increasing the number of labour inspectors; and
- on the rehabilitation side, employers could work closely with projects offering vocational training to ensure that marketable skills are offered.

It would be advisable for ILO's constituents to advocate for more legal and regular migration channels based on the needs of the labour market. By ensuring the protection of migrants' rights and minimum decent work conditions, they could provide a

large number of migrant workers, men and women as well their families, with the hope of a better life free of exploitation.

Notes

¹ Exceptions to this rule are the Gulf States where domestic work has been recognized to be necessary, plus Malaysia, Singapore, Hong Kong, China and Taiwan, China.

² *2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*: "...trafficking in persons" shall mean 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.

³ Gloria Moreno-Fontes Chammartin and Patrick Taran: *Getting at the roots*, unpublished ILO paper.

⁴ ILO: *Resolution concerning the Conditions of Employment of Domestic Workers*, International Labour Conference, Geneva, 49th session, 1965.

⁵ ILO: *Desk review; Domestic workers in the Caribbean*, Port of Spain, ILO Caribbean Office, May 1997.

⁶ ILO: *Domestic workers in the Caribbean, a reference handbook*, Port of Spain, ILO Caribbean Office and Multidisciplinary Advisory Team, December 1998.

⁷ José María Ramírez Machado: *Domestic work, conditions of work and employment: A legal perspective*, Geneva, ILO, Conditions of Work Branch, forthcoming.

⁸ The guide includes case studies on good practices in 11 ILO member States (Bolivia, Costa Rica, Ethiopia, Italy, Japan, Nicaragua, Nigeria, Philippines, Romania, Sri Lanka and United Arab Emirates).

⁹ ILO: *Todo lo que tengo que saber como migrante: Guía informativa para mujeres nicaragüenses en Costa Rica*, San José, Costa Rica, 2001.

¹⁰ ILO: International Programme on the Elimination of Child Labour (IPEC) and the Gender Promotion Programme (GENPROM), Project "Reducing Labour Exploitation of Children and Women: Combating Trafficking in the Greater Mekong Sub-region".

¹¹ ILO: International Programme on the Elimination of Child Labour (IPEC), Project "South Asian Sub-Regional Programme to Combat Trafficking of Children for Exploitative Employment in Bangladesh, Nepal and Sri Lanka".

¹² Gloria Moreno-Fontes Chammartin: Report on a mission to Albania, 25 Feb.-4 Mar. 2001.