GCM Objective 5

Enhance availability and flexibility of pathways for regular migration

Issues

Options and pathways for regular migration that uphold the principle of equality and non-discrimination are necessary. Regular migration pathways enable women to migrate in a safe, regular and orderly manner and can facilitate access to decent work, social protection, education and vocational training and public services.

Providing equality of access to safe migration pathways can help eliminate the need for irregular migration, including through the use of smugglers, as well as prevent exploitation linked to unscrupulous brokers and intermediaries and reduce exposure to human rights violations, such as trafficking in persons and debt bondage.

Pathways for regular migration should include family reunification for all migrants, in line with the right to family life and the best interest of the child, recognizing the various forms of families that exist. States should consider expanding pathways for admission and stay for migrant women, girls and gender non-conforming migrants on humanitarian grounds or those pertaining to human rights violations, including for those migrants at risk of or survivors of sexual and gender-based violence (SGBV).

In certain employment sectors, such as domestic work, workers are often not covered by national labour legislation and face serious protection gaps. Human rights-based and gender-responsive bilateral and multilateral labour arrangements need to help address these gaps for women migrant workers.

Measures

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- Policy options and legislation expanding regular migration that uphold the principles of equality and non-discrimination
- Elimination of gender discriminatory provisions, restrictions, bans or exclusions in law and practice that limit opportunities, particularly for women and girls and for people who are lesbian, gay, bisexual, transgender, intersex, queer or other identities (LGBTIQ+) to migrate
- Elimination of discrimination that prevents persons with disabilities from migrating
- Gender-responsive employment policies and labour mobility schemes with equality of opportunity and treatment, including equal pay for work of equal value, for all migrant women at all skill levels
- Pathways for regular migration, other than temporary labour schemes, that provide opportunities for long-term residency and family unity
- Abolishment of the *kafala* (sponsorship) system and/or other similar systems tying short-term migrant workers to one employer
- Elimination of gender discriminatory laws or policies relating to family reunification schemes, with all migrants able to exercise their right to have their immediate family members join them in the country of destination without discrimination
- Access to safe housing for survivors of domestic violence, irrespective of migration status, in the country in which they are residing (including for dependent children), in order to avoid a situation of being trapped with the perpetrator
- Accessible human rights-based and humanitarian pathways for entry and stay for migrants in vulnerable situations, including survivors and those at risk of sexual and gender-based violence (SGBV)
- Human rights-based and gender-responsive bilateral and multilateral labour migration arrangements that draw on relevant International Labour Organization (ILO) standards and principles, including key ILO Conventions that promote the rights of women migrant workers at all skills levels
- Gender-responsive and evidence-based solutions for climate-related migration that address the increased vulnerability of women and girls to the impact of climate change
- COVID-19: Adoption of measures that provide options for regular migration, including voluntary repatriation, amnesties and long-term regularization schemes, particularly for essential workers

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Checklist

Question	Yes	Not yet
Does your State provide policy options and legislation expanding regular migration that uphold the principles of equality and non-discrimination?	○	○
Does your State provide pathways for regular migration, other than temporary labour schemes, that provide opportunities for long-term residency and family unity?	○	○
Has you State eliminated the kafala and/or other similar systems that keep short-term migrant workers tied to one employer?	○	○
Has your State eliminated gender-based discrimination, including restrictions, bans and exclusions in law and practice that limit opportunities to migrate, particularly for women and girls as well as for people who are lesbian, gay, bisexual, transgender, intersex, queer or other identities (LGBTIQ+) ?	○	○
Has your State eliminated all forms of discrimination against persons with disabilities that limit opportunities for them to migrate?	○	○
Has your State put in place gender-responsive employment policies and labour mobility schemes with equality of opportunity and treatment, including equal pay for work of equal value, for migrant women at all skill levels?	○	○

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Question	Yes	Not yet
Has your State eliminated any gender discriminatory laws or policies relating to family reunification schemes to enable migrants to exercise their right to have their immediate family members join them in the country of destination without discrimination?	○	○
Has your State put in place human rights-based and gender-responsive bilateral and multilateral labour migration arrangements based on relevant International Labour Organization (ILO) standards and principles, including key ILO Conventions that promote the rights of women migrant workers at all skills levels?	○	○
Does your State provide access to humanitarian pathways and those based on human rights violations for admission and stay for migrants in vulnerable situations, including survivors of sexual or gender-based violence?	○	○
Has your State developed gender-responsive and evidence-based solutions for climate-related migration that take into account the heightened vulnerability and impact on women and girls?	○	○
COVID-19: Has your State adopted specific COVID-19-related measures for regular migration, including voluntary repatriation, amnesties or other regularizations schemes?	○	○

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