GCM Objective 7

Address and reduce vulnerabilities in migration

Issues

The GCM aims to address and reduce vulnerabilities for all migrants. This requires understanding the specific situations of vulnerability that migrant women and girls may face. Laws and policies must promote the human rights of migrant women and girls when addressing gender-specific forms of vulnerability, including sexual and gender-based violence (SGBV), abuse and exploitation.

Laws and policies must also address the multiple and intersecting forms of discrimination faced by migrant women and girls on the basis of sex, age, disability, nationality, HIV status, race and ethnicity, marital and family status, migration status, sexual orientation, gender identity, health status, pregnancy, place of residence and economic and social situation.

Measures

- Elimination of all forms of discrimination against women and girls at all stages of migration by any person, organization or enterprise in line with the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Beijing Declaration and Platform for Action and fundamental International Labour Organization (ILO) conventions
- Elimination of laws and policies, including customary laws, that place restrictions on women's and girls' regular migration
- Elimination of laws, regulations and practices that require mandatory pre-departure and post-arrival pregnancy testing and HIV-status screening

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- Adoption of gender-responsive migration policies that address the needs and vulnerabilities of all migrants, including for people who are lesbian, gay, bisexual, transgender, intersex, queer or other identities (LGBTIQ+), persons with disabilities, ethnic minorities, religious minorities and indigenous peoples, and provide them with assistance, human rights protections and access to decent work, social protection, justice and public services
- Adoption of policies that promote decent work and social protection for all women migrant workers, including domestic workers, and eradicate sexual harassment and violence in the world of work
- Safe, confidential and accessible reporting and response services for migrant women and girls who experience human rights abuses and establishment of firewalls between service providers and immigration enforcement activities
- Laws and policies that guarantee equal access to the full spectrum of physical and mental health care, including sexual and reproductive health care, for all migrant women and girls, regardless of migration status, with particular attention to intersecting forms of discrimination and inequalities
- Regularization of the status of migrants leading to permanent residence, with specific attention to migrant women and girls with irregular migration status or who are stateless in countries of transit or destination, victims of crime, abuse or exploitation and/or survivors of sexual and gender-based violence (SGBV)
- Laws and policies that eliminate SGBV and punish perpetrators
- Access to essential services for survivors of SGBV including health, police, justice and social services such as hotlines, shelters, legal advice, psychosocial support and trauma counselling, providing interpretation as necessary
- Laws and regulations that guarantee migrant women's access to justice, legal standing, due process, the right to defence and the provision of legal aid when necessary with a firewall between the justice system and immigration authorities
- Monitoring systems and trained officials that help identify and assist migrant women and girls at heightened risk of sexual exploitation, abuse and discrimination
- COVID-19: Adoption of gender-responsive measures to address the heightened vulnerabilities of migrant women and girls during the pandemic and to ensure their access to rights and services, irrespective of migration status

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Checklist

Question	Yes	Not yet
Has your State eliminated of all forms of discrimination against women and girls at all stages of migration by any person, organization or enterprise in line with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Beijing Declaration and Platform for Action and fundamental International Labour Organization (ILO) conventions?		
Has your State eliminated laws and policies, including customary laws, that place restrictions on women's and girls' regular migration?		
Has your State eliminated laws, regulations and practices that require mandatory pre-departure and post-arrival pregnancy testing and HIV-status screening?		
Has your State adopted gender-responsive migration policies that address the needs and vulnerabilities of all migrants, including for people who are lesbian, gay, bisexual, transgender, intersex, queer or other identities (LGBTIQ+), persons with disabilities, ethnic minorities, religious minorities and indigenous peoples, and provide them with assistance and rights protections?		
Has your State adopted policies that promote decent work and social protection for all women migrant workers, including domestic workers, and eradicate sexual harassment and violence in the world of work?		

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Question	Yes	Notyet
Does your State provide safe, confidential and accessible reporting and response services for migrant women and girls who experience human rights abuses?	○	○
Does your State ensure that reporting procedures and authorities are separated from immigration enforcement activities?	○	○
Has your State adopted laws and policies that guarantee equal access to the full spectrum of physical and mental health care, including sexual and reproductive health care, housing, education and justice, for all migrant women and girls, regardless of migration status?	○	○
Does your State provide pathways for regularization of status for the groups listed below?	○	○
• Migrant women and girls with irregular migration status or who are stateless	○	○
• Survivors of sexual or gender-based violence	○	○
• Victims of trafficking	○	○
• Victims of crime or other abuse	○	○
Has your State adopted laws and policies to eliminate sexual and gender-based violence (SGBV) and punish perpetrators?	○	○
Does your State provide access to essential services for migrants who are survivors of SGBV?	○	○

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Question	Yes	Notyet
Has your State adopted laws and regulations that guarantee migrant women's access to justice, legal standing, due process, the right to defence and the provision of legal aid when necessary?		
• If yes, does your State ensure there is a separation between the justice system and immigration enforcement activities?		
Does your State have monitoring systems and trained officials that help identify and assist migrant women and girls at heightened risk of sexual exploitation, abuse and discrimination?		
COVID-19: Has your State adopted gender-responsive measures to address the heightened vulnerabilities of migrant women and girls during the pandemic and to ensure they are fully able to enjoy their rights and access services?		

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