

A Knowledge Sharing Forum on Women, Work and Migration

7-9 April 2018
Colombo, Sri Lanka

Brief Summary

Women comprise nearly half of all labour migrants and make up 39.3 percent of the global paid labour force; in South Asia, they form a quarter of the regional paid labour force.¹ Yet women's occupational trajectories are punctuated not by a linear progression of better income options, but rather by a succession of insecure, precarious jobs, where the capacity to negotiate, through subjective and interlocking barriers of discrimination, constitutes the lifeline of survival.

On 7-9 April 2018, the International Secretariat of the Global Alliance Against Traffic in Women (GAATW-IS), with the support of the ILO, organised a three-day regional **Knowledge-Sharing Forum on Women, Work and Migration** in Sri Lanka. Focusing on South Asia, the Forum gathered over 60 civil society activists, community workers, worker representatives, migrants' groups, trade unionists, and academics to discuss the key issues surrounding women's work across both formal and informal sectors of work, including agriculture, sex work, domestic work, garment, entertainment and manufacturing.

The purpose of the Forum was to:

- I. Take stock of the current regional macro-economic, social and political trends impacting women workers across the region,
- II. Share the strategies utilised by women workers' movements across different sectors to protect women's labour rights, reduce risks of labour exploitation and workplace harassment,
- III. Share experiences in strengthening solidarity and advocacy among women worker organisations, migrants, women's rights and other advocacy groups.

The discussions centred on decent work, migration, gender-based violence in the workplace, and brought to light that a woman's access to opportunities, knowledge and even her ability to negotiate, depends very much on her geographical location and social standing in the patriarchal structure, on class, caste and gender; given this realisation, the discussions also addressed the importance of building cross-sectoral solidarity between all women workers.

(On Decent Work)

The discussions brought to light the divide between capital and labour. The adoption of neoliberal values means that labour and economic policies are not worker-centric or rights-based; they are shaped by **business interests**. Participants reflected upon the growing culture of **labour commodification** and a break-down of traditional employment relations. **Shorter and informal contracts** make it easier for employers to replace labour and as a result of this weakening of employment stability, it is becoming **difficult to unionise workers**, because raising their voices for their right to decent work can threaten their right to work at all.

As a result, **workers' lives are increasingly dangerous**, irrespective of whether they are local or migrant workers. Precarious employment conditions, temporary, contract and piece-rate work which used to be found predominantly in the informal sector, is increasingly found in the formal sector as well, mostly in industries dominated by women's labour.

¹ International Labour Organization, using World Bank population estimates (2017), <https://data.worldbank.org/indicator/SL.TLF.TOTL.FE.ZS>

With the shift towards the **privatisation of services**, governments across the region are shirking away from their responsibilities to provide public provisions and welfare. Discussants noted that current economic development paradigm is possible only because of the huge **sub-economy of unpaid work** – usually done by women and children. This ‘informalisation’ of work has allowed the **cutting back of welfare and social protection**.

Advances in technology and artificial intelligence have not served to improve decent work standards nor improve women’s access to decent employment; **technology and mechanisation has been used to increase capitalist gains**. In terms of agriculture, instead of assisting small and medium farmers in improving farming methods, technology is being used to marginalise them.

When the discussion shifted to **decent work deficits and rights violations**, participants identified that the **biggest violation is the non-implementation of existing laws and labour standards** that seek to protect workers, and the **non-recognition of women’s work** as labour, thereby denying recognition and social protection to those engaged in the informal sector, including domestic work, sex work, home-based work, including home-based agricultural work. In the case of sex work, even though women opt for sex work as a deliberate choice of work, sex work remains criminalised. The **organising of women workers, coalition-building, and global and national advocacy** remain key ways to respond to these violations. The structural barriers to women’s labour rights should also take into account how policy making intersects with patriarchal thinking – participants agreed that it is imperative that trade unions, workers and women’s movements must engage with larger trade and investment agreements beyond a narrow lens of looking at the relationships of ‘women and work’ or ‘labour and work’.

When looking at women workers and how they are represented in the media, it was acknowledged that **mainstream media has contributed deeply towards the development of a certain discourse or 'myth' about women**, women’s work, and gender-based violence, which is assumed to be correct. **Sensitive story-telling (as used by independent media) plays an important role in building positive narratives on migrant workers, improving empathy and shifting mainstream perspectives on women**.

(On Migration)

Migration should always be an informed choice. Yet the attack on our natural resources, the huge development projects eating away at traditional and rural livelihoods, the lack of decent work alternatives or adequate living wages is pushing people into **distress migration**. Instead of addressing the structural displacements that are causing distress migration, governments aim to skill or ‘compensate’ people so that they are easier reconciled to the inevitability of being displaced.

In their discussions on “safe and fair migration”, participants noted that while the safe and fair migration agenda includes “security” and “freedom”, it makes no reference to “identity” and “dignity”. Nor does it address **power dynamics between employers and workers**, nor the **power dynamics between countries**. Providing **safe and fair migration should be the shared responsibility** of workers, employers, recruiters/intermediaries and governments in both countries of origin, and destination.

The existing migration frameworks are not designed for migrants – **migration is used as a useful development tool** and the **‘export of labour’ is accepted as a viable country strategy**. Sharing country-specific examples, participants pointed that in those countries where female migration is actively solicited over male migration, pre-migration compensation given to the families of migrating women prevents women from changing employers or breaking abusive contracts due to the fear of having to re-pay these large amounts. Furthermore, a **paternalistic attitude to women’s mobility and labour is**

forcing many women to opt for irregular means of migrating. As a result of being undocumented in countries of destination, seeking assistance and standing up for their rights becomes so much more dangerous. **Migrant workers should be able to join trade unions and embassies must extend protection to all their citizens, irrespective of their documentation.**

Even for women workers who are not migrating out of their countries, it is the **absence of decent work that pushes them into precarious employment** because they simply do not have any viable opportunities to provide for themselves and their families.

Participants felt that governments in countries of origin only bother to address migrant workers' needs when their contribution to their home economy via remittances is substantial enough. **Decent work creation and the protection of women's rights has to begin at home** – countries of origin are disadvantaged in trying to push for the better treatment of their migrant workers abroad, when they don't respect workers' rights at home (for example, domestic work is not addressed in the national labour laws of many of the countries from which women migrate to find jobs in other countries as migrant domestic workers).

Just as the right to migrate should be based on choice, **the right to return should also be based on choice** – there has been discussion on voluntary and involuntary return at the policy level, yet policy makers don't often acknowledge that even when migrant women want to return, they may be unable to do so due to financial or social pressures. For example, the accumulation of overstay fees and insurance requirements can be prohibitive costs influencing the ability to return home.

(On Gender-Based Violence)

Gender-based violence (GBV) is “violence that is directed against a woman because she is a woman or [violence] that affects women disproportionately”. While men are also victims of GBV, **GBV is a near daily occurrence in the lives of women**, exacerbated by social, economic and cultural intersections. **Societal perceptions, social stigma and patriarchal norms** play a role not only in restricting women's mobility, choice and decision-making, but also influencing whether or not gender-based and sexual violence will go reported and if access to justice will be sought. Recent social movements such as #MeToo and #TimesUp have shown that women are able and willing to speak out on sexual violence when the threat of repercussions is removed.

Women workers have a disproportionate burden of shouldering gendered expectations of care – to them falls the responsibility of keeping families together, or upholding community values. By failing to include fathers as influences in family life, policy makers are doing a huge disservice to all workers. Women shared that by failing to provide social protection and public welfare access to all women workers, by requiring them to get permissions from their spouses prior to emigrating, or to take contraceptives before they can migrate, **women are actively prevented from exercising control over their own lives and bodies.** This is discriminatory and contrary to the international obligations that countries have made under the Convention on the Elimination of Discrimination Against Women.

When sharing information about the legislation passed in their countries on sexual violence and gender discrimination, participants noted that **laws and policies on sexual violence and gender-based discrimination will be useless unless they are implemented, and implemented in a way that is supportive of women.**

Looking at GBV in the workplace, **understanding violence in the workplace is complicated** in the absence of a proper or inclusive definition of “workplace”; Women's lived experiences from across

different sectors show that **violence at home and violence at work can conflate** - in the case of sex work, sex workers identify police and other state authorities as the topmost perpetrators of violence against women. Facing constant harassment and abuse, sex workers have nonetheless been able to collectivise using new technologies and mediums of communication. The **struggles of sex workers to gain recognition, access to justice and other rights, needs to be articulated in conversations about the informal labour market.**

On the discussions of the **ILO proposed instrument on violence and harassment in the world of work**, participants saw the Forum as a rare opportunity to have an inter-sectoral discussion to build solidarity and have an “umbrella view” articulation of proposals on the language of the instrument. In the initial reflections it was agreed that the **proposed Convention should recognise the full spectrum of workers, including informal sector and sex workers, and that structural violence should be reflected adequately.** It was agreed that GAATW-IS would address these issues in its statement and that more work would be needed across all movements to ensure that the final Convention is women and worker-centric and rights-based.

(On collectivising and building solidarity)

Identity, respect, and security in work are key aspects of decent work. The only way that workers’ rights deficits and violations will be addressed is if they have a representative voice in the community they live and work in. **Solidarity is crucial** in this respect as it increases the political power of workers. It was noted that collectivising is not limited to organising that challenges power asymmetries in employment relations, it should also be about situating these power dynamics in the political and economic contexts in which they occur.

It was also noted that in the context of GBV, it is the support networks that a woman has access to, that will best determine whether or not she will be able to escape violence. **Collectivisation and organising give women strength** and when these spaces are available, that’s when there is a possibility of women being able to come out of an abusive situation.

When discussing strategies and remedies on tackling GBV, the role of trade unions came up; it was noted positively that many trade unions have “women committees” that assist reporting and taking action on such matters. However, when it comes to actively campaigning against GBV in the workplace, many participants reflected upon the **power dynamics within trade unions; many trade unions are headed by men, and patriarchal values still dominate.** The issue of GBV within trade unions also needs to be addressed; creating **more spaces for women workers and worker education** is the first step.

While trade unions have been effective in collective bargaining for workers in the formal sector, participants **shattered the myth that workers in the informal sector cannot organise because they lack identity.** For women workers in the informal sector, organising does happen, usually in the form of workers’ collectives, cooperatives or workers’ organisations. In such scenarios, the best strategies involve workers collectivising to make their demands on the State, to receive a response on a specific concern. The key message is that **women workers do not need to be in small or big organisations to collectivise, to demand protection and respect for the work they do.** It was noted that in the move towards the ‘gig’ economy, workers will necessarily have to combine different jobs, employers and work identities; **with these multiple identities, trade unions will need to broaden their own understanding of unionising and collectivising.**

But **what about those women who are not trade union members**, either because of their workplace isolation or the legal restrictions placed on membership? Participants shared in particular the **precarious**

situation of migrant workers, especially migrant domestic workers, who not only work in isolated spaces and face daily difficulties in collectivising, but even when they do raise their voice, face the risk of deportation, detention and punishment. Different communities have different power and status which can create barriers to solidarity.

Participants shared creative examples of how women workers have got around legal restrictions on membership and participation. One of the ideas was to **build solidarity on issues that cut horizontally across work sectors and identities** (such as citizenship or class), to try to **create solidarity in different power situations** – for example, by focusing on all women’s rights to work and mobility in West Asian countries, all women, including migrant women workers involved in domestic work, would benefit.

The **importance of providing a ‘safe space’** – where workers can speak, discuss their own issues and come up with collective response – cannot be emphasised enough. Participants shared their experiences of providing such spaces in countries of destination for women migrant workers, and noted how such spaces have enabled women workers not only to **articulate their political voices and receive key legal information**, but also provide a **much needed space for recreation, and build friendships and social networks** – necessary aspects of the human experience.

Such **spaces are important not only for women migrant workers in countries of destination, but also for women workers in countries of origin**, because **no matter where women are, they are workers**. Both the women’s rights movement and workers’ rights movement have utilised these spaces very well within their own mandates; **we must deepen solidarity between different movements, across different countries and regions**.