



## NETWORK OF WOMEN PARLIAMENTARIANS OF THE AMERICAS

### DISCUSSION PAPER

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### THE IMPACTS OF MIGRATIONS ON WOMEN IN THE CONTEXT OF CONTINENTAL INTEGRATION

#### 1. Context

Only recently has the impact of continental integration on the phenomenon of migrations become a subject of research. Globalization and the expansion of the free market system have undoubtedly created pressures facilitating the South-to-North mobility of workers attracted by the employment opportunities and wages of the industrialized countries. The increase in internal migrations in developing countries can also be traced to globalization, since the creation of free trade areas and the establishment of new industries stimulated by the liberalization of investment regulations, has generated a considerable power of attraction on rural inhabitants.<sup>1</sup>

The problem of the impacts of migration on women in the context of economic integration appears to have been little studied by researchers,<sup>2</sup> and yet now fewer than 72% of the world's migrant workers are women.<sup>3</sup> In its second progress report, published in April 2001, the Special Rapporteurship on Migrant Workers and Their Families in the Hemisphere asserted that women represented 47.5% of migrants in the Americas.<sup>4</sup> Domestic service and the manufacturing

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<sup>1</sup> Peter Stalker, *Workers Without Frontiers. The Impact of Globalization on International Migration*, International Labour Office, Geneva, 2000, p. 72; Alan B. Simmons, "Mondialisation et migrations internationales: tendances, interrogations et modèles théoriques", *Cahiers québécois de démographie*, vol. 31, no. 1 (spring 2002), pp. 7-33; Zoraida Portillo, "Migration of Women is a Survival Strategy". Third World Network, [[www.twinside.org.sg/title/survival-cn.htm](http://www.twinside.org.sg/title/survival-cn.htm)], (page consulted August 4, 2003).

<sup>2</sup> Maria Thorin, *The Gender Dimension of Globalisation: A Review of the Literature with a Focus on Latin America and the Caribbean*. ECLAC, Chile, December 2001, p. 40.

<sup>3</sup> Women and the Economy-UN Platform for Action Committee, "Globalization and Migration", *Women and Globalization*, 2003, [[www.unpac.ca/economy/g\\_migration.html](http://www.unpac.ca/economy/g_migration.html)], (page consulted July 18, 2003).

<sup>4</sup> Inter-American Commission on Human Rights, *Second Progress Report of the Special Rapporteurship on Migrant Workers and Their Families in the Hemisphere*, April 16, 2001, [<http://www.cidh.oas.org/annualrep/2000eng/chap.6.htm>], (page consulted August 28, 2003).

industry are the main sectors of employment for women migrant workers. Migrant women are also the principal victims of human trafficking, which channels them on to prostitution.<sup>5</sup>

### 1.1. Main characteristics of the migratory phenomenon in the Americas

Migrations generally fall into one of three main categories: forced migrations, labour migrations, and family migrations. Forced migrations result from armed conflicts which compel populations to flee the violence that has engulfed their home area. Labour migrations, the type of migrations of special interest to us here today, are essentially of an economic nature and stem from the desire of individuals to seek better employment opportunities and improve their living conditions. Family migrations are, in a way, the companion not only of labour migrations but also of forced migrations. They are motivated by the desire or the need to unite families that have become separated through the emigration of one of their members. Thus, migration generally constitutes a survival strategy for people who seek to escape violence or find better living and working conditions.<sup>6</sup> The length of migrations may vary as well, with some being temporary, others seasonal, and still others permanent. There is also a range of legal categories covering immigrants: legal, illegal, asylum-seekers, and refugees.<sup>7</sup>

The migration of women in the Americas is, to a great extent, caused by the surplus of unspecialized female workers in home countries, which thus prompts women to seek better jobs abroad, primarily in other Latin American countries but also in the United States and Canada.<sup>8</sup>

However, a number of gender-related migratory trends have become increasingly observable: the ratio of males among migratory movements from Latin America en route for North America has been steadily rising, mainly as the result of the growing proportion of Mexicans among immigrants working in the United States. In contrast, the proportion of women in migratory movements between Latin American countries is on the rise. These phenomena are perhaps due to the characteristics of demand in certain employment sectors of receiving countries. Thus, there is reason to think that men from Mexico or Bolivia and Chile travel first to the United States and thereafter to Argentina owing to the demand for farm workers, whereas the majority of Colombian immigrants in Venezuela are women, given the greater labour force activity of females in the service sector, which includes domestic service. Other factors may, however, influence the ratio of men and women in migratory movements, such as the nature of migratory networks, or the importance of family reunification in motivating candidates for emigration.<sup>9</sup>

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<sup>5</sup> The subject of human trafficking will only be touched on in passing in this text. Owing to the complexity of the phenomenon, it deserves greater attention than is possible to devote to it in the context of this document.

<sup>6</sup> G. C. J. Van Kessel, "International Migration and the Summit of the Americas," Economic Commission on Latin American and the Caribbean, c. 2000, [<http://www.eclac.cl/celade/proyectos/migracion/VanKessel.doc>], (page consulted September 4, 2003), pp. 1-3.

<sup>7</sup> Executive Committee of the Network of Women Parliamentarians of the Americas, *The Impact of Migrations on Women in Latin America*, February 2003, p. 1.

<sup>8</sup> Dane Rowlands and Ann Weston, "Executive Summary," *Governance, Gender, Development Assistance and Migration. Report for Citizenship and Immigration Canada*. The North-South Institute, 1998, [<http://www.rcmvs.org/investigacion/governance.htm>], (page consulted September 5, 2003).

<sup>9</sup> ECLAC, *International Migration and Development in the Americas. Symposium on International Migration in the Americas, San José, Costa Rica, September 2000*, December 2001, [<http://www.eclac.org/publicaciones/Poblacion/2/LCL1632P!/LCL1632Pi.pdf>], (page consulted September 3, 2003), pp. 28-29.

Migrant workers represent a highly important source of income for their countries of origin and for the members of their family who have been left behind. According to the United Nations Population Division, the remittances of workers originating from Latin America and the Caribbean in 2000 totalled more than US\$17 billion.<sup>10</sup> By way of example, the remittances of Mexican workers in the United States in 2002 amounted to \$US 9.2 billion in 2002 and thus became the third-ranking source of foreign currency in the country, after oil and tourism.<sup>11</sup> Thus, in a way, migrations constitute a response to the problems of poverty-stricken societies.<sup>12</sup>

Receiving countries are confronted with a complex set of issues. To be sure, immigration provides a response to demographic needs and labour force requirements.<sup>13</sup> However, security needs, accompanied by increasing rejection of immigrants among receiving populations have prompted these host countries to revise their immigration policies. Admissions criteria have become increasingly stringent, to the disadvantage of low-skilled immigrant workers. This situation has thus triggered a decline in real migratory movements and increased pressure at borders and control points.<sup>14</sup> It may also contribute to the rise in immigrant smuggling and human trafficking.<sup>15</sup>

It is also important to mention that studying the phenomenon of migrations is an arduous task because of the scale of immigrant smuggling, in connection with which data are incomplete and full-fledged analyses few and far between.

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<sup>10</sup> United Nations Population Division, "Latin America and the Caribbean," *International Migration Report 2002*, 2002, [<http://www.un.org/esa/population/publications/ittmig2002/locations/mainframeregions.htm>], (page consulted August 28, 2003).

<sup>11</sup> Inter-American Commission on Human Rights, *Fourth Progress Report of the Rapporteurship on Migrant Workers and their Families*, 2002, [<http://www.cidh.org/annualrep/2002eng/chap.6.htm>], (page consulted August 19, 2003).

<sup>12</sup> Dane Rowlands, loc. cit.

<sup>13</sup> At this time, close to one of every 10 inhabitants of the developed countries is an immigrant, according to the United Nations International Migration Report 2002, quoted from in UNESCO, "United Nations Convention on Migrant Workers' Rights enters into force", *Press Release*, June 27, 2003, [[http://portal.unesco.org/en/ev.php@URL\\_ID=13200&URL\\_DO=DO\\_PRINTPAGE&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php@URL_ID=13200&URL_DO=DO_PRINTPAGE&URL_SECTION=201.html)], (page consulted September 3, 2003).

<sup>14</sup> Alan B. Simmons, loc. cit., p. 17.

<sup>15</sup> Ibid; G. C. J. Van Kessel, loc. cit., p. 3.

## 1.2. The rule of international law respecting the protection of migrants

Several international agreements have conferred rights on male and female migrants and provided these people with protections against violence and discrimination. The most recent of these conventions, the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, entered into force on July 1, 2003. At this time, this convention is the international treaty that provides the fullest protection to the rights of migrants and their families. It defines international norms respecting the treatment, living conditions, and rights of these workers, regardless of their status. It also sets out the obligations and responsibilities of receiving countries.<sup>16</sup> However, of the 22 countries that have ratified this agreement, none rank among the main host countries of immigration. This convention was nevertheless ratified by several Latin American States, including: Colombia, Mexico, Bolivia, Uruguay, Belize, Ecuador, El Salvador, and Guatemala (by order of ratification).<sup>17</sup> The protection of migrant workers is also covered by various conventions administered by the International Labour Organization (ILO) that are designed to fight job discrimination and promote pay equity, such as the *Discrimination (Employment and Occupation) Convention* and the *Equality of Treatment (Social Security) Convention*, as well as the United Nations *International Convention on the Elimination of All Forms of Racial Discrimination*. The latter convention, which entered into force in 1969, is aimed at establishing not only legal equality but also de facto equality such that various ethnic or national groups may benefit from the same degree of social development. It is the first human rights protection instrument that appeals to States to enact the measures required to ensure the development of certain ethnic groups.<sup>18</sup>

Other conventions apply more specifically to women and hence concern migrant women—namely, the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) and the *Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women*. The first convention, adopted in 1979, provides a definition of discrimination against women and includes a series of measures designed to eliminate this phenomenon. It protects the basic rights of women and, in particular, guarantees equal employment opportunity. The States that have ratified this convention have also committed to taking all appropriate measures to combat the trafficking and sexual slavery of women.<sup>19</sup> The second convention, adopted following petitioning by the Inter-American Commission of Women (CIM), not only recognizes that violence against women constitutes a violation of human rights, but also defines the forms of violence affecting women in both the private and public spheres. The convention has been adopted or ratified by 30 countries.<sup>20</sup>

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<sup>16</sup> Amnesty International, “The Migrants Rights Convention,” *Refugees have rights*, July 1, 2003, [<http://web.amnesty.org/pages/refugees-010703-news-eng>], (page consulted September 3, 2003).

<sup>17</sup> UNESCO, loc. cit.

<sup>18</sup> United Nations, *International Convention on the Elimination of All Forms of Racial Discrimination*, [<http://untreaty.un.org/English/TreatyEvent2001/6.htm>], (page consulted August 20, 2003).

<sup>19</sup> United Nations, Division for the Advancement of Women, “Convention on the Elimination of All Forms of Discrimination against Women”, *Women Watch*, [<http://www.un.org/womenwatch/daw/cedaw>], (page consulted August 20, 2003).

<sup>20</sup> Inter-American Commission on Women, “Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women- 1994”, *History of CIM*, 2000, [<http://www.oas.org/cim/English/History8.htm>], (page consulted September 3, 2003).

### 1.3. The Main Initiatives in the Americas in regard to Migration

In 1997, significant growth in the migratory phenomenon in the hemisphere led the Inter-American Commission on Human Rights (IACHR), following a resolution adopted by the General Assembly of the Organization of American States (OAS), to name a Special Rapporteurship on Migrant Workers and Their Families. In particular, the Rapporteurship was mandated to examine this phenomenon in order to identify both the long-term trends as well as the forms of abuse of which migrant workers are the victims. It presents recommendations to States concerning the protection and promotion of migrant workers' rights and publishes reports and studies on the subject. For example, the Rapporteurship collaborated with the Villanova University School of Law on a comparative study of migratory law.<sup>21</sup>

The States that take part in the Summit of the Americas process also studied this issue during the summits of Santiago (1998) and Québec (2001). In 1998, the Heads of State of the Americas committed to raising the awareness of their citizens regarding the abuse and discrimination endured by migrant workers. They also agreed to grant migrant workers the same working conditions as those from which their citizens benefit and to combat the abuses committed against migrant workers by employers and border and immigration authorities. In 2001, they expressed their desire to increase cooperation, particularly in regard to human trafficking. They also agreed to implement an Inter-American Program for the Promotion and Protection of the Human Rights of Migrant Workers.<sup>22</sup>

In addition, the migration issue led to the creation of the Regional Conference on Migration, a multilateral forum that brings together 11 States of the Americas.<sup>23</sup> The Conference is also known as the "Puebla Process," from the name of the Mexican city in which the forum's first meeting was held in 1996. The Conference has three main objectives: the protection of and respect for the rights of migrants regardless of their status; the promotion of an "orderly and secure migration"<sup>24</sup>; and dialogue and cooperation between countries, including the active participation of civil society. The Conference adopted an action plan that was organized around three main themes: migration policies and management; human rights; and migration and development.<sup>25</sup> In May 2003, the participants agreed that the Puebla Process should continue

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<sup>21</sup> Inter-American Commission on Human Rights, *Fourth Progress Report of the Rapporteurship*, op. cit.

<sup>22</sup> Isabelle, Laroche, "The Inter-American Human Rights System and the Protection of the Rights of Migrants," *December 18*, August 2001, [<http://www.december18.net/OAS.htm>], (page consulted September 3, 2003).

<sup>23</sup> The 11 participating States are: Belize, Canada, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, and the United States.

<sup>24</sup> The expression "orderly and secure migration" refers to immigrant reception measures, to the promotion of legal immigration, and to rules regarding removal of immigrants to their countries of origin.

<sup>25</sup> Regional Conference on Migration (RCM), *The Regional Conference on Migration (RCM) In Brief: what it is, what it has done*, May 2003, [[http://www.rcmvs.org/CRM\\_en\\_breve\\_v03JuL-Eng.doc](http://www.rcmvs.org/CRM_en_breve_v03JuL-Eng.doc)], (September 3, 2003), p. 4.

to: serve as a formal basis for discussions on protecting the rights of migrants; intensify cooperation in the fight against human trafficking; and reinforce coordination between authorities so as to guarantee a safe and dignified repatriation of migrants.<sup>26</sup>

## 2. Issues for Women

Migration has significant effects not only on the women who actually migrate but also on the women who remain in their country—that is, those who do not themselves migrate but are affected by migration because their partners, parents or members of their community have left their country to work elsewhere.

### 2.1. Migrant Women

Migration can have quite positive effects on women who undertake to leave their country to find a better life elsewhere. It can provide them with work experience and economic independence as well as training possibilities that can free them from the roles they are traditionally assigned. Consequently, it can give them greater control over their lives.<sup>27</sup> They find in this experience a source of empowerment.

Unfortunately, migrant women are more often victims of dual discrimination: as foreigners and as women. This situation is aggravated by their often uncertain legal status. They are thus more vulnerable to physical, sexual, and verbal abuse. They are also more likely to be victims of human trafficking, which enslaves women and children for forced work or the sex trade. The number of criminal groups performing human trafficking has been increasing.<sup>28</sup>

Their working conditions are often worse than those stipulated in national standards, particularly when they have emigrated illegally, but also because of the employment sectors in which they work, especially the informal sector, which has been growing in the region following industry restructuring. They find themselves marginalized, victims of discrimination in terms of jobs, pay, and the social safety net, in disregard for their basic rights. They are often exploited and subject

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<sup>26</sup> The Declaration of the Eighth Meeting of the Regional Conference on Migration notably made reference to voluntary repatriation as well as repatriation of victims of human trafficking and to repatriation of illegal migrants. Regional Conference on Migration, “Declaration,” *Cancun*, May 2003, [<http://www.rcmvs.org/8a.htm>], (page consulted September 10, 2003); Canadian Foundation for the Americas, “Meeting of the Regional Consultation Group on Migration (RCGM) and Eighth Regional Conference on Migration (RCM) – May 24 to 31, 2003,” *FOCAL Activities*, [[http://www.focal.ca/english/2003\\_events/may03.htm](http://www.focal.ca/english/2003_events/may03.htm)] (page reference updated November 9, 2003 by Translator).

<sup>27</sup> International Organization for Migration, “Gender and Migration Factsheet,” *International Organization for Migration*, [[http://www.iom.int/DOCUMENTS/PUBLICATION/EN/GIC\\_Factsheetscreen.pdf](http://www.iom.int/DOCUMENTS/PUBLICATION/EN/GIC_Factsheetscreen.pdf)], (August 5, 2003), 2; David P. Lindstrom and Sylvia Giorguli Saucedo, “The Short- and Long-term Effects of U.S. Migration Experience on Mexican Women’s Fertility,” *Social Forces*, vol. 80, no. 4 (June 2002), pp. 1341-1368.

<sup>28</sup> International Organization for Migration, *loc. cit.*, 2; Inter-American Commission on Human Rights, *Second Progress Report of the Special Rapporteurship*, *op. cit.*; *id.*, *Fourth Progress Report of the Rapporteurship*, *op. cit.*

to intimidation and violence by both employers and authorities.<sup>29</sup> Sometimes unaware of their rights and the legal recourses available to them, constrained by their marital status or their status as illegal immigrants, and confronted by discrimination on the part of authorities, women manage only with great difficulty to gain access to the judicial system so as to ensure respect for their rights.<sup>30</sup>

In addition, migration can cause a break in family bonds. The psychological impact of migration can be pronounced and may provoke a profound sense of insecurity in migrant women who have left their partners and children behind them. The risk of a marriage break-up is higher among couples separated by the migration of the wife. Prolonged absences complicate the return to the home country, as the members of their family have adapted to the absence of these women in the time since their departure.<sup>31</sup> As well, for women who emigrated with their partner, the return to the home country may also mean a return to constraining traditional values.

## 2.2. Women Who Remain in Their Country

Like the women who are members of communities among which emigration is commonplace, women who remain in their country but whose partner or parent has emigrated are also affected by the migratory phenomenon.

The partners and family members of an emigrant benefit from the funds that this individual sends back to them. These funds are a significant supplement to household income. Furthermore, some communities have established networks with emigrants living abroad and use these remittances for infrastructure projects or community services that benefit the entire community.<sup>32</sup>

In some cases, migration of the partner can reinforce traditional family values. Thus, the additional income from the partner's work abroad reduces the need for the wife to work outside the home. The migration of men can thus act as a conservative force that reinforces patriarchal

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<sup>29</sup> Dane Rowlands, *loc. cit.*; International Organization for Migration, *loc. cit.* 2; Ivonne H. Farah and G. Carmen Sanchez, "Conclusions and Recommendations," *Bolivia: An Assessment of the International Labour Situation. The Case of Female Labour Migrants*, ILO, Geneva, c. 2001, [<http://www.ilo.org/public/english/employment/gems/download/swmbol.pdf>], (page consulted September 10, 2003), 55–58; Inter-American Commission on Human Rights, *Fourth Progress Report of the Rapporteurship*, *op. cit.*

<sup>30</sup> Ana Isabel Garcia *et al.* "Conclusions and Recommendations," *Costa Rica: Female Labour Migrants and Trafficking in Women and Children*, ILO, Geneva, c. 2001, [<http://www.ilo.org/public/english/employment/gems/download/swmcos.pdf>], (page consulted September 10, 2003), 64–68; Almachiara D'Angelo and Myra Pasos Marciacq, "Conclusions and Recommendations," *Nicaragua: Protecting Female Labour Migrants from Exploitative Working Conditions and Trafficking*, ILO, Geneva, c. 2001, [<http://www.ilo.org/public/english/employment/gems/download/swmnic.pdf>], (page consulted September 10, 2003), pp. 44-49; International Organization for Migration, *loc. cit.*, 2.

<sup>31</sup> Almachiara D'Angelo, *loc. cit.*, 45.

<sup>32</sup> Manuel Orozco, "The Impact of Migration in the Caribbean and Central American Region," FOCAL, March 2003, [<http://www.focal.ca/images/pdf/migration.pdf>], (page consulted September 5, 2003), p. 5.

culture and traditional gender roles. This situation tends to increase the husband's and father's authority within the family.<sup>33</sup>

Migration can, however, have the opposite effect on the local culture. In a community marked by a long history of migration, social standards may change. Female migrant workers who return to their community influence the behaviour of other women. In certain communities in Mexico, for example, this phenomenon results in a reduction in the birth rate due to the spread of family planning.<sup>34</sup>

### 3. Conclusion

Little data and few analyses are available on the subject of the effects of migration on women, particularly in the context of continental integration. With the exception of the issue of human trafficking, it is a largely untapped area of research. Gender-based data and additional studies will no doubt be required to measure the true impact of this phenomenon on the women of the Americas. Nonetheless, this document presents an overview of this complex and, altogether little-known reality. Its objective is to provoke reflection with a view to developing the strategy which, in the view of the members of the **Network of Women Parliamentarians of the Americas**, seems best suited to adequately defending the interests of populations (in general) and women (in particular) that must deal with this phenomenon in the context of the integration of the Americas.

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<sup>33</sup> David P. Lindstrom, *loc. cit.*; Dan Baum, "Coming to America Part Three: The Women They Leave Behind (Mexican Women Wait for Return of Their Migrant Worker Husbands)," *Rolling Stone* (April 11, 2002), pp. 62-64, 142.

<sup>34</sup> David P. Lindstrom, *loc. cit.*