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MIGRANT WOMEN AND GENDER VIOLENCE



Strategies and perspectives for interventions

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Presentation

Gender-based violence is one of the most serious violations of human rights, particularly affecting the right to comprehensive health and personal development and, in extreme cases, the right to life.

Being a migrant can accentuate women's vulnerability and exposure to situations of gender-based violence. The limited network of social or family support, a cultural context different from their own in which they are victims of discrimination, and structural inequalities – sustained by gender, class, age, ethnic, national and linguistic patterns – converge as a larger violation of their rights and as greater difficulties in accessing public services that assist in and prevent gender-based violence.

This poses the challenge of including the particular aspects of migration in the approach taken by action aimed at eradicating violence and promoting the effective fulfillment of women's rights. Within this context, the International Organization for Migration (IOM) in Argentina implemented the project Promoting Human Rights of Migrants from a Gender Perspective, with the support of the IOM Development Fund and in partnership with the Under-Secretariat of Social Advancement, from the Ministry for Social Development of the Government of the City of Buenos Aires.

IOM has a long history in the defense and protection of migrant's human rights, and the Under-Secretariat of Social Advancement, for its part, has an extensive background in implementing policies for the defense of women's human rights.

This material is the result of constructive and articulated work between the two parties, with the aim of furthering knowledge about the issue of migration and gender-based violence and providing tools for including a perspective of gender, inter-culturality and human rights in the social interventions with migrant women. This manual is an adaptation of the material produced as a supporting tool for the training activities that were part of the aforesaid project, directed at public servants in the Under-Secretariat of Social Advancement.

This new version, adapted and translated into English, hopes to provide a contribution to the valuable work carried out by of the employees of both government bodies and civil society organizations that are committed to promoting migrant women's rights.

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Introduction

This material addresses social interventions with migrant women in the field of gender-based violence.

It has been adapted and translated into English from an original manual produced as a supporting tool for the training stages of the Promoting Human Rights of Migrants from a Gender Perspective project. Although the training workshops were aimed at public servants from the Government of the City of Buenos Aires involved in assisting women in situations of violence, this material has been adapted to allow it to be applied in other contexts, by both public servants and representatives from civil society organizations or other institutions.

This manual can be used as a reference tool, as well as a practical instrument for training workshops. Its content covers a theoretical and conceptual development of the topics and provides a series of exercises for group work in different learning activities.

The purpose of the book is to provide the tools necessary for including a perspective of gender, human rights and inter-culturality in social interventions with migrant women in situations of violence. This cross-cutting perspective strengthens the effective access and exercise of migrant women's rights.

Content of the training material

The material is structured into four modules:

- **Module 1: Background and context in which the training material was produced**
- **Module 2: Gender-based violence as a violation of human rights**
- **Module 3: Migration processes: as seen from a gender perspective**
- **Module 4: Intervention with migrant women: synergizing human rights, gender and inter-culturality perspectives.**

On the methodology of the training material

This material is part of a pedagogical proposal that attempts to contribute to the production of knowledge by going over the previous knowledge and experiences of the work teams at which it is aimed.

Didactic sequences that value their experience and aim to optimize and prioritize their job will therefore be proposed. Thus, the material has three purposes: firstly, to develop specific content to reinforce and complement the knowledge the teams have on the issue; secondly, to encourage reflection on the issues explored in the material; and thirdly, to provide supporting tools that teams can use in their training and teaching activities directed to different community groups and populations.

Module 1 is an introduction to the training material that puts its production into context by depicting the project it forms part of and portraying migration issues in Argentina.

The three following modules are organized according to the same structure. Each one starts by listing the learning goals and a brief summary of the contents to be covered. After that, the below methodological sequence will be followed:



THE ACTIVITIES APPLYING THE CONTENT TO JOB PRACTICES DONE BY TEAMS WILL BE COMPRISED OF THREE TYPES OF ACTIVITIES:

1. Recognizing: Activities reviewing their own visions about the issue addressed in the module. These activities attempt to encourage questions about the ways of perceiving the issue, about bringing these perceptions into line with the conceptual and regulatory frameworks developed in the chapter and the possibility of redefining their own views based on the content supplied by the module.

2. Engaging: Reflection activities about the teams' job practices. These activities are designed to open up discussions within the teams, which bring in different knowledge, interdisciplinary dialogue and suggestions for agreed guidelines and initiatives that would enrich job practices. Group discussion is encouraged in relation to the specific ways in which the teams address the issue analysed in the module, the successes, difficulties, obstacles and aids of these approaches, as well as the challenges that may arise based on reading the module.

3. Mobilizing: Planning activities for action aimed at the population the teams work with

In these activities, work teams are encouraged to design specific intervention strategies linked to gender-based violence and migration. In order to do so, a didactic sequence will be suggested, one that allows for a diagnosis of the situation to be produced, the issues and topics addressed to be defined, specific intervention proposals and some supporting material for those proposals to be planned.

We hope this material contributes to strengthening and optimizing both the training and intervention strategies of those who read it. We hope it is a contribution for identifying, de-naturaliz-

ing and revising views on the migrant population in general and on migrant women in particular, as well as for consolidating intervention practices grounded in the principles of equality and non-discrimination, in which migrant women are considered subjects entitled to the full enjoyment of their rights.



Module 1

*

BACKGROUND & CONTEXT IN WHICH THE TRAINING MATERIAL WAS PRODUCED

THE PURPOSE OF THIS MODULE IS: ● TO CHARACTERIZE THE PROJECT FOR WHICH THIS TRAINING MATERIAL WAS PRODUCED ● TO DESCRIBE THE CONTEXT IN WHICH THE PROJECT WAS IMPLEMENTED, WITH A BRIEF ANALYSIS OF THE MIGRATION PROCESSES IN ARGENTINA, THE CURRENT REGULATORY FRAMEWORK, THE CURRENT SOCIO-DEMOGRAPHIC SITUATION OF MIGRANT WOMEN AND THE QUALITY OF THEIR ACCESS TO SOCIAL RIGHTS..

A. CHARACTERIZATION OF THE INITIAL PROJECT

This material has been produced as part of the project Promoting Human Rights of Migrants from a Gender Perspective, carried out by the International Organization for Migration (IOM) in Argentina with the support of the IOM Development Fund and in partnership with the Under-Secretariat of Social Advancement (Subsecretaría de Promoción Social, SPS), from the Ministry for Social Development of the Government of the City of Buenos Aires.

The main goal of the project was to strengthen the partner's institutional capacity and to further its knowledge about migration issues and gender-based violence, in order to foster the fulfilment of the migrant population's human rights, particularly those of women who are victims of gender-violence. The project's activities were organized around the following components:

- 1.** The first involved preparing a diagnostic study on the situation of migrant women in the city of Buenos Aires regarding the barriers and aids for them to access assistance services provided by the different areas of the SPS for victims of gender-based violence. The document gathered the stories and experiences of both the beneficiaries of those services and the work teams responsible for providing assistance, in order to identify difficulties in access and also good practices within the SPS. The study concluded with recommendations for strengthening the interventions and promoting the fulfilment of migrant women's rights. It is undoubtedly a valuable tool that enables the partner to have a diagnosis of the situation upon which they can base their public policies aimed at optimizing support and improving migrant women's access to services.

- 2.** Taking the results and conclusions of the study as a frame of reference, training material on migration and gender was developed for the second component and workshops on the issue were held, mainly for the work teams from the General Directorate for Women's Issues (Dirección General de la Mujer, DGM), an area of the SPS.

The Manual: "Migrant Women and Gender-Based Violence. Contributions for reflection and intervention" (Las mujeres migrantes y la violencia de género. Aportes para la reflexión y la intervención) is the main supporting material used in these workshops¹. It was produced in a collaborative process with the participation of the DGM and other areas of the SPS, particularly from the programme TODAS². The view and experience of the work teams were thereby taken into account, adapting the content of the material to the institutional needs and capacities of the partner. Moreover, this working methodology has fostered the principle of the beneficiaries

¹ The publication is available in the IOM Argentina web site: <http://argentina.iom.int/co/publicaciones-argentina>. You can also download the booklet: "Migrant Women and Gender-Based Violence. Notes to work on the advancement of rights" (Las mujeres migrantes y la violencia de género. Apuntes para trabajar en la promoción de derechos), specifically produced for a workshop directed at representatives of civil society organizations.

² The TODAS Programme is an area of the DGM aimed at advancing migrant women's rights through awareness-raising and training activities.

appropriating the project, lending greater legitimacy to the actions that were implemented. This publication is an adaptation and translation of the aforesaid training manual, so it can be applied as a tool for public servants and representatives of civil society organizations and other bodies involved in processes of intervention with migrant women who are in situations of violence.

3. The third component of the project entailed carrying out an awareness-raising campaign on migrants' rights and gender-based violence that was comprised by different graphic and audiovisual pieces, including the publication of a Guide to Rights and Resources for migrant women who live in or access the services available in the city of Buenos Aires.

This campaign aimed to raise awareness about the rights for migrant people that were established by the National Migration Law 25.871 and also provided information on the various institutional resources that exist to defend and protect them. As it will be discussed in the following sections, Argentina has a body of law and regulations that protect the rights of migrant people; however, a high lack of awareness about those rights still prevails among the public and the migrant population itself, which often leads to them being violated and breached.

The action carried out in the context of this project has contributed to strengthening and consolidating processes of intervention with migrant women based on the principles of non-discrimination and equality within the Under Secretariat of Social Advancement, thereby promoting the full exercise of their rights.

The following sections will describe the migration processes in Argentina, as well as the regulatory framework for the protection of migrants and women, the prevailing difficulties for accessing their rights; the relevance and scope of this project action will be placed in context.

A. CONTEXT IN WHICH THE PROJECT WAS IMPLEMENTED

Migration processes in Argentina

Argentina has historically been a receiving country for the most varied migratory flows, although the process of emigration since 1960 is also significant. Since its foundation as Nation State at the beginning of the nineteenth century until today, European, Latin American, African and Asian flows have come together in its land.

Large groups of Italian, Spanish, French and people of other nationalities arrived in the country between the mid-nineteenth century and the first decades of the twentieth century, attracted by the terms offered by policies to encourage immigration. These policies were thought up by the ruling class at the time as a strategy to build the foundations of the new Argentine State. Hence, in 1914, European migration represented almost 30 per cent of the total population of the country (see Table 1). From then on, that type of migration began to decrease and had lost strength by the end of the Second World War.

Table 1: Population born abroad and population born in non-neighbouring countries on different census dates.
Total for the country, 1869-2010

Year	Total Population	Foreign Population	Per cent of foreign population	Foreign population from non-bordering countries	Per cent of foreign population born in non-bordering countries	Foreign population from bordering countries	Per cent of foreign population born in bordering countries
1869	1.737.076	210.189	12,1%	168.97	9,7 %	41.36	2,4 %
1895	3.954.911	1.004.527	25,2 %	890.946	22,3 %	115.892	2,9 %
1914	7.885.237	2.357.952	29,9 %	2.184.469	27,3 %	206.701	2,6 %
1947	15.893.827	2.435.927	15,3 %	2.122.663	13,3 %	313.264	2,0 %
1960	20.010.539	2.604.447	13,0 %	2.137.187	10,7 %	467.26	2,3 %
1970	23.390.050	2.210.400	9,5 %	1.676.550	7,2 %	533.85	2,3 %
1980	27.947.447	1.912.217	6,8 %	1.149.731	4,1 %	753.428	2,7 %
1991	32.615.528	1.628.210	5,0 %	811.032	2,4 %	817.428	2,6 %
2001	36.260.130	1.531.940	4,2 %	608.695	1,6 %	923.215	2,6 %
2010	40.117.096	1.805.957	4,5 %	560.903	1,4 %	1.245.054	3,1 %

Source: INDEC, 2010 National Population, Family and Housing Census (Censo Nacional de Población, Familia y Viviendas 2010).

Latin American immigration has been present since the country was created – as seen in Table 1 – but it was overlooked for decades as those migrants arrived by land and stayed temporarily, related to the need for a work force in the rural regional economies. Since 1960, with the process of urbanization and movement to and long-term settlement in cities (at the same time the European migration flows became virtually extinct), migration from neighbouring countries became more visible and began to occupy a place in the public agenda, if only in terms of being a “problem”. Unlike European migration, which was sought to be attracted due to its presumed usefulness, migration from neighbouring countries was considered to be undesirable, troublesome and valueless. Evidence of that can be seen in the passing of the General Migration and Promotion of Immigration Law No. 22.439 – in 1981 and in the context of a civil-military dictatorship –, which was of a highly restrictive and repressive nature.

In spite of that legislation, so unfavourable for inter-regional migration, the migration flows from neighbouring countries did not stop, but rather remained stable. At the peak of neo-liberalism in the 1990s, the comparative economic advantages and employment opportunities in the Argentine market – although informal in nature –, were two attracting factors for migration in the region. Even if no increase was reported, changes regarding its composition took place in that decade: not only because the Paraguayan and Bolivian communities consolidated their place as the largest migrant populations in Argentina, along with the Chilean and Peruvian communities – the latter having started migrating in the 1980s –, but also because the proportion of women in migratory flows increased, giving rise to the phenomenon known as the feminization of migration flows (see Table 2).

Table 2: Evolution of masculinity ratio according to country of origin³

	1960	1980	1991	2001	2010
Bolivia	149,3	125,4	107,3	101,3	98,7
Brazil	94,0	85,5	77,3	71,8	72,9
Chile	151,9	114,6	99,9	91,7	87,1
Paraguay	101,8	85,6	78,7	73,5	79,7
Uruguay	85,9	95,2	95,2	92,5	90,8
Peru	s/d	197,9	146	68,5	81,9
Total	117,5	117,6	100,7	83	86,0

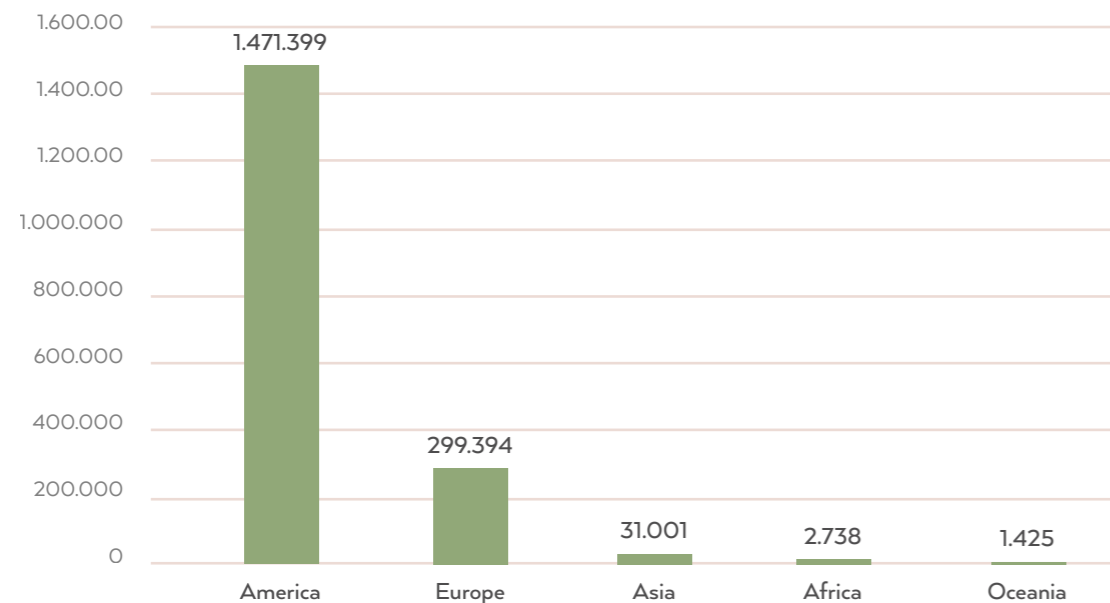
Source: Tabulated by Pacecca (2013) based on the National Population Censuses.

It is important to mention that the regional migration into Argentina has remained steady between 1869 and 2010, ranging from 2 to 3 per cent of the total population of the country (as shown in Table 1). This clashes with the negative perception of this population that is noticed in some discourses, which show it as being a recent, massive and uncontrolled migration.

According to data from the last National Census in 2010, the foreign population of Argentina is currently 1,805,957 people, which means a 4.5 per cent of the total population (40,117,096 people). The next graph shows the distribution according to place of origin.

³ The masculinity ratio, also called the sex ratio is a demographic index expressing the ratio of males to females in a specific territory. It is expressed as the number of males per 100 women.

Graphic 1: Population born abroad residing in Argentina, in absolute numbers, 2010



Source: INDEC, 2010 National Population, Family and Housing Census (Censo Nacional de Población, Familia y Viviendas 2010).

The population born in neighbouring countries and Peru is 1,245,054, that is, 3.1 per cent of the total population. The Paraguayan and Bolivian communities are the largest, and the high amount of Peruvian migration between 2000 and 2010 is also particularly noteworthy.

Socio-demographic description of migrant women

According to the 2010 National Census, 53.9 per cent of the migrant population living in Argentina are women. Latin American migration represents the highest proportion of women, with the Brazilian, Paraguayan and Peruvian communities being the most feminized. The respective masculinity ratios are 72.8 per cent, 79.7 per cent and 81.8 per cent, as stated by the 2010 National Census. With regard to migration from Bolivia, although the share of women has been increasing since 1980 to date, it is still a family group migration, unlike the Paraguayan and Peruvian migration flows. There is a significant number of women heads of household in these groups, who have migrated by themselves, often leaving their children in their country of origin and thus beginning “long distance motherhood” (Serie de Documentos de la Dirección Nacional de Población No. 2, 2009).

In line with what happens regarding migration in general, there is a predominance of migrant women of active age – between 15 and 64 years old –, which seems to show that the search for better employment opportunities is a core motive in the decision to migrate. Latin American women are most prevalent in this age group; on the other hand, European migrants represent the biggest proportion in the 65 or more age group.

According to the 2010 National Census, 74 per cent of foreign women of all ages are concentrated in the city of Buenos Aires and the surrounding areas.

With regard to working conditions, the high levels of informal labour among migration from neighbouring countries and Peru stand out, and among women in particular (IOM, 2012b). Domestic service is the area of activity where most migrant women work, especially those from Paraguay and Peru, along with the care of children and the elderly. We should also point out Bolivian women’s presence in activities linked to trade and street selling.

As far as education is concerned, the information provided by the National Population Office (Dirección Nacional de Población) through the Survey on Migration, Fertility and Family (2011), suggests that within the universe of Bolivian, Peruvian and Paraguayan women between 18 and 49 years old that was taken into account in this study, Peruvian women are the ones who have the highest level of education. On the other hand, women coming from neighbouring countries, except Uruguay, have a lower average level than that of the total Argentine population.

Regarding access to healthcare systems, data from the 2011 Survey on Migration, Fertility and Family suggests that women from Bolivia, Peru and Paraguay mainly use public health services. Few of the women have access to private healthcare plans (Serie de Documentos de la Dirección Nacional de Población No. 2, 2009), which is related to the fact that most of them enter the informal labour market. An interesting finding from that Survey indicates that more than 90 per cent of the women interviewed had not received information on their right to healthcare.

In relation to sexual and reproductive health, several studies indicate that migrant women, compared with Argentine-born women, have more unplanned pregnancies, use contraception methods less and are less likely to go for screening and checks up (UNFPA, 2006 in Cerrutti, 2010 and Serie de Documentos de la Dirección Nacional de Población No. 5, 2011). In the case of Bolivian women in particular, UNFPA (2011) cites a high rate of cervical cancer, a higher frequency of unplanned adolescent pregnancies and sexual abuse.

Identifying and quantifying the situations of gender-based violence experienced by migrant women is a hard-to-register phenomenon. One way of approaching the issue is to analyse information relating to the consultations made by migrant women at gender-based violence services. In Argentina, 27 per cent of all cases dealt with by the Office of Domestic Violence (Oficina de Violencia Doméstica) in the Supreme Court of Justice in the 2012-2013 period involved migrant women, mainly from Bolivia, Paraguay, Peru and Colombia (IOM, 2014b). In the city of Buenos Aires, from 2006 until September 2013 the DGM assisted more than 25,000 women who were victims of violence, of whom approximately 6,000 women were migrants, that is, almost 24 per cent of the total population that was assisted. The amount of migrant women seen to has

increased over the last few years: in 2006 they represented 19.4 per cent of the total population of women assisted and 25.5 per cent in 2013. Most of the migrants come from Paraguay, Bolivia and Peru (IOM, 2014a).

The regulatory framework regarding migration and gender-based violence in Argentina

Since 2004, Argentina has had legislation guaranteeing the human right to migrate. In effect, the National Migration Law 25.871 set a new paradigm in migration policy, ensuring that migrant people have equal access to rights, regardless of whether their migration status is regular or not.

In sharp contrast to the previous law, the National Law No. 25.871 recognizes and ensures:

- **The right to migration**
- **The right to family reunification**
- **treatment to the foreign population and equal access to rights, with the same conditions of protection that are enjoyed by the national population**
- **The right to primary, secondary, tertiary or university education, in public or private institutions, regardless of their migration status**
- **The right to health, social assistance or healthcare notwithstanding the migration status**
- **The right to due process in case of detention or expulsion**

Furthermore, in acknowledgment of the importance of Latin American migration to the country, the Law facilitates the process for migrants from MERCOSUR and Associated Countries to obtain their residence documents that were embodied by policies for regularizing migrant documentation.

What is more, Argentina incorporated the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the United Nations in 1990, into its national legal framework in 2007.

Regarding the regulatory framework on gender-based violence, through the constitutional reform of 1994, Argentina has given constitutional status to various international treaties and conventions on human rights, including the Convention on the Elimination of All Forms of Discrimination against Women (1979), the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (1994) and the International Conference on Population and Development (1994).

In 2009, the National Law No. 26.485 on Comprehensive Protection for the Prevention, Punishment and Eradication of Violence against Women in the Areas in which they develop their interpersonal relations was passed. This standard defines the following as violence against women: “any behaviour, act or omission, which either directly or indirectly, both in the public and private spheres, based on an unequal relationship of power, affects their lives, freedom, dignity, physical, psychological, sexual, economic or patrimonial integrity, as well as their personal safety . This also includes those committed by the State or its agents. Indirect violence is any behaviour, act, omission, provision, criteria or discriminatory practice that puts women in a disadvantaged position compared to men”. Moreover, it defines the different types and modalities of violence. The types of violence recognized include: physical, psychological, sexual, economic and patrimonial and symbolic. The modalities of violence under the Law are: domestic, institutional, labour, against reproductive freedom, obstetric and media. As such, the legislation presents a comprehensive understanding of violence, which protects women from a wide variety of situations of discrimination and rights violations.

A series of national laws committed to different aspects of gender equality should also be added to this specific legislation on gender-based violence. They include acts on equal treatment and opportunities, protection of sexual and reproductive rights, same-sex marriage and gender identity.

To conclude, Argentina has a regulatory framework that protects the rights of migrant women, and is a key tool for helping their full, effective social inclusion, free from discrimination and violence.

Migrant women and access to rights: between discrimination and the full enjoyment of citizenship

Having a regulatory framework based on the principles of equality and universality undoubtedly contributes to migrants’ access to rights. However, in order to ensure that access, it is also necessary to have public policies that make those rights effective and mechanisms that monitor their fulfilment and make strategies for enforcing them visible should they be breached.

Various studies have determined the existence of some difficulties that block access to social rights by the migrant population in general and migrant women in particular. These difficulties can be split into two broad categories: barriers in accessing public systems that ensure access to rights on the one hand; and barriers in moving through or along welfare circuits, on the other.

With regard to the first type, there are obstacles to accessing resources and services that are mainly linked to requests for a National Identity Document as a requirement for accessing them. For example, some educational institutions require that particular identification for enrolment or

for issuing diplomas; while some healthcare establishments require it in order to make an appointment or to get medicine or supplies for surgical interventions. This exposes the contradiction between certain institutional norms and administrative procedures and the National Migration Law 25.871, and which should therefore be amended in order to protect the rights of migrant people.

On the other hand, regarding the second type of barriers, some situations of discrimination and mistreatment can be seen in migrant people's route through the welfare circuits. In this area, there are obstacles to the exercise of social rights linked to the lack of an inter-cultural perspective in institutional service practices (in hospitals and health centres, educational institutions, social services, etc.) which translate into discriminatory practices and inequalities in the quality of the care received (IPPDH, 2013; CDHUNLa and UNICEF, 2013; CAREF, CDHUNLa, UNFPA and UNICEF, 2012; UNFPA, 2011; Cerrutti, 2010). The hegemony of the national culture added to prejudices against the migrant population and the stigmatization rooted in the different regional nationalities all contribute to their rights being violated; and discourage them from turning to public institutions. Furthermore, the lack of a gender perspective in social interventions can further impede the effective enjoyment of rights by migrant women.

In view of this scenario, the project Promoting Human Rights of Migrants from a Gender Perspective aims to respond to the issue, by providing technical support to the Government of the City of Buenos Aires for dealing with migrant women, in order to enhance the access to and quality of support services offered to women in situations of violence.

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Module 2

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GENDER-BASED VIOLENCE AS A VIOLATION OF HUMAN RIGHTS

THE PURPOSE OF THIS MODULE IS: TO RECOGNIZE THE GENDER NORMS THAT ARE SOCIALLY IMPOSED ON MEN AND WOMEN AND TO UNDERSTAND HOW THEY SHAPE UNEQUAL RELATIONSHIPS • TO LEARN ABOUT DIFFERENT APPROACHES AND PROPOSALS FOR INCLUDING A GENDER PERSPECTIVE IN PUBLIC POLICIES - TO DEFINE VIOLENCE AGAINST WOMEN AS BEING BASED ON GENDER INEQUALITIES - TO IDENTIFY THE DIFFERENT TYPES OF GENDER-BASED VIOLENCE, THEIR CAUSES AND THEIR CONSEQUENCES • TO KNOW THE INTERNATIONAL REGULATIONS FOR THE ERADICATION OF GENDER-BASED VIOLENCE • TO ANALYSE THE OBSTACLES AND AIDS IN THE ACCESS TO JUSTICE FOR WOMEN WHO EXPERIENCE VIOLENCE.


A. INTRODUCTION

In order to fulfil the learning objectives of this module, we will start by defining “gender”, taken as a political category and a tool for analysis. Then, in the second section, we will analyse some internationally agreed guidelines for mainstreaming a gender perspective. Following that, we will consider how violence against women is conceptualized as gender-based violence. In the third section, we will introduce different international instruments that are essential for eradicating gender-based violence. Finally, we will analyse access to justice for women who experience domestic violence, paying particular attention to the aids and barriers they come across in their path through different institutions. Following on from that, we will list the corresponding application activities for this module.

Before you start reading the module, we suggest carrying out the following activity.

Initial Reflection Activity: “Let’s talk about gender”

In this module, we will address the issue of gender-based violence. Before you start reading the content of the module, we suggest watching a short animated video called:

 “The impossible dream”, by Kratky Film Praha A.S (Czech Republic) with the support of the United Nations. You can find it on line at: <https://www.youtube.com/watch?v=t2JBPBIFR2Y>

Once you have seen the video, we suggest you think about the following questions:

1. Which tasks, responsibilities and attitudes are shown as being inherent to women and which are shown as being inherent to men in the video? Are those tasks innate or acquired? Are they fixed or do they change over time? Do they vary according to the geographical location?
2. The answers to the previous question certainly show the variety of differences between men and women. Now, let us ask ourselves: Are they just differences or can we also identify situations of inequality, discrimination and lack of access to the same rights and opportunities? If the answer is yes: What would those situations be?
3. What explanations can we provide for the existence of inequalities between men and women? What institutions and stakeholders intervene in the generation and reproduction of

these inequalities?

4. Why do you think the following title: “The impossible dream” appears as a question “The impossible dream?” at the end of the video?

Once the activity is finished, we suggest you start reading the module.

B. ADDRESSING GENDER, ADDRESSING INEQUALITIES

In this section, we will look at the concept of gender, which, although increasingly present in our practices and discourses, is often used without proper theoretical clarity. We will therefore introduce a brief history of the concept to reach a definition of “gender” as a political category and a tool for analysis. This will allow us to denaturalize the differences around femininity and masculinity – that is to understand them as something other than innate – and to analyse how they result in inequality in different areas.

Towards a definition of gender

The term “gender” traces back to the 1950s, when researcher J. Money started talking about “gender roles” to refer to the different sets of conducts attributed to men and women. A decade later, based on research on boys and girls with sexual anatomical disorders, the psychiatrist R. Stoller observed that they were raised according to a sexual category that did not correspond with their anatomy, which led him to realize the importance of socialization processes in constructing identity. Thus, he then introduced the idea of “gender identity” as a construction linked to cultural allocations and not to biological sex. Both authors thereby contributed to the conceptual distinction between “sex” and “gender”, in which sex refers to the physical and biological features, and gender to the social construction of these sexual differences.

Feminism picked up on the concept of gender towards the 1970s and re-signified it in order to analyse the issue of women’s subordination and turn the focus of attention from differences to inequalities. The concept of gender was then used to refer to the cultural and social construction of the behaviour, attitudes and feelings of men and women. This challenged biologism and essentialism as explanatory frameworks for social topics in general and inequalities between men and women in particular.

According to this line of analysis, it is not the body but rather culture –and how it produces sexual differences– that determines the attitudes and behaviour socially considered as “natural” in women and men. For example, the fact that women are physically able to become pregnant should not be confused with the so-called “maternal instinct” or the assumption that women are

more affectionate than men. Likewise, men’s greater physical strength compared to women does not imply that they naturally have more emotional strength, courage and abilities to face challenges and adverse situations. The way in which women and men are socialized provides the key to understanding these aspects of “the way to be a man” and “the way of to be a woman” that are naturalized and proposed as a model in each society. That is to say that sexual differences and sex are not natural, ahistorical and universal, but are subject to multiple interpretations as constructed under specific socio-historical conditions.

Concurrently, feminism also made a central contribution with its reflections on the non-binary character of gender. Namely, it questioned the assumption that there are only two genders – female and male– on the one hand and, on the other, the vision of the genders as universal categories, different but complementary, organized within a heteronormative matrix. Querying heterosexuality as a pattern for and model of ties between men and women represents a valuable contribution to recognizing the diverse forms in which people express and experience their sexuality. Therefore, addressing gender does not only mean considering the oppression and inequalities that affect women, but also studying the discrimination and violence suffered by those who construct their sexual and gender identities along parameters that differ from the dominant ones (as in the case of lesbians, gays, transvestites, transsexuals, bisexuals, intersex, etc.).

Well then, the concept of gender is particularly political insofar as it aims to reveal the socio-historical character of the differences constructed by each culture around femininity and masculinity and, above all, to show how these differences result in inequalities. In the words of Lagarde (1990, 68), gender “is one of the ways in which societies organize individuals in order to monopolize and distribute power”. Therefore, thinking about reality from a gender perspective implies focusing on the inequalities for accessing and controlling socially valued resources. Further on, we will examine specific examples of how gender is an important element in structuring inequalities in the different spheres of everyday life.

Gender normativity. Mandates and prescriptions for men and women

Economic, social, political and religious institutions intervene in shaping the social relations between genders, that is, in the “the production of culturally appropriate forms regarding men and women’s behaviour” (Conway et al., 2000). Gender norms, always related to a determined socio-historical context, are transferred in various ways. These include: symbols (such as myths and representations), regulatory concepts (religious, scientific, educational doctrines, etc.) and social institutions and organizations (family, labour market, politics) (Scott, 1999). They all contribute to creating and reinforcing socially expected behaviours and attitudes for men and women.

Public sphere – private sphere. The sexual division of labour

The Industrial Revolution of the eighteenth century led to multiple changes and transformations that produced an impact on society and its institutions and on the production of subjectivity.

In the West, the consolidation of the modern liberal State and the transition from feudalism to industrial capitalism were accompanied by a reshaping of the public and private spheres. In effect, if the domestic unit was the seat of production and consumption in the pre-industrial period, with industrial capitalism production extended beyond the domestic unit, and the family became a mainly relational and personal institution, or what we call the nuclear family today.

Two spheres with different rationalities thereby emerged, which organized the circulation of men and women and introduced the sexual division of labour. The public or productive sphere belonged to men or citizens with the capacity to enter into contracts (by which we mean white, bourgeois, heterosexual), whilst the private or domestic sphere was the only one open to women and children, who therefore became objects of care and control by men. The functions corresponding to each sphere contributed to producing new forms of male and female subjectivity. In this new social order, men are the economic providers for their families and must compete within the public world to be successful in the sphere of work, while women are relegated to domestic and care work as mothers and wives.

Motherhood emerges as the organizer of female subjectivity, an idea upheld by essentialist and biologist discourses that interpret this function as being the result of biology and not a cultural fact. The conception of motherhood according to modernity has characteristic features when compared with other historic periods. As stated by Fernández (2006, 179), “mothers’ love is defined, thought of, imagined and expected to be unconditional; full of tenderness, full of dedication”, leaving no room for other phenomena such as eroticism or aggression, or projects related to personal fulfilment. Masculinity is constructed in opposition to female attributes, cancelling out those aspects connected with dealing with feelings, care and the domestic sphere, and highlighting others associated with domination, power and success. According to Marqués (1997, 19) the basic social construction of man in a patriarchal society holds that “being a man means being important”. It is worth clarifying that the construction of masculinity in patriarchal terms (which demands that men occupy positions of power, ensure economic support for their families, be strong and competitive), which we will call hegemonic masculinity, refers to a white, male, landowner and heterosexual subject. Masculinities that do not conform to this model occupy a lower position within the patriarchal gender hierarchy, along with women and the various gender and sexual identities.

Considering traditional gender norms and prescriptions, as formed during modernity, may lead us to think that they are “old” mandates that are now out of date. It cannot be denied that there

have been changes to this model in many societies and that women have advanced in their conquest of the spaces and resources that they were denied under that model. However, gender inequalities persist and the rules of modernity go a long way towards explaining their persistence.

Gender as a category for analysis

As a category or tool for analysis, gender has a series of characteristics that we should bear in mind. According to Burín and Meler (2000), the category of “gender”:

- Is always relational. Using the concept of gender only for those matters relating to women is a common mistake that neutralizes the denunciations made by feminism and leaves intact the patriarchal gender order. Gender refers to the power relations between and within genders and therefore has an impact on all people.
- Is a socio-historical construction, not a natural fact. Gender differences are shaped subject to a historic and social process. They can therefore be modified, opening up a space for processes of resistance and struggle that aim to eradicate gender inequalities.
- Is not an all-encompassing concept, but it is interlinked with other determinants of social stratification, such as ethnicity, class, etc. Gender cannot be separated from other strands of oppression, such as racism, capitalism or heterosexism.
- Is a category that goes beyond the binary paradigm, insofar as it questions the assumption that there are only two genders, female and male, as well as the heterosexual matrix in which they are configured.

Gender as a structure for inequalities

Now we will analyse specific examples of inequalities based on gender patterns that violate women’s rights.

- **Work**

Women have been successful in accessing the public world, participating in the labour market and becoming economic providers. However, there are two persisting focal points of gender inequality in this area: occupational segregation, both vertical and horizontal, and wage discrimination. Horizontal occupational segregation refers to the concentration of women in specific sectors, associated with “female” tasks such as care and personal services. In this regard, a report on domestic workers around the world (ILO, 2013) confirms that women predominate in the domestic work sector, representing more than 80 per cent of employees. At a global level, domestic work represents 3.5 per cent of women’s employment and, in some regions, as many as one in five women workers (Middle East) or one in six women workers (Latin America and the Caribbean)

are domestic workers. Vertical segregation means there is a greater concentration of women in lower-ranking positions, even if they are just as qualified as men. With regards to the existence of women in senior management roles, globally only 24 per cent were women in 2014 (Grant Thornton, 2014), evidence of the existence of “glass ceilings” that impede women’s career progression.

The rates of vulnerable employment are far higher among women than among men. In 2013, 60 per cent of women in the developing regions were in vulnerable employment, compared with 54 per cent for men. The widest gaps (over 10 percentage points) are in North Africa, Sub-Saharan Africa, Western Asia and Oceania (UN, 2014).

Almost 90 per cent of the 143 economies analysed by a World Bank study have at least one legal difference restricting women’s economic opportunities (TBW, 2014). 28 per cent of those economies have ten or more legal differences, including in relation to owning or inheriting property, holding banking accounts, accessing credit or earning the same wage as a man for performing the same job.

- **Education**

The trends for educational enrolment in the Gender Parity Index show significant advances in all the developing regions and at all levels of education (primary, secondary and tertiary). In 2012, all the developing regions reached or were close to achieving parity between the sexes in primary education. However, disparity predominates at the highest levels of education and the most notable variations are seen in the developing regions (UN, 2014).

With regard to women accessing science, UNESCO asserts that, although women have increased their share of enrolment at the university level, only 30 per cent of researchers at a global level are women. Moreover, women researchers tend to work in the government and academic sectors, while men work in the private sector, which offers better working and earning opportunities (UNESCO, 2012).

84 per cent of Latin American and Caribbean universities are led by men, although the share of women is increasing (Gentili, 2012). What’s more, even if women’s educational level is equal to or higher than that of men, it has been found that their incorporation into the labour market does not coincide with their academic credentials, which proves that the education system’s openness to gender equality is not maintained in the labour market.

- **Health**

Gender patterns, interacting with other social determinants, determine various aspects of health-disease-care processes. These include exposure to disease and risks, access to health services and the quality of care received. According to the WHO (2015), women are 50 per cent less likely

than men to die as a consequence of harmful alcohol use, to have smoked tobacco at some point in their life and to die due to injuries related to traffic accidents, suicide or interpersonal violence. On the other hand, more than half of deaths due to nutritional deficiencies and diabetes and other endocrine disorders correspond to women. Women also account for half of all deaths due to heart diseases.

Maternal mortality represents one of the main violations to women’s right to health. Between 1990 and 2013, the maternal mortality rate decreased by 45 per cent around the world, dropping from 380 to 210 deaths per 100,000 live births. However, it is estimated that 289,000 women died during pregnancy, childbearing or in the following 42 days after the birth in 2013 alone, due to causes related to or exacerbated by pregnancy or care (accidental causes are not included) (UN, 2014).

A third of the total global morbidity burden on 15 to 49 year-old women is explained by poor outcomes in sexual and reproductive health. At a global level, less than 75 per cent of births are treated by qualified health professionals; more than 10 per cent of family planning needs are not met and the prevalence of contraceptive use is less than 65 per cent. In 2013, almost 60 per cent of all new HIV infections in young people aged 15 to 24 years were in girls and young women. Tuberculosis is often associated with HIV infection and is one of the main causes of death in developing countries among women of reproductive age and adult women aged 20 to 59 years (WHO, 2015).

We should also add the male-orientated nature of health systems to the list. This translates, for example, into the fact that most diseases and drugs have been studied on men, or that illnesses suffered by women are underdiagnosed or not diagnosed at all, and are often labelled as psychiatric problems or simply listed under the diagnosis of “unspecific signs and symptoms” (Pombo, 2012).

- **Women’s political participation**

Politics has traditionally been a male sector, associated with power and decision-making and as a consequence is only begrudgingly shared with women. In January 2014, women represented 21.8 per cent of all parliamentary seats and there were only 46 countries with more than 30 per cent of women parliamentarians in at least one of the chambers. The percentage of women in ministerial roles in the Executive government reached 17.2 per cent in 2014. Likewise, there has been a slight decrease or no change at all in the amount of women who are Heads of State or Government and Presidents of Parliament. The amount of women who are Heads of State or Government has slightly dropped since 2012, from 19 to 18. At the same time, the percentage of women who are Presidents of Parliament has slightly increased (from 14.2% in 2012 to 14.8% in 2013)

(UN, 2014).

C. MAINSTREAMING A GENDER PERSPECTIVE IN PUBLIC POLICIES

In this section, we will lay out the general guidelines contained in international proposals for approaches and strategies to include a gender perspective in action taken by governments and civil society organizations. They are guidelines that have been agreed within the framework of international instruments for the protection of rights that are linked to gender equality. First, we will list these proposals, dwelling on affirmative action measures and gender mainstreaming in depth. Secondly, we will analyse the effective application of those proposals, by considering some of the requirements and development axes that contribute to an operational inclusion of a gender perspective at an institutional level.

Approaches and proposals for including a gender perspective

Ever since gender inequality was recognized by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979), States Parties have promised to grant equal treatment to women and men, to punish any practice that perpetuates inequality and to promote temporary affirmative action measures to modify asymmetries in the full exercise of their rights. Furthermore, the need to design, implement and evaluate, with the participation of women, effective, efficient and gender-sensitive policies and programmes was put forward in the IV World Conference on Women (held in Beijing in 1995).

These internationally accepted commitments reshape the role of States, urging them to take concrete measures on two levels: to eradicate existing gender inequalities and to actively promote equality. This is embodied by two types of policies that should be applied simultaneously:

- **Affirmative action policies:**

A set of temporary measures aimed at accelerating substantive equality – as a real fact – between women and men, so they are therefore also known as positive discrimination policies. The main characteristics of affirmative actions are (UNDP, 2009):

- **Temporary nature:** Once the beneficiary population has overcome the inferior social status, measures should be stopped or suspended.
- **Legitimacy:** There must be proven discrimination and their adoption must be compatible with the constitutional principle of equality in force in each country.
- **Proportionality:** The aim of the measures must be proportional to the methods to be used and with the legal consequences of the differentiation. The application of those measures

must not seriously affect third parties who are excluded from preferential treatment.

The aim of affirmative actions is to provide equal opportunities in accessing and controlling social resources. They are applied in order to ensure the protection of social groups that do not have full enjoyment of their fundamental rights and liberties, due to discrimination on the basis of gender, race, class, age, etc. They can be targeted at women exclusively, at women and men together or at men alone. An example of an affirmative action can be seen in policies that acknowledge the inequality between men and women in relation to the time and responsibility dedicated to childcare and, on that basis, propose measures such as creating human milk banks and day-care in places of work. Another example can be seen in quota laws, which set an obligation to appoint women in a certain number of places for those areas that are socially recognized and in which they are known to be underrepresented.

- **Gender mainstreaming policies:**

These are strategies for promoting gender equality that are internationally recognized as forming part of the Platform for Action adopted by the IV UN World Conference on Women (Beijing, 1995). Although initially proposed in the III World Conference on Women (Nairobi, 1985), it was only adopted as global strategy in the IV Conference.

The gender mainstreaming approach is defined in the following terms by the European Council (1999): “Gender mainstreaming is the (re)organization, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy making” (European Council, 1999: 26). “It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.” (ECOSOC, 1997).

Hence, gender mainstreaming goes beyond the creation of a specific component or body to address “women’s” or “gender” issues. On the contrary, it seeks to comprehensively review all policies and actions in order to adapt their goals, scope and content to the principle of gender equality. This implies working on two dimensions: within institutions (trying to make them more equal) and outside of them, by evaluating the differentiated impact of each policy on each gender, in order to identify possible discrimination that evidences the need to reformulate those policies. Gender mainstreaming in institutions thereby contributes to building fairer and more democratic societies.

Gender mainstreaming: From proposals to facts

Gender mainstreaming at an institutional level entails producing changes in cultural patterns and power relations between men and women. Consequently, its effective application is complex and will be determined by the prevailing economic, political and cultural factors in each social context. It will also be intersected by the existence of political will at a State level that recognizes gender inequality as a priority issue and dedicates solid efforts to eradicate it.

Gender mainstreaming requires intervention along three lines of development (UNDP, 2009):

-Political line: It entails the creation and/or adaptation of laws, regulations and policies that seek to achieve gender equality. This requires making decisions regarding the reorganization of structures, functions and resources – whether human, economic or material – and budgets. This reorganization should promote an equal redistribution between genders of: positions of power and authority, levels of participation, recognition of their work and resources and the fulfilment of rights in general. Developing this line requires institutions to make an explicit political commitment to working towards gender equality and to show that commitment by revising, reforming or designing legislation that will provide support and sustainability to the process of institutionalizing a gender perspective.

-Pragmatic line: It entails the creation of solid mechanisms that move towards equality (plans, programmes, projects), as well as monitoring and evaluating those mechanisms. In order to do so, progress assessments should be designed to report on the inequality, discrimination and violence experienced by men and women, both within organizations and in the target populations for their actions. Collecting, analysing and systematizing information is key in this line, as it is essential for preparing the assessments and for monitoring of the performance of the actions and evaluating their impacts.

This sets the challenge of using gender-sensitive registry and indicator systems that not only disaggregate information by sex, but also consider: division of labour; access to and control of resources; position of men and women; and possible discrimination affecting people with diverse sexual and gender identities.

-Technical administrative line: It implies putting the mechanisms created in the pragmatic line into action. This involves allocating budgets and specific resources in order to apply the designed plans, programmes and projects. No mainstreaming initiative will be possible if the affected technical team and administrative personnel are not committed to the operational performance of the planned actions. In order to do so, resources, time and efforts must be devoted to increasing awareness amongst these strategic actors and to training on the gender perspective and its inclu-

sion across disciplines at an operational level.

PLAN BY THE GOVERNMENT OF THE CITY OF BUENOS AIRES FOR TRULY EQUAL OPPORTUNITIES AND TREATMENT BETWEEN WOMEN AND MEN

We can illustrate the three lines of development for gender mainstreaming using the Plan by the Government of the City of Buenos Aires for Truly Equal Opportunities and Treatment Between Women and Men (Plan de Igualdad Real de Oportunidades y de Trato entre Mujeres y Varones del Gobierno de la Ciudad Autónoma de Buenos Aires). Law 474 passed in 2000 by the Congress of Buenos Aires City, which created the above-mentioned plan, can be placed in the political line. The creation of the Programme for Strengthening Policies of Equality of Opportunity (Programa de Fortalecimiento de las Políticas de Igualdad de Oportunidades) can be located in the pragmatic line, which coordinates the implementation of the Law 474 so as to encourage the inclusion of a gender perspective in the design, management and evaluation of the public policy implemented by the Government. Furthermore, this Programme deploys concrete mechanisms for advancing gender equality: it coordinates the production of scientific information about the situation of women in the City, it promotes women's rights through training and promotion activities and it designs and monitors awareness-raising and promotion campaigns about violence against women. In the technical-administrative line, we can place the training and awareness-raising activities carried out by the Programme on the ground, the research conducted within the scope of the Gender Equity Observatory (Observatorio de Equidad de Género) or the operation of a Documentation Centre (called Zita Montes de Oca), which is open to the public. The implementation of these efforts is an evidence that human, material and economic resources have been assigned to gender equality.

According to the European Council (1999), gender mainstreaming requires five key elements:

1. A change in the concept of gender equality, to be broader than it is currently: to overcome the interpretation of gender as women's issues in order to adopt a conception that goes back to its relational nature and which considers social relations within and between genders.
2. The incorporation of a gender perspective in the dominant political agenda: the inclusion of a gender perspective depends, to a great extent, on recognizing gender as a priority issue. As stated by Guzmán (2001, 17): "Legitimizing and institutionalizing a new problem does not take place in a vacuum, but rather in actual societies, with different degrees of cultural diversity, organizational density and political systems; with specific political cultures and institutional development, and with different levels of development and modernity. The distinctive characteristics of each country therefore define and permeate the processes being studied. The chance of

legitimizing gender inequality as a public problem is economically, politically, legally and institutionally conditioned.” Therefore, gender issues must be a priority in political agendas and not be relegated to peripheral matters.

3. The inclusion and participation of women in institutions and decision-making processes: their participation should be balanced and equal in comparison with that of men in positions of power and authority. Unless the unequal distribution of socially valued spaces is altered, then gender equality will not be achieved.

4. The priority given to policies for gender equality and to policies that are especially relevant to women: this translates into assigning resources and budgets for gender equality, on the one hand, and into paying preferential attention policies that have an impact on women’s quality of life, as is the case with sexual and reproductive health policies, policies for eradicating gender-based violence or care policies that include specific services for ensuring childcare and facilitating the incorporation of women into the labour market, on the other.

5. A change in institutional and organizational cultures, that encompasses changes to political process, political mechanisms and political actors: changes to political processes mean that these are reorganized in a way in which the actors involved know how to include a gender perspective and, also, gender competence is included as a normal requirement for decision makers. Changes to mechanisms imply horizontal cooperation between the different institutional levels and the shared use of gender-sensitive tools and techniques. For their part, changes in actors aim to create or consolidate the consultation and cooperation channels between governmental institutions and civil society. Citizen engagement is a key part of gender mainstreaming.

The conditions, scope and impact of gender mainstreaming should be evaluated by considering each particular context. In general terms, however, there are certain obstacles blocking efforts in support of gender equality, such as the following:

– *An absence or scarcity of political will for assuming gender equality as a guiding principle for action by governments.* The greater legitimacy and recognition given to other types of injustice rather than to gender inequality tends to subordinate and blur the boundaries of gender inequality with other social and ethnic inequalities (Guzmán, 2001). This is shown by the lack or scarcity of affirmative and cross-disciplinary gender policies, the failure to bring regulatory frameworks and existing policies in line with standards for gender equality and the shortage in resources allocated for that purpose. In some cases, action is limited to the creation of a specific mechanism “for women” or “for gender” that does not enjoy sufficient recognition or resources to effectively eradicate gender inequality. Furthermore, the mechanisms created for women are sometimes based on a definition of women in homogenizing terms, which translates into action planned for “women in general” but that does not take into account the differences between women as a result of their socio-economic situation, level of education and ethnic origin, etc.

– *The continued validity of some public policy models that replicate gender stereotypes with regards to masculinity and femininity and that are founded on the idea of a traditional, heterosexist family, organized on the basis of the sexual division of labour.* Public policies have historically rested to a great extent on the model of the man as the provider – the woman as the caregiver, failing to acknowledge the rights of women workers and leaving the issue of combining paid work and domestic and care work to families (Pombo, 2010). They are deeply rooted patterns, which reproduce inequality in the recognition and legitimization of care work and work for the economic market. A change in these patterns to move towards public policies that take in more democratic and diverse family models is therefore necessary in order to mainstream a gender perspective.

– *An instrumental and technical application of a gender perspective that occludes its transformative political potential* (Pombo, 2012). We are referring to those approaches that apply a gender perspective according to purely formal and technical criteria, thereby removing interventions from their historical setting and failing to take in the context of the uniqueness of the individuals involved. We can find some examples of this type of formalism in policies in which the gender perspective is limited to the use of non-sexist language or the production of gender-disaggregated statistics. Furthermore, an instrumental application aims to achieve pragmatic efficiency and responds to motives other than or different from a true transformation of gender inequality. This can be exemplified by the pressure upon States to be accountable for fulfilling their internationally assumed commitments on gender equality, or the existence of foreign funding that leads some governmental and non-governmental institutions to request those funds, without either the political will or ability necessary to operate with a gender perspective. Aspects of this instrumentality can be found in any action that is fragmented and limited to “showing results”, that is not accompanied by a cross-disciplinary guiding policy to include a gender perspective at different institutional levels and areas.

According to Lombardo, “The tendency has been to adopt a more ‘integrational’ approach to mainstreaming, which aims to address gender issues within the existing political paradigm and without making big changes to the institutional structure, instead of an agenda-setting approach, which entails the transformation and redirection of the political agenda itself” (Lombardo, 2003:10). According to this author, the agenda-setting approach requires a series of transformations to institutional structures and decision-making processes, to ensure that gender issues are a priority and to readdress the institutional set-ups that uphold the divisions of power embodying gender inequality.

We should strive for this type of reshaping as part of the struggle for gender equality. The work done by women’s movements and sexual diversity movements has shown that organized activism by civil society produces high impact results: it managed to place gender issues on political

agendas and to motivate the consolidation of a regulatory framework favouring gender equality at an international level. Therefore, the current challenge is to increase the effort so as to collectively demand concrete policies and actions that represent the commitments to equality that have been assumed by governments.

D. REFLECTIONS ON GENDER-BASED VIOLENCE

So far, we have seen how gender is a structuring factor of inequalities in different aspects of everyday life. In this section, we will delve deeper into this by paying particular attention to one of the most serious manifestations of gender inequality: violence.

The concept of “gender violence” or “gender-based violence” arises from the need to understand how violence against women occurs within the context of a patriarchal order in which women and girls occupy a subordinate place within society. Precisely, gender-based violence seeks to reaffirm and perpetuate this gender order. In the words of Bengochea and Parola (2011, 3): “There is a deeply rooted patriarchal order in women’s bodies. Any threat to that order, or the suspicion thereof, authorizes and legitimizes violence solely on the basis of the subversion or deviation from the norm.”

In 1993, the United Nations adopted the first definition of violence against women. It includes “any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.” It encompasses, but is not limited to, the following acts: physical, sexual and psychological violence occurring in the family, including battering sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation; physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere; trafficking in women and forced prostitution; and physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

We can identify different types of violence from the above definition :

- **Physical:** Violence used against a woman’s body causing pain, injury or the risk of causing it and any other form of mistreatment or aggression affecting her physical integrity.
- **Psychological:** Violence that causes emotional harm and affects self-esteem or harms and disrupts a woman’s full personal development or tries to humiliate or control her actions, behaviour, beliefs and decisions, through threats, harassment, bullying, restriction, humilia-

tion, dishonour, discredit, manipulation or isolation.

- **Sexual:** Any action that entails the violation of a woman’s right to freely decide on her sexual and reproductive life in all its forms, with or without genital penetration, through threat, coercion, the use of physical force or intimidation, including marital rape and any other rape by any other relationship, whether in a context of co-habitation or not, as well as forced prostitution, exploitation, slavery, harassment, sexual abuse and trafficking in women.
- **Economic and property:** Any violence that aims to undermine a woman’s economic and property resources, through the disruption of possession, tenure or ownership of her assets, the wrongful loss, removal, destruction, retention or diversion of objects, working equipment, personal documents, assets, equity and property rights.
- **Symbolic:** Violence that transmits and reproduces domination, inequality and discrimination in social relations, by naturalizing the subordination of women in society, through stereotyped patterns, messages, values, icons or signs.

These types of violence can occur not only at the domestic level, but also in public institutions, workplaces, community spaces, the media or health systems, where obstetrics violence and violence against women’s reproductive freedom are reported.

The most extreme manifestation of gender-based violence is femicide. The definition of this concept is the subject of various discussions, but is defined in general terms as “a hate crime against women, as well as the combination of forms of violence which, on occasion, leads to the murder and even the suicide of women” (Russel et. alt., 2006:20). The incorporation of this category in national regulatory frameworks is a significant landmark, as it implies a recognition of the fact that the murders of women are not the result of passionate excess, as often stated by the media, but instead reflect a pattern of patriarchal domination which permits harming and subjecting women merely because they are women.

Segato (2012) proposes distinguishing between those crimes against women that occur within interpersonal relationships and those impersonal and mass crimes, such as the mass rape of women in war or other contexts. The author uses the term “femicide” to describe the first case, while she uses “femigenocide” to refer to gender crimes outside interpersonal relationships, precisely as a strategy to raise awareness of the fact that gender-based violence is not limited to the private sphere, and also occurs in public and war scenarios.

To summarize, violence against women encompasses a large variety of situations that affect women’s integrity in different ways. They cannot be analysed without taking into account norms, social structures and gender roles, as these are factors determining women’s vulnerability to this problem (IPPF, 2010). In this regard, it is important to understand that gender-based violence is a multifaceted and complex phenomenon where psychological, family, socio-cultural and insti-

tutional factors converge, and which therefore requires comprehensive and holistic explanatory models to allow for effective action. We will briefly refer to them below.

Explanatory models for gender-based violence

As we mentioned above, gender-based violence is a complex phenomenon with multiple factors. This means that it cannot be explained by a single cause; instead, there are different aspects or levels that contribute to its occurrence and persistence. Therefore, we should dismiss any attempts to explain violence on the basis of the personal characteristics of aggressors or victims. By this, we mean any explanatory proposals that solely attribute the causes of violence to a certain profile or personality trait (for example, explaining violence as a consequence of an aggressor's alcoholism or mental health problems). Among the explanatory models applied to gender-based violence, we are going to briefly describe two, the ecological model and the triangle of violence, as they are suitable guides for analysing the multifaceted nature of gender-based violence.

THE ECOLOGICAL MODEL

According to the ecological model (SERNAM, 2009), there are four system levels that interact with one other and increase the occurrence of gender-based violence: the individual level, the microsystem, the exosystem and the macrosystem.

- The individual level refers to behaviour and personal history. We could place here, for example, the construction of a female identity associated with submission, weakness, dependence and a male identity associated with strength, control and domination.
- The microsystem includes the immediate environment: close interpersonal relationships, such as family, couple, etc. We could include the authoritarian family model in this system, as it is based on factors linked to gender and generation, where male adults make decisions and control property, and is a driving factor of gender-based violence.
- The exosystem refers to community contexts and how they can favour or legitimize violent models. Schools, workplaces, the media and institutions in general may contribute to the reproduction of a patriarchal gender order, the objectification of women and the naturalization and reproduction of violence.
- The macrosystem refers to social and cultural norms, the belief systems prevailing in a society and according to which that society is organized. Here, we could talk about the beliefs and values regarding what it means to be a woman or a man within a patriarchal culture, something we have described in the section on gender normativity

THE TRIANGLE OF VIOLENCE MODEL

The triangle of violence model as defined by J. Galtung (Gabarra, 2011) holds that there are three

types of violence, hence its name. Direct violence – understood as actual acts of violence – refers to the most measurable and visible aspects, such as behaviour or conduct. This violence does not appear from nowhere, but rather is rooted in the other two corners of the triangle: structural violence and cultural violence, which remain invisible, unlike direct violence. Structural violence refers to the discrimination, exploitation and domination that the patriarchy entails, whereas cultural violence encapsulates the prejudice, stereotypes and beliefs upon which structural violence is built. Examples of structural violence include gender inequality in the spheres of work, health, education, etc., as analysed in the previous section. These inequalities are legitimized by way of cultural expressions that reproduce the beliefs and stereotypes associated with the patriarchal gender order. The Spanish language, among others, is an example of this, as it makes women invisible by using the masculine gender as the equivalent of humankind as a whole.

Consequences of gender-based violence

Gender-based violence is the furthest reaching human rights violation of our times (Gabarra, 2011), and makes no distinction between social class, race/ethnic origin, educational level or age. As stated by ECLAC (2011), gender-based violence is a violation of:

- **The right to an identity, as it reproduces the representation of women as subordinate to men;**
- **The right to affection;**
- **The right to peace and enriching personal relationships;**
- **The right to protection by the State, when it denies protection to women, and by society when it makes the problem invisible;**
- **The right to personal development;**
- **The right to social and political participation, as it restricts the performance of extra-domestic activities, such as participating in organizations, groups or meetings;**
- **The right to optimal physical and mental health. We ought to mention here that gender-based violence is one of the most important causes of disability and death in women, with consequences raging from emotional disorders, physical injuries and chronic pain to death. It is also a risk for many diseases (IPPF, 2010).**

Furthermore, it is important to highlight that the effects of gender-based violence are not limited to the individual consequences for the women who suffer it. Gender-based violence goes beyond the aggressor-victim interpersonal sphere, as it is simultaneously structural violence against women. As we have analysed previously, its function is to reinforce and reproduce the patriarchal

gender order, by breaking down women's will and cutting short their desire for autonomy (De Miguel Álvarez, 2005).

E. THE INTERNATIONAL REGULATORY FRAMEWORK: KEY TOOLS FOR THE ERADICATION OF VIOLENCE

Having conceptualized gender-based violence as a violation of women's human rights and presented some explanatory models, in this section we will briefly analyse the international norms regarding this issue.

Gender-based violence is a social problem that gains relevance at a global level. Nevertheless, although we have a regulatory framework in favour of the eradication of violence today, this was not a priority issue in the political agenda just a few decades ago. Gender-based violence was recognized as a violation of women's human rights thanks to the work and advocacy of women's movements in international organizations.

Although it is true that laws do not automatically change reality, it is important to have a regulatory framework that aims to eradicate gender-based violence while making it possible to enforce rights. We will therefore go over some of the international conventions that are key tools for confronting the problem.

- General Recommendation 19, incorporated into the Convention on the Elimination of All Forms of Discrimination against Women in 1992, includes violence against women as a form of discrimination that impedes the full enjoyment of rights and freedoms on an equal footing with men, and urges the States to take measures to eradicate it.
- The II World Conference on Human Rights held in Vienna in 1993 declares that “the human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights”. Moreover, the Platform for Action acknowledges that gender-based violence is incompatible with dignity and must be eliminated and tackled by the States.
- The Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, known as the Belém do Pará Convention, from 1994, is emblematic as it directly and comprehensively considers the problem of violence against women. This Convention defines violence against women as a violation of human rights, and suggests it is the consequence of a historically constructed unequal relationship between men and women. Furthermore, it establishes the duties upon States for eradicating the problem, including by adopting specific measures to modify the socio-cultural behavioural patterns of women and men, in particular.
- The Beijing Declaration and Platform for Action (1995), which came about as part of the Fourth World Conference on Women, is also a key tool for addressing this problem, as it

establishes a plan of action or programme directed at creating the conditions necessary for strengthening women's role in society. Through this platform, the States declared their determination to ensure the full enjoyment of all human rights and fundamental freedoms by women and girls, as well as to take effective action against violations of those rights and freedoms. It covers twelve critical areas of concern: poverty, education, health, armed conflicts, economy, decision-making processes, institutional mechanisms, human rights, the media, environment, the girl-child and a specific part on violence against women.

The strategic goals proposed in the Beijing Platform are still in force and set out the challenges to be met. Effective action by States and a commitment by all the actors involved in the international development agenda therefore become essential, because, as long as violence against women continues, the lack of human development will continue.

F. WOMEN WHO EXPERIENCE VIOLENCE AND THEIR ACCESS TO JUSTICE

After having described the international norms available for the eradication of gender-based violence, in this section we will study what happens in the access to justice for women who experience violence.

The norms presented constitute an important step forward in the recognition, promotion and protection of women's human rights, which are infringed by the different expressions of gender-based violence. However, if the changes driven by legislation are to be accomplished, then they must be accompanied by the adaptation of institutional practices and discourses. In the specific case of gender-based violence, the institutional path travelled by women trying to access justice is full of barriers and obstacles, and makes it clear that there is still a long way to go along the path laid out by international instruments for the protection of women's human rights.

What does “having access to justice” mean?

Before exploring the obstacles and barriers that women face while trying to gain access to justice in situations of gender-based violence, we will analyse what having access to justice means. As stated by the Equipo Latinoamericano de Justicia y Género –ELA– (2011), access to justice is not merely limited to accessing the courts. Firstly, it means that we should be able to identify the problem we are experiencing as a situation with a legal aspect about which we can file a complaint; to know which are the institutions where we can bring that complaint and, once begun, to reach the end of proceedings so as to receive a quick, timely and free sentence. This whole circuit requires us to be aware of our rights and able to exercise them. Various State institutions are involved in that process.

Access to justice for women who experience violence

When it comes to women who experience violence, access to justice takes some particular features. The “Critical Path” concept is exceedingly helpful for analysing it, as it refers to “the process that is built based on a sequence of decisions and actions taken by women affected by domestic violence, and the responses they encounter in their search for solutions” (PAHO, 2000). Among those responses, we will focus on those from the State institutions involved in assisting women who experience violence, which are mainly in those areas relating to women, health, justice and the police forces. It is essential to assess their operation with regard to accessibility, availability and equality of the service provided.

It is known that effective institutional responses lead to greater strength, support and access to resources for the women affected. There are factors that contribute to the success of the critical

path. Important among them are: quality services, access to accurate information, making violence by public institutions visible and de-naturalizing it and the support and counselling provided by women's organizations (PAHO, 2000). We can add the generalization of knowledge about the characteristics of gender-based violence among the professionals who work on the issue and the places that provide help during the process, for their part; and also prevention campaigns at all levels, particularly during the first love relationships from childhood and adolescence (ELA, 2009).

However, institutional responses – decisive for reaching a solution – are not always in line with the needs and demands of the women who experience violence. Thereby, although the institutional answers take on specific characteristics in each local context – shaped to a great extent by current legislative frameworks –, various investigations have shown a series of obstacles in diverse contexts. These include obstacles or barriers during some of the key stages for effectively assisting and resolving violent situations.

- Regarding the health sector, the links between gender-based violence and women's health are not always addressed. Many health providers feel that violence against women is not a public health issue; others acknowledge that it is so but feel they are not equipped to address it. In both cases, not only is the chance to treat an important public health issue missed, but also women are exposed to a higher risk situation (IPPF, 2010). What is more, the health sector's responses to violence have tended to “psychiatrize” women – by prescribing them tranquilizers – or to mistreat them and blame them for the violence they experience (PAHO, 2000).
- Regarding the judicial sector, a number of obstacles have been detected. One of them refers to the difficulty for women to sustain the – generally slow and cumbersome – legal process due to women's lack of time and economic resources (IOM, 2014). In effect, most of the burden of the legal process falls on women complainants, who have to attend court many times, assume the economic costs of travelling there, overcome difficulties to organize care for their children, face the fear of reprisals by the offender, etc. To this we should add: their possible lack of knowledge of the legal circuit and its proceedings, and the difficulties in accessing free legal advice services, or even knowing that they exist; the scarce or non-existent information about specialized services for violence and women's distrust regarding the speed and effectiveness of the legal response to their experience of violence (ELA, 2009). Furthermore, there are often re-victimizing practices that further violate women's rights. It should be mentioned here that there is a tendency to implement conciliatory proceedings and hold joint hearings between the woman and the aggressor, and the requirement that these women prove they are victims and not the culprits, forcing them to describe their

experiences over and over again (PAHO, 2000).

- In relation to the police sector, the PAHO (2000) states that the police force is an institution that has historically resisted intervening in situations of domestic violence. Occasionally, it is prone to take the side of the aggressors and trivialize the reports made by women, and it limits its intervention to cases that are extremely serious or involve sexual violence. This shapes the importance of implementing awareness-raising and training courses for staff working in the police forces, which women approach to report their experiences of violence.
- Lastly, we should point out the disperse nature and lack of articulation between the different institutions involved in addressing violent situations. This lack of coordination leads to scarcely effective responses and contributes to re-victimizing experiences where women have to tell their situation many times and in different institutions.

We will go further into the matter of access to justice in situations of gender-based violence in Module 4, where we will specifically analyse the experiences of migrant women and we will determine the criteria and guidelines for intervention.

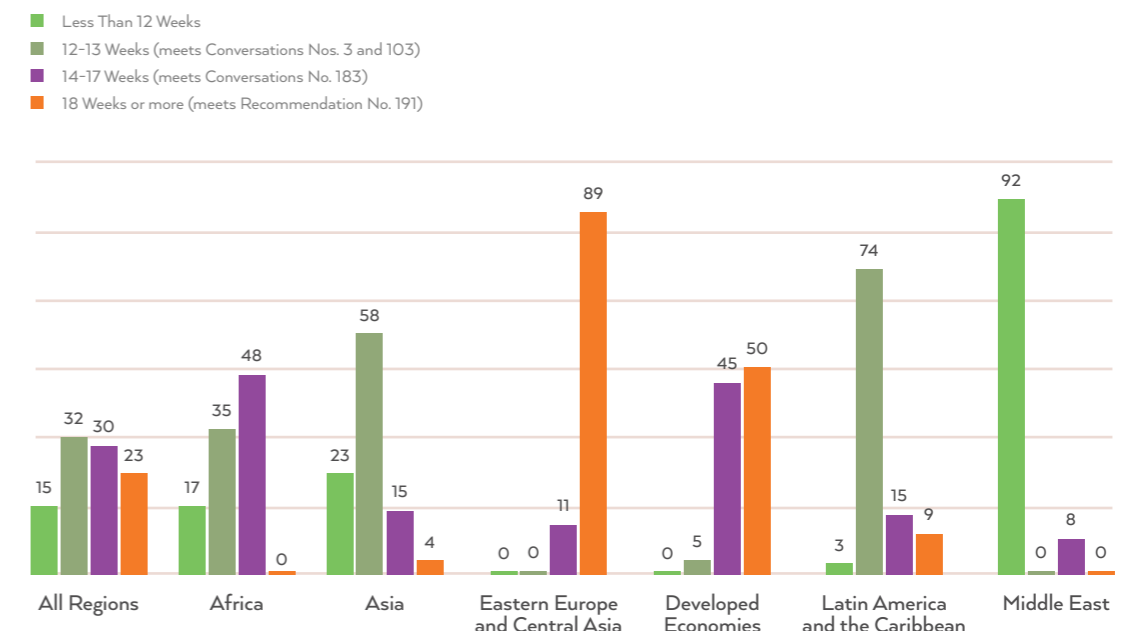
G. SUMMARY AND REVISION ACTIVITIES

“Maternity and paternity leave from a gender perspective”

In this module, we have taken a look at different concepts that enable us to identify and analyse gender inequalities. We suggest you analyse the two graphs taken from the report called “Maternity and paternity at work. Law and practice across the world”, written by the ILO (International Labour Organization) in 2014.

The full report can be downloaded from: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_242615.pdf

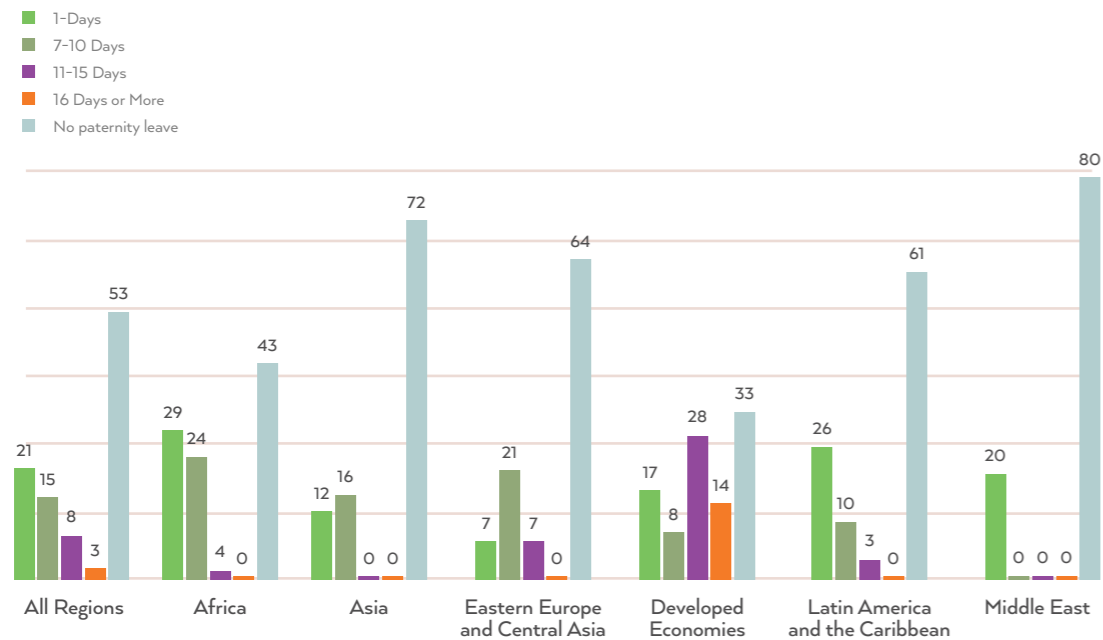
Graphic 1: Statutory duration of maternity leave, by region, 2013 (185 countries and territories) (%)



Note: Figures may not add up to 100 per cent due to rounding.

Source: ILO Working Conditions Laws Database - Maternity Protection. Available at: <http://www.ilo.org/travdatabase> [25 Mar. 2014].

Graphic 2: Provision of statutory paternity leave by duration, 2013 (167 countries) (%)



Source: ILO Working Conditions Laws Database – Maternity Protection. Available at: <http://www.ilo.org/travdatabase> [29 Mar. 2014].

- The graphs can be analysed by applying any of the concepts from the module that are useful for explaining the differences and inequalities observed between leaves for men and for women. We suggest including some of the following concepts: gender norms, public and private spheres, inequalities, paid work, care work, violence, family models, motherhood, public policies and a gender perspective.

H. APPLICATION ACTIVITIES: 1. RECOGNIZING, 2. ENGAGING, 3. MOBILIZING

1. Recognizing. “Myths about gender-based violence”

By means of this activity, we are trying to reflect on the myths that prevail around gender-based violence. We would like you to read them and then put forward your arguments as to why they are myths, based on the content put forth in this chapter and the recommended bibliography.

- Gender-based violence affects both men and women in the same way
- Alcohol and drug consumption explains gender-based violence
- Battered women choose to stay with their aggressor
- Marital therapy helps resolve violent situations
- Gender-based violence is a matter that falls within the private sphere
- Gender-based violence is limited to domestic violence alone

2. Engaging. “Retracing the Critical Path for women”

In this activity, we would like you to think about the situations of gender-based violence we see daily in our jobs. We suggest analysing the knowledge we have about how women act in those situations, as well as the institutional resources we can use to adequately intervene in those cases.

We will start by drawing a map with the route along which we see women move along in search of responses to their matters at a local level. On that map, we will exhaustively identify the institutions and family and community networks to which they resort.

After drawing the map, we will discuss:

- The expectations and demands women often put forward to these institutions or social networks
- The responses usually provided by the institutions and networks, identifying any triggers that are positive and protect rights, as well as negative triggers that may lead to re-victimiz-

ing processes

- The impact those responses have on women
- Reflecting with our work team:
- How could we intervene to support women who experience gender-based violence in their journey through the institutions identified on the map?

3 Mobilizing “A guide for travelling along the path”

Lastly, we would like to suggest that you elaborate a resource guide of those institutions that are considered relevant for the protection of the rights of women who experience violence.

- In this resource guide, we will organize the identifying information, the mechanisms for accessing assistance and any other information we consider important. The information to be added could include:

1. Name of the institution
2. Address, telephone number, email address and website
3. Opening days and times
4. Programmes/services/resources provided
5. Method for making appointments
6. Procedure for making referrals
7. Any other relevant information
8. Otra información de interés

- ¿How can we use this resource guide?

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Module 3

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MIGRATION PROCESSES: AS SEEN FROM A GENDER PERSPECTIVE

THE PURPOSE OF THIS MODULE IS: • TO UNDERSTAND MIGRATION PROCESSES WITHIN THE FRAMEWORK OF A HUMAN RIGHTS PERSPECTIVE • TO RECOGNIZE THE CONTRIBUTIONS OF A GENDER PERSPECTIVE TO MIGRATION STUDIES • TO ANALYSE THE IMPACT OF GENDER CONSTRUCTIONS IN THE DIFFERENT STAGES OF THE PROCESSES • TO ANALYSE THE EFFECTS OF TRANSNATIONALIZATION PROCESSES IN THE REORGANIZATION OF FAMILIES, MOTHERHOOD AND CARE..

A. INTRODUCTION

In order to meet the learning objectives of this module, we will start by analysing migration processes in a human rights framework, by characterizing the place of migration in the international agenda and describing the main international instruments for the protection of rights. In the second section, we will expand on the contributions of a gender perspective to understanding the migration pathways, then later addressing the links between gender and migration at the different stages of the migration process. In the last section, we will analyse the impact of transnationalization processes, in particular the feminization of migration, global care chains and the transnationalization of families and motherhood. We will list the corresponding application activities for this module below.

Before reading further, we suggest that you carry out the following initial reflection activity.

Initial reflection activity: “Migrating is...”

In order to get started with thinking about migration issues, we suggest analysing the following pictures from the International Organization for Migration (IOM) global campaign #migration-means. This is an awareness-raising campaign about what migration means and implies for every single person.

These pictures were provided by IOM Bangladesh, IOM Seoul and IOM Nairobi.



1. What feelings do these pictures evoke? Which aspects of migration are highlighted and which are absent?
2. What does migration mean to us?

B. MIGRATION PROCESSES IN TERMS OF HUMAN RIGHTS

In this section, we will deal with migration in a human rights framework and analyse the implications of understanding migration as a fundamental human right. Furthermore, we will describe the main international legal instruments for protecting the rights of the migrant population in general and of migrant women in particular.

Migration in the international agenda

Migration has become a priority in the academic and political agenda at an international level. Although migration flows have been present throughout the history of humankind, they have acquired a particular relevance today. Various economic, political and social factors contribute to their greater intensity: armed conflicts, hunger and poverty, environmental degradation, epidemics, globalization and the advancement in communication technologies and transport, among others.

Today, almost 214 million people live outside of their country of origin. The International Organization for Migration (IOM) World Migration Report 2013 analyses the four migration pathways¹ concluding that the South–North and South–South pathways are the main migration flows. According to World Bank data for 2010 included in the aforesaid report, South–North movements represented the largest migration flow (95.091.000 people, 45 per cent of the total), followed by South–South movements (75.355.000 people, 35 per cent of the total), North–North (36.710.000 people, 17 per cent of the total) and North–South (7.044.000 people, 3 per cent of the total).

¹ The Report adopts the terminology used in development discourse to classify countries by their economic situation, according to which “North” are high-income countries and “South” low- and middle-income countries.

World Migration Report 2013 (IOM)

Some notable aspects

- Most migration moves towards countries in the North but there is an almost equivalent volume of migration to countries in the South.
- Most migrants come from countries in the South, in absolute terms, as the collective population in those countries is more numerous. In relative terms, however, there is a higher likelihood of emigration among people from countries in the North.
- The main migration corridors along the four migration flows are:

North–North: Corridors from Germany to the United States, from the United Kingdom to Australia, and then from Canada, Korea and the United Kingdom to the United States.

South–South: Corridors from Ukraine to the Russian Federation, from the Russian Federation to Ukraine, from Bangladesh to Bhutan, and from Kazakhstan to the Russian Federation and Afghanistan.

South–North: Corridors from Mexico to the United States, from Turkey to Germany, and from China, the Philippines and India to the United States.

North–South: Corridors from the United States to Mexico and South Africa, from Germany to Turkey, from Portugal to Brazil, and from Italy to Argentina.

More than half of the 20 top migration corridors in the world are made up of people migrating from South to South.

- Most migrants are men, except in the case of North–North migration.
- Migrants from the South are younger than migrants from the North.
- Most of international students go to study to countries in the North.
- Most of the money sent by migrants to their households (“remittances”) goes from North to South, although there are important remittance corridors between countries in the South.
- Migration from North to South is an increasingly important trend, but it is not given sufficient attention.

Along with the increase in international migration, there is an increase in restrictions on the movement of people between States, as well as in migration controls in the main countries of destination. This is embodied in regulatory frameworks that do not acknowledge migration as a human right and limit the possibility of migrant people being included as full citizens in the destination

society. Thus, the failure to recognize rights in many countries leads to situations in which the migrant population is exposed to discrimination, violence and exploitation.

In migrant-receiving countries, migration is often associated with the perception that it has negative social and economic consequences and, therefore, it is often stigmatized and rejected. It has been extensively documented that in developing countries, some sectors of society perceive migration as a threat to the job security of the native population, a burden on social services and, in recent years, suspected of bringing crime, drug trafficking and terrorism. In fact, empirical evidence, available knowledge and recent history have recently shown to the contrary (ECLAC, 2002 and 2006).

At the same time, the discrimination and stigmatization processes suffered by many migrant collectives hide or overshadow the contributions from migration flows to countries of destination. In the context of a globalized and transnational capitalism, migration is an essential pillar for fulfilling demand for a workforce, as we will analyse in the following section. However, in addition to this economic contribution, the presence of migrant communities in different societies can be culturally enriching and make them more plural, inclusive social spaces with a respect for diversity.

Migration as a human right

We consider it is crucially important to circumscribe the issue of migration within the field of human rights. Understanding migration pathways as an essential right is unavoidable in order to guarantee not only the wellbeing of those who migrate, but also the human development of countries of origin and destination. A society that perceives migration as a problem in itself and that adopts restrictive policies towards it not only discriminates and affects the quality of life of the migrant population, but it also becomes a society that blocks its own development. Encouraging social links based on prejudices, violence and inequalities is a way to fragment social bonds and make a country an unfair place, where human rights are neither respected nor protected.

Moreover, conceiving migration in terms of rights implies focusing on State responsibilities, as complying with those responsibilities is essential for the protection of migrant people. In fact, the human rights perspective becomes a key tool for identifying and addressing the diverse discriminatory and violent situations migrant people may go through during the migration cycle. Here are some examples:

- In countries of origin, the decision to migrate is often influenced by situations in which the right to development is denied. An analysis of the items upon which most of the remittances received by households are spent allows us to see which rights are not guaranteed in the countries of origin, such as the right to education, health or social protection (UN Women,

2013).

- During migration transit, the migrant population – and women in particular – are exposed to physical violence and sexual abuse by border control officials, authorities, traffickers, etc.
- In countries of destination, the migrant population may face obstacles to regularize their migration situation and access health, justice, education systems, etc. They might also suffer discriminatory situations from actions by the native population.

These examples show the need for Nation States to elaborate agreements and adopt specific measures for protecting and defending the rights of the migrant population.

Migration in the universal human rights instruments

The action taken by governments to protect the rights of the migrant population must be within the limits the principles of equality and non-discrimination enshrined in the international instruments for the protection of rights. These instruments are concrete commitments by the Member States of the UN System to ensuring the recognition of a set of universal rights, and should therefore be taken into account for the protection of the migrant population.

The right to free movement and to choose a place of residence was recognized in the Universal Declaration of Human Rights (1948) and in the International Covenant on Civil and Political Rights (1966). In 1990, the UN General Assembly unanimously approved a specific instrument on migration: **the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)**. It entered into force in 2003, when it was ratified by the 20 countries required as a minimum in order to do so. It is the most important binding instrument at an international level, although there are some others that address specific issues².

The ICRMW does not create new rights, but rather goes over the general principles of human rights as recognized in the six previous international instruments³ and extends them to **all mi-**

² Migration issues have also been addressed by ILO covenants, in international refugee and asylum law, the Vienna Convention on Diplomatic Relations and the Palermo Protocols, which complement the United Nations Convention against Transnational Organized Crime and are aimed at strengthening cooperation mechanisms in international law against the threat of transnational organized crime, in particular their links with human and migrant trafficking. The Inter-American Human Rights System has its own instruments, among them the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights (1969), and the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (1988), also known as "San Salvador Protocol". It does not, however, have specific legal instruments for the protection of migrants' human rights (OAS, 2003).

³ The International Convention on the Elimination of All Forms of Racial Discrimination (1965); the International Covenant on Civil and Political Rights (1966); International Covenant on Economic, Social and Cultural Rights (1966); the Convention on the Elimination of all Forms of Discrimination Against Women (1979); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984); and the Convention on the Rights of the Child (1989).

grants and their families. It established, for the first time, an international definition of the migrant worker, categories of migrant workers and members of their families. It clearly outlines different protection mechanisms for regular and irregular migrants, ensuring that the latter have access to some of the basic rights regardless of their migration status. This probably explains the reluctance of many countries to ratify it (UN Women, 2013).

The following stand out amongst the rights that are ensured for both regular and irregular migrants: a reaffirmation of the principle of non-discrimination, the right to equal pay and working conditions, to education and emergency medical care, to cultural identity and effective protection from the State against intimidation and violence. Among the protection only applicable to regular migrants, the following rights should be highlighted: equal rights with regard to national workers in the labour sector (including the right to unemployment insurance, social security and joining trade unions), the right to receive social, health, education and training services and the recognition of the right to family reunification.

The term “family” has a broad meaning in the ICRMW, which includes legal and consensual unions according to the applicable law, as well as the child/children born as result of this union and other legal dependents (ECLAC, 2006).

Regarding migrant women, it is worth mentioning that the ICRMW is the only instrument written using inclusive or non-sexist language, explicitly stating that each right applies to both women and men. However, it does not recognize the violation of rights based on gender patterns, such as greater vulnerability of women to diverse forms of sexual violence or the special protection needed for female domestic and sexual workers. In order to address these issues, it is necessary to turn to other instruments, particularly the CEDAW General Recommendation 26 and the ILO Convention 189 on Decent Work for Domestic Workers (UN Women, 2013).

***CEDAW General Recommendation 26 (GR 26) on women migrant workers was adopted in 2008.** From a clear gender perspective, it recognizes the specific vulnerability of migrant women in their origin, transit and destination in detail, and makes recommendations for States, urging them to take responsibility for protecting women migrant workers, such as the following:

- **In countries of origin: Providing training to potential migrants and legal guidance services; providing lists of legitimate and reliable recruitment agencies and creating a unified information system on employment available abroad; ensuring that standardized and genuine health certificates, as required by countries of destination, are issued; providing services for migrants who want to come back or who have already returned.**
- **In migration transit: Training, supervising and controlling border guards and migration officials on gender issues and the application of non-discriminatory practices when dealing with**

migrant women; punishing all human rights violations related to migration that are committed in the territory under their jurisdiction, regardless of whether they are perpetrated by public officers or private agents.

- **In countries of destination: Eliminating discriminatory prohibitions and restrictions on immigration; ensure the legal validity of contracts offered to women migrant workers; creating non-discriminatory family reunification plans; creating monitoring systems for employers and recruiters; creating inclusion and social integration policies and protection for undocumented women migrant workers.**

Moreover, GR 26 identifies three categories of women migrant workers requiring protection: (1) women workers who migrate independently; (2) women workers who reunite with their husbands and other relatives who are also workers; and/or (3) undocumented women workers. Although GR 26 is not a binding instrument, it is a fundamental tool for enforcing the protection of the rights of women migrant workers.

***ILO Convention 189 Concerning Decent Work for Domestic Workers**, passed in June 2011, is another significant international instrument for the protection of the migrant population. It aims to oblige the States that ratify it to commit to ensuring that this particular population receives fair salaries, social security and equal treatment and that its rights are brought into line with those enjoyed by the rest of the workers. It has a specific article on female domestic workers (article 8), which provides for a written contract or job offer prior to migration, as well as other measures aimed at bringing their situation to the same level as that of non-migrant female domestic workers.

Convention 189 is accompanied by Recommendation 201, which determines more precisely the measures that Member States should adopt. Among others, it outlines: setting up a telephone helpline; providing for a system of home visits to those households where women workers will be placed; creating a network of emergency accommodation; ensuring that women workers can access information on their rights in a language they understand, that they can resort to complaint mechanisms and that they are able to file for civil and criminal legal remedies.

C. THE POSSIBILITIES OFFERED BY A GENDER PERSPECTIVE IN THE ANALYSIS OF MIGRATION

In this section, we will go into a deeper analysis of the contributions brought by a gender perspective in understanding migration. We will start by characterizing some of the distinctive elements and challenges when studying migration and then point out the advantages of including a gender perspective in the study thereof. Then, we will analyse the links between gender and migration at some stages of the migration process: the motives for migration, border transit, public policies in

the destinations, social and support networks and the use and receipt of remittances. Finally, we will address the impact of migration on the reorganization of social gender relations.

Gender in migration studies

Upon considering the issues addressed in this module, we can notice the complex nature of migration. Migration is a driving force for social change that has implications and repercussions at an individual, family, local/community, national and transnational level. It therefore requires multidimensional, explanatory approaches that also take its complexity into account. These approaches should not be limited to considering the economic aspects (explaining relocation as the result of differential economic growth between the places of origin and destination) but also recognize the different dimensions of the migration phenomenon. This includes, for example, the different motives that lead a person to migrate; the importance of family and social support networks that operate before, during and after relocation; the meanings given to migration by the different populations; the multiple strategies they deploy for arranging the move and integrating into the new environment.

On the other hand, the real itineraries of those who migrate show the need to analyse relocation through epistemological concepts of dynamic and evolving moves. These itineraries demonstrate that it is not correct to assume that migration is either a movement from one fixed geographical space to another – origin and destination – or something exceptional people's vital cycles; neither can it be reduced to a mere question of departure and arrival or a rupture with the place of origin and the integration to a new environment (Mallimaci, 2012). To the contrary, the challenge is to understand migration from dynamic and evolving perspectives that consider the circularity of movements and the creation of links and networks with a transnational reach (to be addressed in the next section).

Moreover, the study of migration should reject ahistorical approaches that conceive it in a homogeneous way and disregard the social, cultural and political aspects of each particular context, because they are what shapes the particular features of migrant flows. In fact, the decisive role of social stratifiers must be taken into account, such as class or linguistic stratifiers, or those resulting from a sense of belonging to an ethnic, religious, national, generational or gender group, and their link to migration processes, on which we will focus below.

Traditional approaches have studied migration without considering a gender perspective. Women have been made invisible in the study of migration pathways or they have been reduced to the role of companions or dependents in the decisions made by men (fathers, husbands). Under the premise that the dynamic factor in relocation is represented by men, the implicit subject when addressing migration has historically been male. The migration of the young migrant worker

embodied the paradigmatic image of autonomy, while women's migration was linked to images of association, due to its connection to family relationships in terms of the purpose and destination of migration (Mallimaci, 2011). This implied a lack of awareness of women's experiences and subordinating their migration motives to those of men, as well as disregarding their paid work and over emphasizing their roles as reproducers and housewives (ECLAC, 2006).

This approach ignores, on the one hand, the historical existence of women who migrate autonomously; and on the other hand, the central place of women in the different instances of family migration projects. Therefore, it is essential to adopt approaches that make women's migration itineraries visible and understand the issues specific to them and that, at the same time, include a gender perspective in order to underline the differential impact of gender patterns in the migration experiences of women and men.

As we will develop in detail in the following section, gender patterns are present at the different stages of the migration process. They have an impact at both a subjective, personal level and at a family level, and they permeate structural aspects such as public policies and labour markets in countries of origin and in destination countries. **They affect, for example, decisions on which member of the household is to migrate, the social networks used to do so, how much money they send, how remittances are used in the place of origin, what the possible investment and saving options are and how experiences of integration and insertion in the labour market in the country of destination occur (UN Women, 2013).**

Therefore, if gender impacts on – and, as we will see, it is also impacted by – the different stages of the migration process, its inclusion in any analysis and intervention in the field of migration becomes significant. Not only because it is a key factor in configuring the particular features of migration pathways, but also and most importantly because omitting it favours the reproduction of existing gender inequalities. For example, if we fail to take notice of the differential vulnerability of women with regards to sexual violence or workplace exploitation, then it will be difficult for us to contribute to eradicating them. As such, gender equality must be a core premise in any analysis or proposal for action regarding migrant populations.

Gender in the different stages of the migration process

Following the line of analysis suggested in the previous section, it would be inadequate to make a general characterization of migration without considering the social and historical particularities. Moreover, in taking the dynamic and evolving character of movements into account, it becomes difficult to divide the migration cycle into specific stages or times. Nonetheless, and in order to facilitate the analysis of the links between gender and migration, we will take a look at a series of aspects or stages of the migration processes where the impact of the patterns and social links

of gender can clearly be observed. That impact will assume specific elements in each particular context.

- **The motives for migration**

Gender constructions condition decisions on migration and the strategies men and women develop for organizing their relocation. This can be seen at interrelated levels (Rosas, 2010):

1-Macro-structural level: It especially includes the economic conditions in countries of origin and destination and the dominant socio-cultural constructions of gender in each context. With regard to the economy of countries of origin and destination, there are diverse dimensions that have a different impact on men and women: the geographical location of those countries, the accumulation model, the degree of development, the role of the State and the scope of its social policies, the type of land ownership, the configuration of the labour market (salary and occupational segmentation and discrimination), among others. In the case of women, gender discrimination in the labour market in countries of origin and the expectation of employment – a rapid job placement in the fields of domestic and care work in the destination place have been reported as being important reasons driving female migration (UN Women, 2013). On the other hand, many women migrate in response to the deprivation of rights and opportunities that affects women in the places of origin (GCIM, 2005). Regarding the socio-cultural constructions of gender at a macro-structural level, family, friend and community social networks acquire a significant relevance. In the places of origin, the women in these networks have a central role in substituting migrant women in their care tasks in the household of origin, because they take care of their parents, children and any other relatives who stay at home when she migrates. We will go back to this aspect when we analyse global care chains.

2-Family level: This is where a series of opportunities and restrictions of a moral nature that operate on female and male mobility are displayed. It is not a question of fixed matters, but rather of situations that drive and impede the migration of women and men due to the influence of generational differences and according to particular points in the course of family life. The family-life stage is a key explanatory factor in understanding the decisions, strategies and networks used by potential migrants (Rosas, 2010). Some women migrate as a consequence of family decisions by which they are chosen to migrate with the expectation that they – more than men – will prioritize the family's interest over their own, work hard, accept worse living conditions and send a higher proportion of their income in remittances (Instraw, 2007). This reflects an idealized notion of women as being more capable than men of sacrificing themselves for the wellbeing of their family, in a clear repetition of female gender mandates.

3-Individual level: This refers to the relative position of women and men, as based on social

stratifiers. Apart from sex, there are other factors that condition migration decisions and strategies. These include age, place of birth, rural or urban origin, educational level, marital status, role and position within the family, number of dependent children, socioeconomic situation, ethnic origin and qualifications and employment experience prior to migration (Rosas, 2010). Different studies have revealed the existence of motives for men and women to migrate that replicate gender mandates. For example, in the case of men, the reasons underlying the decision to migrate are linked to the need for a better job and fulfilling the role of economic provider and supporting the family. In the case of women, some motives are clearly influenced by their place in gender systems: escaping oppressive cultural or family contexts (such as domestic violence, control over young women, pressure to marry, discrimination against lesbians), having hopes of getting married or gaining employment as domestic and care workers in the places of destination (Instraw, 2007; UN WOMEN, 2013). CEDAW GR 26 presents diverse circumstances for women in countries of origin that determine the influence of gender patterns in migration decisions. These include: the total prohibition or restriction of women's right to migrate due to their sex, or due to their sex combined with their age, marital status, pregnancy or motherhood; restrictions or specific requirements on employment that oblige women to have written authorization from male relatives in order to obtain a passport allowing them to travel or migrate; restricted access to education and training, as well as complete and reliable information on migration.

- **Border transit**

As we have already analysed, national States condition migration through their policies, regulations and omissions on migration issues may contribute to discriminatory and violent situations along their borders. CEDAW GR 26 states that migrant women may face different violations of their human rights when they are in transit. Those who travel with an agent or “coyote” might be abandoned if they encounter a problem during transit or upon arrival in the country of destination. They are also vulnerable to sexual and physical abuse by agents, coyotes, escorts, the authorities and others whilst passing through countries of transit. Migrant women who work as cross-border traders, for example, may be especially vulnerable to abuses by traffickers, criminals and even the border authorities that are supposed to protect them.

Rosas (2008) points out that mandates for masculinity are key in understanding how the selectivity of migration favours men. His study on Mexican men who migrate to the United States shows that the risk involved in crossing the border encourages male migration and discourages that of women. Due to the challenges and risks entailed, the experience of crossing that border magnifies the symbolic position of men.

- **Public policies in places of destination**

Public policies in countries of destination are key for the protection of the migrant population. With regards to migration policies, as we have already stated, these frequently contribute to creating circumstances where migrants are irregular and victimized, which are even more serious in the case of women. Migrant women often enter employment sectors with lower salaries and less regulations than the sectors in which men partake. Along with this, the lack of regulation for the sector with the largest share of women's employment – domestic and care work – also involves a violation of their labour rights and exposes them to exploitation (which is hard to report and deal with due to the limitations on migrant women accessing justice). Lastly, their access to health services, in particular for sexual and reproductive health, often confronts obstacles and barriers that undermine their autonomy for regulating their fertility and enjoying their sexuality (UN WOMEN, 2013).

- **Social and support networks**

As we have already mentioned, these networks are important when deciding to migrate; however, the networks receiving migrants in countries of destination are also significant and contribute to their employment and social insertion. They not only provide support and access to information and key resources for the incorporation into the new environment (housing, food, etc.), but also in many cases recruit workers according to the needs of the labour market in the country of destination (Rosas, 2008). In a study on migrant women in the metropolitan area of Buenos Aires, Curtis and Pacceca (2010) examine the women's networks on which migrant women rely upon before, during and after migration. The authors discern *“the implicit operation of gender as a condition for what is essentially a dual insertion, between family reciprocity and market exchange. Just as women's work in their own homes does not have an exchange value, but is necessary for financing or subsidizing those reproduction costs not covered by a salary, the solidarity and reciprocity links articulated around gender in the same way finance or subsidize the relocation of women/mothers into another labour market (in the society of destination), in which they are incorporated into a completely feminized and ‘genderized’ niche”* (Curtis and Pacceca, 2010:181).

- **Sending, using and receiving remittances**

Analysing remittances from a gender perspective allows us to make out the different patterns in sending, using and receiving them. The sex of the person sending the remittances influences the amount, frequency and sustainability over time. Women often send a higher proportion of their salaries (partly due to the salary disparity in the country of destination) and this usually implies sacrificing their level of personal wellbeing, their ability to advance in their career or the possibility of saving for their own future. In general, men send remittances to a smaller number of relatives, while women support more members of the extended household. With respect to the receipt of

remittances, women are also privileged receivers and administrators of those remittances, regardless of whether the sender is male or female. Women send remittances slightly more frequently than men and are more likely to respond to unexpected situations in the household of origin. Regarding the use of the remittances, most of those receiving and managing the remittances are women who, as family caregivers, often invest them in the wellbeing of the household. In most homes, remittances are allocated to paying for basic expenses, such as food, housing, clothing, health and education for the members of the household and, in general, to increasing access to consumer goods.

The impact of migration on the reorganization of social gender relations

It is worth mentioning that the question of the effects of migration upon gender relations often conceals the idea of the “modernizing impact” of migration on the “traditional societies” from which migrant people come or even on the migrants themselves. This leads us to the need to review the possible ethnocentric assumptions from which we evaluate the consequences of migration flows in issues such as the empowerment and autonomy of women or the construction of partner relationships that are more equal in terms of gender (ECLAC, 2006; Rosas, 2010).

Research on this topic has shown heterogeneous and, in some cases, contradictory findings. As a positive impact, migration allows women to become the main economic providers for themselves and/or their families, to acquire land or housing through the remittances sent to their countries of origin, or to start a business enterprise. These circumstances increase their control of resources as well as their self-esteem and autonomy; and they improve their position and social recognition within their families and their community. Some women also value migration's contribution in the chance to look for new opportunities and to get to know other customs, values and ways of life (UN Women, 2013; GCIM, 2005). In some contexts, the new roles and responsibilities assumed by migrant people in the place of destination often encourage more equal relationships with their partners. Some studies suggest that women who migrate with their husbands or family group are those who have the least chances of questioning gender structures in their places of origin (Rosas, 2010).

However, we cannot forget that migration occurs within contexts strongly marked by gender inequalities and ideologies. Migrant women experience a double discrimination for being both women and foreigners, and are employed in the worst paid jobs, for which they are furthermore sometimes over-qualified. In many cases, women suffer from isolation and exploitation (UN Women, 2013), and they can go for long periods of time without seeing their children or relatives who stay in their country of origin. Isolation especially affects women who do not speak the language of the country where they live or who do not have access to social support networks (GCIM,

2005). Therefore, the working conditions, income levels and access to social rights for migrant women do not always imply ascending social mobility or an improvement in their quality of life.

From the perspective of migrant women themselves, various studies have revealed that, although living conditions in countries of destination involve tough demands (long working days, stress inherent to the new environment, sending remittances and using a large part of their income to cover family needs, etc.), women positively evaluate their post-migration situation.

Few studies have been carried out with regard to an analysis of the situation of migrant men and gender relations. The findings gathered by Rosas (2008 and 2010) show diverse situations in relation to the reproduction and/or modification of family gender patterns prior to migration. Some investigations indicate that migration allows men who migrate alone to reaffirm themselves in the role of providers and to prevent their partners from working outside their home; but it also implies a loss of authority and ability to control their households – and particularly their partners – due to the distance and the need to assume domestic tasks in their places of destination. In the case of partners who migrate later, there are varied situations: some men continue to perform domestic tasks, whilst others consign these tasks to their partners and go back to traditional blueprints for the sexual division of labour. What's more, integration into the places of destination can negatively affect men's self-esteem and self-image because the way in which they enter into public space – their sphere of identification according to gender norms – often results in job exploitation, jobs that are scarcely appreciated in social terms and discrimination.

D. IMPACT OF THE TRANSNATIONALIZATION PROCESSES: RE-CONFIGURATIONS IN FAMILIES, MOTHERHOOD AND CARE

International migration entails the movement of people across territories that are geopolitically limited by Nation States. However, an analysis of migration processes should go beyond the Nation State level – which is often the sole focus – and consider the transnational level, a key factor in configuring the flows of the migrant population. In this section, we will focus on analysing the impact of transnational and globalised capitalism in the reorganization of migration and the family dynamics of the migrant population from a gender perspective. We will go into detail on the characterization of the feminization of migration, global care chains, transnational families and “long distance” motherhoods in particular.

The feminization of migration

Historically, women have played a leading role in migration processes: in some instances autonomously and independently or along with their partners and/or families in others, as well as migrating after their partners in order to reunite the family. **However, a trend towards the feminization of international migration has been observed over the last few years.** This concept usually refers to quantitative and qualitative changes. On the one hand, women increasingly participate in and accelerate international migration processes; they currently account for half of the world's migrant population (after a slight increase in number). On the other hand, there are more women migrating autonomously, as pioneers in flows and as the main providers for their transnational families (UN Women, 2013)⁴.

Women participating in migration flows is nothing new, but what is new is the fact that they are present today in almost all regions, in all types of flows and are moving more individually all the time, thereby leaving behind the classic pattern associated with previous centuries. “Since 1960, women have had a significant influence in international migration flows, with a constant increase, and although they constitute a slight minority in flows in general, they represent the majority in the main immigration regions since the 90's. This “quantitative feminization” is also characteristic of the intraregional international movements in Latin America since the 1980s” (ECLAC, 2006: 235).

⁴ In this regard, we should point out the risks of using a concept that makes women more visible –the feminization of migration– but that does so when their movements reflect those characteristics associated with male normativity, such as autonomy and responsibility for financially providing for the household. Mallimaci (2011) claims that this emphasis on women migrant workers obscures the situation of those women who migrate with family projects and, at the same time, reinforces the idea that “family reunification” exhaustively explains their reasons for relocating and that the migration disregards any sort of family logic.

The feminization of migration has been characterized as being part of global process of change that has affected living conditions for vast sectors of the population in developing countries (INSTRAW, 2007). Furthermore, it has been linked to the consequences of structural changes both in those societies that send migrants and in those that receive them (IOM, 2014), among which the demand for a flexible and low-cost workforce particularly stands out, especially in the service and care sectors (typically taken up by women⁵). This is in response to the restructuring of the capitalist system relating to the deterritorialization of production, the creation of free trade zones and a move towards services in place of manufacturing. That restructuring has formed a new international division of labour according to sex, which places women in the most insecure and worst paid jobs, thereby making migrant women especially vulnerable (UN Women, 2013).

Thus, the feminization of migration is linked to the dynamics of the relationship between developing and developed countries that reflect overwhelming patterns of inequality. The neo-liberal policies and structural adjustment programmes implemented in some regions during the last few decades – Latin America among them – have generated an increase in poverty, unemployment and the informal economy. This had a differential impact on women, thereby creating a process known as the feminization of poverty. Migration has therefore emerged as an option that women take in order to counteract these difficulties. Following this line of analysis, the feminization of migration has been interpreted as being a resistance strategy by women in the face of the poverty and exclusion they experience in their countries of origin (Vega Solís and Gil Araujo, 2003) and as a strategy to adapt to global changes (Cerrutti, 2008 in IOM, 2014).

The feminization of global capitalism and the reorganization of gender relations

The international capitalist system defines and shapes the rationale behind migration flows. The free movement of people is core to the reproduction of global capitalism. In order to sustain the process of flexible accumulation of capital, this model requires the free circulation of capital and goods as well as a low-cost, flexible and poorly-regulated workforce. Imported labour can guarantee those conditions, especially if they remain as irregular migrants. Whilst free trade agreements have facilitated the circulation of goods and capital, Nation States impose heavy restrictions on the circulation of people. In effect, migrant populations' labour becomes a necessary condition for sustaining the international capitalist system and, paradoxically, intensifies the obstacles to mobility for migrant workers (UN Women, 2013).

⁵ Women and girls are overrepresented in the domestic services sector (hotels, entertainment area), low qualified financial services (offering and dealing with credit cards, selling products by mail, offering and selling flight tickets) and in informal trade and small-scale microenterprises set up at home (Ballara, 2002 in ECLAC 2006).

Sassen (2003) analyses the globalization process by analysing the emergence of cross-border economic circuits, which operate as “alternative circuits for survival”. They allow many individuals and families to generate incomes; broad economic sectors to gain revenues, and they guarantee incomes for the governments involved. They are part of the informal or even illegal economy (such as textile sweatshops or drug trafficking), but they use the institutional infrastructure for the regular economy, thereby revealing its founding role in the transnational system. These circuits are “counter geographies of globalization” insofar as they are associated with the main dynamics of globalization: global markets, transnational and translocal networks and communication technologies that allow the traditional forms of control to be avoided. The author links the increasing presence of women and foreigners in these circuits with the feminization of the workforce, the feminization of migration and the feminization of poverty. She claims that while there is a feminization of the labour market, there is also a feminization of survival in the world, insofar as households and communities are relying more on women's social resources and the activities performed by women that generate remittances (Sassen, 2004).

The three expressions of the feminization processes that we are referring to (work, poverty and migration) can be understood within the framework of what Amorós (2008) calls the feminization of the global capitalism, as characterized by:

- The growing expansion of the informal multi-activity model, traditionally performed by women. This model assumes incorporation into the labour market through multiple and insecure jobs, which are characterized by being poorly paid and informal.
- The invisibility and under recognition that informality entails is typical of the situation of women. Their participation in the public sphere and the productive world is socially invisible, as well as their contributions to family and national economic growth by performing domestic and care work in their homes, which is neither paid nor socially recognized.
- Carbonero and Vazquez Laba (2010) add a third component to the feminization of global capitalism: the intensification of global reciprocity flows, based on the networks that have traditionally been women's sphere of activity. Historically, women have engaged in reciprocal relationships in order to answer the varied needs of their families and communities. Within the context of globalization, these reciprocal relationships are transnationalized, that is, they do not reflect the typical co-presence of proximity networks because they include relationships that are distant in geographical terms. They are relationships that are in essence developed amongst women, of which transnational care chains, to be addressed in the next section, are the prime example.

To sum up, the above shows us the importance of analysing the transnationalization processes from a gender perspective, as an indispensable key for understanding the situation of migrant women. Globalization brings with it the decline of traditional socio-symbolic systems based

on State, family and male authority (Braidotti, 2000). In effect, it reorders gender relations by de-structuring the traditional patterns that define male and female norms as well as the limits between certain antinomies that are central to defining those identities: public/private, productive/reproductive, economic support/emotional support. We will analyse these redefinitions in the case of global care chains and transnational families and motherhood.

Global care chains

The notion of “social care” refers to “the activities and relations aimed at meeting the physical and emotional requirements of dependent children and adults, as well as the regulatory, economic and social frameworks within which they are assigned and carried out” (Daly and Lewis, 2000:285). Therefore, care is comprised of a macro level – the division of labour, responsibilities and costs of care work between the State, the market, the families and the community; the care infrastructure; the political economy underlying the distribution of care provision –; and a micro level – the division of labour, responsibilities and costs of care work within families, relationships between those who provide and receive care, the social, economic and regulatory conditions in which care takes place.

A heterogeneous group of stakeholders converge in the social organization of care: States and their public policies, markets, community organizations, families in general and women in particular. They are the ones who, according to gender normativity – as analysed in Module 2 – take on responsibility for care and domestic work.

Care work is characterized by its lack of visibility and social recognition. This stems from diverse factors: in general terms, it is unpaid or low-salary work, with no State regulations guaranteeing labour rights or with discriminatory regulations that do not bring it into line with other types of job; it is mainly carried out within homes and therefore lacking external controls; it is neither registered in national systems nor included in official statistics that allow it to be measured; it is not a priority in governments’ political agenda; and carrying it out is considered to be women’s “natural” responsibility (UN Women, 2013).

Social discourses often allude to the existence of a “care crisis”, frequently holding women accountable for that crisis, as they enter the labour market and distance themselves from their traditional principal role in domestic tasks and reproduction. We should make it clear that this discourse laying the blame on women is symbolic violence, as it hides the particular socio-historical processes generating the care crisis. These include: the weakening of the Welfare State; the socio-cultural transformations in cohabitation forms and in families; the decrease in birth rates and the changes in reproductive strategies; an aging population and the increase in life expectancy, and the greater presence of chronic and disabling diseases (Pombo, 2010).

We will analyse global care chains in the above-mentioned context. Hochschild (2001) defines them as “global chains of affection and assistance” built on a global scale between women connected by different bonds (family, work, etc.), comprising paid and unpaid care work. Global care chains are networks with a transnational scope that are formed in order to ensure that daily life is sustained, based on transferring care work in the home. This transfer operates by recreating different power axes, among which gender, ethnic origin, social class and place of origin should be noted (Pérez Orozco et al, 2008). Given the social assignment of women to work related to domestic tasks and reproduction, they frequently have a leading role in the different links along care chains. Therefore, at the transnational level, migrant women’s work in these chains reveals women’s historic contribution to the capitalist economy through their leading role in solving the matter of domestic and care work in homes.

The global care chains make the different and interrelated inequalities visible:

- **Gender inequality:** Women and men have different roles in the chain, with women being the main care providers and men the main beneficiaries.
- **Class inequality:** In the initial or lower links of the chain, care work is performed for no pay or it is paid a much lower and more unstable wage than the final links in the chain.
- **Generational inequality:** Selecting the caregiver in the initial links is often associated with the “time availability” of the person who is to replace the woman who will stop carrying out the care work in her own home in order to do it in another’s in exchange for a wage. Grandmothers are usually those who are the most available – and those who have already completed a domestic life cycle and possibly also outside their homes – the same as the oldest children – who do not yet have responsibilities beyond the home.
- **North-South inequality:** The typical model for the social organization of care in Northern countries is based on the externalization (outsourcing or commercialization) of domestic and care work. This implies a process that mobilizes labour through the family and social networks as well as through market mechanisms. This normally requires migration, whether be it internal (rural-urban), cross-border or international/transregional (UN Women, 2013).

If we consider the inequalities described above, we notice that global care chains are neither a fair nor a sustainable answer to the care crisis and they do not promote the social value of care. Simultaneously, they are instances in which the vulnerability of women in general, and that of women migrants in particular, is reproduced.

The vitality of global care chains exposes the processes that privatize and refamiliarize the tasks inherent to the reproduction and care of family members; the other side to this is to be found in the process that shrink the State and expand the market within the structure of neo-liberal models. At the same time, it sheds light on the importance of building public policies that not only

de-commercialize and de-familiarize care, but also addresses the persisting feminization of care, which, in the context of globalization, takes on a transnational dimension (Pombo, 2010).

Transnationalization of families

Migration flows create new communities at a transnational level in the context of globalization processes. Transnational migrants forge and maintain multivocal social relationships – based on family, economic, social, organizational, religious and political ties – which establish a social space linking the origin and destination societies. Transnational communities, transnational families or multivocal domestic units – whose members live in at least two Nation States – appear together as one of the socio-cultural phenomena that characterize globalization (Glick et al., 1995; Portés, 1996; Parella and Cavalcanti, 2008).

A transnational family is one which has members living separately either some or most of the time; being capable of establishing bonds that enable their members to feel part of a unit and to understand their wellbeing as having a collective dimension, despite the physical distance (Bryceson and Vuorela, 2002).

The post-migration geographical separation – which is sometimes permanent and sometimes temporary – that typifies the members of the transnational families leads to agreements and adjustments that reconfigure the family dynamics present before migration. A spatial and temporal restructuring occurs regarding how they interact within the relationships, what families' economic strategies are and how they organize domestic and care work for family members. These adjustments have an impact on the personal experiences and the organization of daily life for both those who migrate and those who stay in their place of origin.

This restructuring – inherent to transnational life – does not entail negative or positive aspects per se. To the contrary, their scope is linked to the socio-historical conditions in which each family is set, as well as the economic, cultural and symbolic capitals constructed by their members within those conditions, as permeated by social class, gender, ethno-racial and intergenerational relations.

Transnational families are sometimes seen as a social problem implying that their members will inevitably suffer as a consequence of the interruption of their relationships in the space-time. These negative connotations of the transnational family are perhaps founded on the fact that it challenges the hegemonic family model. As we have analyzed in Module 2, the predominant family model – which emerged along with the consolidation of the modern liberal State – is built on a heterosexual, hierarchical and patriarchal structure and defines a clear sexual division of labour. Furthermore, it is based on the assumption that the nuclear family group will cohabit a private

and reproductive space, in contrast to the public and productive one. Transnational families twist this family model, by breaching these founding principles as well as hegemonic conceptions relating to motherhood (Pombo, 2011), which we will address in the next section.

Finally, transnational families question the Nation State, its geopolitical borders and its public policy models. They reveal the limitations of policies for ensuring the rights of those who make up such families, in particular children and adolescents and migrant women, who are referred to as “de-nationalized citizens” by Sassen (2003). Women and their transnational families are left out of structures and deprived of political representation due to the national scope of State justice systems. These systems do not provide a response to the special features of family agreements according to which some members live in different Nation States.

A prime example of the inadequacy of national justice systems for meeting the needs of transnational families is the situation of children and adolescents who have migrated with their mothers and whose fathers are in the countries of origin. When fathers who remain in the countries of origin breach their inherent duties of parental care, mothers often find it difficult to legally demand that those duties be fulfilled. They also frequently face legal barriers when trying to leave the country of destination with their children without an authorization from the father. These situations clearly show the need for bilateral agreements and transnational legal mechanisms.

Transnational motherhood

Transnational, or “long-distance”, motherhood is a type of mother-child relationship typified by a temporospatial separation. In many cases, it appears as a consequence of women migrating to a country of destination in search of employment that will allow them to send the remittances needed to ensure their children's needs are met. Transnational motherhood therefore breaks with the pattern of sexual division of labour in which the man is the economic provider.

But the most striking aspect is that transnational motherhood must adapt itself to a temporospatial separation and therefore disrupts the traditional pattern of mother-child relationships (as characterized by a face-to-face relationship, intense physical contact and a shared presence). It is interesting to note here that motherhood is a social construction with historic and cultural variations. It includes biological processes (conception, pregnancy, birth, postpartum period and, in some cases, breastfeeding), but it is not solely a “natural” process. On the contrary, it comprises social practices and relationships that go beyond the female body (such as care and socialization, or emotional support) and that intersect with ideas about what is socially accepted, legitimized and “naturalized” (Nari, 2004; Pedone, 2006).

Various studies reveal the range of strategies adopted by “long-distance mothers” in order to

maintain ties with their children. These include the use of new information, communication and transport technologies. The quality of care provided by migrant women to their children who live in their places of origin should not only be assessed in terms of shared presence. Therefore, the lack of physical proximity should not necessarily be interpreted as an indicator of family fragmentation or the cause of emotional or cognitive problems in the children; migrating does not specifically imply undermining family ties (Pombo, 2011).

Transnationalization, women and families: some key points for preventing stereotyped perspectives for analysis

Based on this analysis, we ought to question any attempt to analyse transnational families that:

- Conceives transnational families in homogenizing terms, that is, ignores heterogeneous characteristics according to the social stratifiers of class, racial/ethnic, gender, nationality, etc.
- Considers transnational families as a harmonious whole, without addressing the conflict of interests between their members and the internal hierarchical relationships, according to gender and age in particular.
- Assesses the dynamics of transnational families based on the dominant family model and interprets them as necessarily problematic and disruptive because they do not fit in with hegemonic ideal family norms.
- Gives a negative meaning to mother-child bonds built in the context of long distance motherhood, seeing them as being inevitably dysfunctional and prejudging the quality of care provided by mothers –who are blamed for “abandoning” their children.
- Does not take into account the unfair circumstances faced by women migrant and transnational families due to the lack of possibilities for political representation and transnational legal mechanisms.
- Ignores the specific nature of those experiences and subjectivities that are built in the spaces along borders or edges, which are not subject to binary logic (here/there, breakdown/integration, present/absent, stable/unstable, etc.), but rather open to mixing, hybridization and movement.

In effect, it is essential to approach transnational families and motherhood by considering the interactions between the structural constraints –both national and transnational– and the particular pathways of their members, in order to try to reveal the social space which integrates and hybridizes the space of origin with the destination space. This takes us to the border and edge zone interconnecting local and global aspects and that, as argued by Sassen (1996), is so socially dense and empirically specific that it requires an analysis of its own.

E. SUMMARY AND REVISION ACTIVITIES

- In this module, we have analysed migration within a human rights framework. We have included the following questions to sum up the main ideas developed in the first part:
 1. Why do we maintain that migration should be studied from a human rights perspective?
 2. What international instruments for protecting the rights of the migrant population can we identify? What are their main contributions?
 3. What are the situations of violence and rights' violations that most often affect the migrant population? What is the specific situation of migrant women?
- We propose drawing a mind map explaining the relationships between all the different concepts we have analysed in this module. We have listed some of them below, but you can also add any other concepts we have analysed that you consider important.

Human rights – transnational family – feminization of migration – migration policies – transnational motherhood – discrimination – feminization of global capitalism – border transit – gender norms – global care chains – free circulation – social gender relations – flexible and low-cost labour – violence – family of origin – adjustment policies.

F. APPLICATION ACTIVITIES: 1. RECOGNIZING, 2. ENGAGING, 3. MOBILIZING

1. Recognizing: “De-idealizing migrant women”

In this activity, we will think about our ideas regarding the migrant women we usually work with. First, let's analyse an image showing an idealized construction of a migrant woman. We would ask you to look at it carefully and then reflect upon it by answering the questions.



Source: Gender on the Move: Working on the migration-development nexus from a gender perspective. Alison J. Petrozziello. UN Women, 2013. Page 42.

- A. How do the gender patterns (roles and norms) analysed in module 2 operate in the construction of this image? Does this image show a stereotype of a migrant woman? Why?
- B. What differences and similarities do you find between the characteristics in the image and those of the migrant women you work with?
- C. To what extent do our concepts and opinions on migrant women reproduce and/or resignify the construction shown in the image?
- D. How do these concepts and opinions influence our intervention processes?

2. Engaging: “Rethinking our intervention with migrant women”

In this activity, we propose thinking about our intervention with migrant women. We would like you to recreate or imagine a situation involving a migrant woman who needs a technical, professional intervention related to what you do every day. Once you have chosen a situation, we suggest you organize a roleplay in two ways: first, reproducing stereotyped, prejudiced and stigmatizing prac-

tices; and secondly, showing inclusive intervention practices fostering rights’ protection.

Then, we suggest you think about the previous exercise, identifying the implications of intervening in one way and the other for both the migrant woman and the team involved.

3. Mobilizing: “Promoting rights”

In this module, we pondered on the potential of applying a gender approach for analysing migration processes.

We propose you search the Internet for a campaign promoting the rights of migrant women, implemented either in the country where you live, or globally.

Once you have looked at the graphic or audio-visual materials included in the campaign, think about the following questions:

Once you have looked the pictograms, think about the following questions:

1. Which migrant women’s human rights does the campaign address?
2. What aspects of the pictograms show they have a gender perspective?
3. Which aspects of this campaign do you think are positive and high-impact and which ones would you change?
4. Considering the population of migrant women you work with, what rights do you think are important to address with some sort of promotion initiative like the one shown in the campaign?
5. What messages and information could be transmitted by such an initiative for promoting rights?
6. What type of material could be used to spread those messages and informative contributions (posters, radio slots, brochures, etc.)?
7. We would like to encourage you to create your own strategy for promoting migrant women’s rights!

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Module 4



INTERVENTION WITH MIGRANT WOMEN: SYNERGIZING THE PERSPECTIVES OF HUMAN RIGHTS, GENDER AND INTER-CULTURALITY

THE PURPOSE OF THIS MODULE IS: • TO CHARACTERIZE DIFFERENT APPROACHES TO ADDRESS THE MATTER OF CULTURAL DIVERSITY. • TO ASSESS THE POTENTIAL OFFERED BY SYNERGIZING THE PERSPECTIVES OF HUMAN RIGHTS, GENDER AND INTER-CULTURALITY IN INTERVENTION WITH MIGRANT WOMEN. • TO DESCRIBE SOME CRITERIA AND GUIDELINES THAT CAN LEAD THE INTERVENTION WITH MIGRANT WOMEN IN SITUATIONS OF GENDER-BASED VIOLENCE.


A. INTRODUCTION

In order to achieve these learning objectives, we will address the inter-cultural approach, differentiating the various ways of conceiving cultural diversity and emphasizing the need to adopt critical inter-cultural perspectives. Secondly, we will focus on the need to synergize the perspectives of human rights, gender and inter-culturality in order to intervene on the inequalities suffered by migrant women. Thereafter, we will develop some guidelines to guide the construction of diagnoses of the situation and intervention strategies with migrant women in situations of violence. Following on from that, we will list the corresponding application activities for this module.

Before reading further, we suggest you carry out the following initial reflection activity.

Initial reflection activity: “The other: Is she so different from me?”

In order to start analysing the topic of intervening with migrant women, we suggest analysing a video that shows a situation in a Spanish educational institution related to the use of the hijab, a dress code adopted by many Muslim women according to the rules of Islam.

 The video is called “Hijab” and it is directed and produced by Xavi Sala. You can find it on line at: https://www.youtube.com/watch?v=kE5h_FaYAjg

Once you have seen it, we suggest you think about the following questions:

1. What conflicts and tensions regarding cultural diversity appear in the video?
2. How are cultural differences addressed by the teacher/school? What analysis can we make from a human rights and gender perspective?
3. What reflections arise from the final scenes of the video?

B. INTER-CULTURALITY: KEY APPROACH IN INTERVENTION WITH MIGRANT WOMEN

In Module 2 we laid out the need to mainstream the gender perspective in the area of public policies. In this section, continuing towards our goal of re-thinking interventions with migrant women, we will take a closer look at inter-culturality, an approach that is on the rise and that is sometimes applied from noncritical perspectives, which serve to reproduce inequalities between cultures and life systems. In this regard, we will focus on the origin of the concept and its multiple meanings as well as on some elements that contribute to the operative implementation of this approach.

Towards a definition of inter-culturality

The concept of inter-culturality does not allow for a single definition, but instead has multiple meanings, which are in line with the different views on how to understand and address diversity and culture.

Inter-culturality arose as an approach or a perspective for intervention at the end of the 1970s and was developed in both Europe and Latin America. While in Europe it came about in relation to the challenges created by the incoming migrants, in Latin America it has been associated with the demand for cultural and political recognition by indigenous and Afro-descendant groups of the region (UNFPA et al, 2012).

According to Walsh (2007) and based on her studies on inter-cultural policies in Ecuador, inter-culturality appears at the core of indigenous movements as a proposal for transforming the State, public policies and society as a whole, and the mono-cultural and selective conceptions according to which any peoples, practices and knowledge that do not follow the logic and patterns of the hegemonic and dominant culture are subordinated. From these premises, the re-vindication of indigenous movements and of other minorities is not limited to merely searching for recognition and inclusion, but also to altering the colonial matrix along which relationships between groups are organized. It aims to tear open the colonial paradigm (Western, white and androcentric), through which a hierarchical system classifying individuals and groups was built, a system that can still be seen today in the structure of society and that decides – as pairs of opposites – which the dominant groups (“we”) are compared to the subordinated (“the others”); which the hegemonic and socially admitted knowledge and ways of life are and which are not.

The author warns of the risks of using the inter-cultural perspective to distort the transforming political component that gave birth to it. In effect, there are proposals that conceive inter-culturality in formal terms and without considering the colonial matrix along which differences among groups are built. These proposals focus on cultural diversity and on looking for ways to balance

the differences, without taking into account the fact that inter- and intra-group power relations influence it, and therefore they do not propose substantive change regarding the organization of States and the structure of societies. Moreover, it is usually assumed from these proposals that culture is a homogeneous and stagnant whole, and not a “battlefield of ideology and struggle for the control of the production of truths and for cultural and political hegemony” (Walsh, 2007, 116).

In this setting, there are two views regarding inter-culturality that stand out: critical inter-culturality, promoting transformation processes in view of the colonial social order, and traditional inter-culturality, recognizing cultural diversity as a given fact of reality and which seeks to integrate it or balance out a hegemonic and dominant matrix. What is more, it is important to differentiate inter-culturality from the term multi-culturalism, with which it is often confused. We think it is essential to establish the differences between these three concepts because each of them gives rise to varied grounds for social interventions and unequal potential in terms of contributing to the transformation of the power relations that subordinate certain peoples or cultures.

- The concept of multi-culturalism came about in the 1960s in Northern countries, as a result of a series of demands from minority groups – homosexuals, feminists, ethnic groups, among others – around mainly legal and educational issues. It is a descriptive concept that aims to recognize cultural diversity occurring de facto in contemporary societies and which promotes recognition thereof (UNFPA et al, 2012).
- Inter-culturality, however, not only recognizes the existence of cultural diversity but also tries to explain the interaction or the encounter between two or more cultural groups in the name of reaching a balanced co-existence. The inclusion of traditional healers in the biomedical health system and inter-cultural bilingual education targeted at minority groups are some examples that illustrate inter-cultural policies promoting dialogue and contact between two worldviews on a level of supposed equality and harmony, without questioning the hegemony of biomedicine and the “national” language.
- Critical inter-culturality, lastly, puts an emphasis on inequalities between cultures and the validity of monocultural and ethno-centric patterns that cause discrimination and exclusion. Continuing with the example of education, a critical inter-culturality perspective would try to shake the foundations of educational institutions in the single-nation and monoculture, and promote ways of thinking and producing knowledge that differ from the ones provided by modern Western and colonial rationality.

Along this line of analysis and also strengthening the importance of understanding the articulations between peoples by considering the power relations established between them, Segato (2011) proposes the concept of inter-historicity. Like the critical inter-culturality approach, it sees colonial difference as the organizer of a hierarchical social order by which there are dominant and

subordinated individuals and peoples. However, according to this approach, the different communities and groups are not identified by culture, which is often understood as a fixed and watertight patrimony, but rather their history. That is, “self-perception by its members is to share a common history, which comes from a past and moves towards a future, even through situations of conflict and internal disagreement” (Segato, 2010). In this regard, it is presented as a proposal for transforming colonialism and is related to the restitution of autonomy to all peoples, namely, the opportunity to build their own historical project.

Adopting a critical inter-culturality perspective

We can find foundations and State commitments in relation to the application of critical inter-culturality in a set of international instruments for the protection of rights. We have chosen the following instruments from among them:

- **The Universal Declaration of Human Rights 1948.** This Declaration establishes the principle of non-discrimination, although there is no reference to the different groups affected.
- **The Declaration of Santiago 2000.** It is one of the first instruments to refer to Afro-descendants, migrants and indigenous peoples as the main victims of racism, discrimination and slavery, who have historically been denied their rights. It urged the States to ensure equal, respectful and non-discriminatory treatment.
- **The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, South Africa, in 2001.** In this Conference, reference was made to the specific conditions of inequalities for Afro-descendants, indigenous peoples and migrants, and their causes, related to racism, slavery and colonialism.
- **The Declaration of Barbados in 1971.** The right of indigenous peoples to self-governance and to have their own representatives is defended by way of this document.
- **ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries, from 1989.** It established the right to live according to their culture and traditions, to not be discriminated against, and the right to consultation and participation.
- **The UN Declaration on the Rights of Indigenous Peoples in 2007.** It makes it clear that indigenous peoples are entitled to all the human rights recognized in international law, without discrimination.

These instruments add regulatory arguments for intervening from an inter-cultural perspective and clearly state the governments’ responsibilities regarding inequalities among cultures.

As we have already mentioned, intervening from a critical inter-cultural approach implies questioning the colonial matrix that governs and organizes society. It is not just about recognizing and

making differences visible, but also questioning the patterns upon which these differences are built and ordered in a hierarchy. In other words, it is about understanding how it is that otherness is built (and subordinated) on the basis of a paradigm or monoculture model that is associated, in our society, with a Western, white, male and heterosexual identity. From those premises, inter-culturality expands to cover all those who do not fit into that paradigm or model of what it means to be human, whether for reasons of nationality, ethnicity, gender, sexual orientation, etc.

In this way, adopting an inter-culturality perspective on these terms requires us to (CAREF et al, 2012):

- **Recognize the existence of diversity**
- **Understand the historical and political nature which means differences are built and organized in a hierarchical system that generates inequalities**
- **Promote equal relationships in which there is mutual exchange and the groups involved play a leading part**

Therefore, adopting an inter-culturality perspective requires us to be able to, firstly, question our own parameters with which we define and understand reality. That is, we have to move away from our place of knowledge/power and understand that there are different worldviews or ideas based on which the world is interpreted, and people act within it, and that they are usually made invisible or punished in the face of hegemonic culture. An example of this is the use of traditional medicine as a method of health care, which is often stigmatized and punished due to it being an alternative to the hegemonic medical model (Menéndez, 1985).

On the other hand, it is necessary for us to be able to consider the historical and political nature underlying the creation of inequalities and to avoid reproducing stereotypes and prejudices regarding certain groups. Lastly, it is necessary to develop and promote equal relationships in which there is mutual exchange based on active participation by the various groups involved in carrying out diagnoses and defining interventions. Their central role in decision-making at these stages not only strengthens our actions, but is also a mandatory requirement for ensuring that the inclusion of cultural diversity is not a mere formality that reproduces the very power inequalities that any inter-cultural strategy should try to subvert.

C. TOWARDS AN INTERVENTION THAT ARTICULATES THE PERSPECTIVES OF HUMAN RIGHTS, GENDER AND INTER-CULTURALITY

In this section, we will consider the articulation between the perspectives of gender, inter-culturality and human rights. First, we will analyse the potential for synergizing or complementing the three perspectives in order to understand the situation of the populations suffering multiple inequalities, gender, class and ethnic inequalities in particular. Within that framework, we will highlight the intersectional analysis of those social structuring components as a tool for understanding the methods based on the argument that racism, patriarchy, class oppression and other discriminatory systems create the inequalities that structure the relative positions for women. Afterwards, we will look at problems in the specific situation of migrant women by applying the intersectional analysis.

Synergizing the perspectives of gender, human rights and inter-culturality perspectives

Human rights are universal legal guarantees that seek to protect people and social groups against omissions and acts that interfere with their freedoms and, ultimately, with human dignity. The main characteristics include universality, dignity and the intrinsic value of all human beings; human rights are equal, indivisible and interdependent and are protected by law (OHCHR, 2006). Consequently, they all have the same status as rights and cannot be ranked or considered apart. Thus, a human rights approach or perspective becomes a key tool for identifying and analysing social inequalities and outlining fields of action for creating strategies to address those inequalities and to pursue the equal enjoyment of rights.

Within the framework of human rights, equality is an over-arching principle that provides content for the other rights. The human right to equality always goes hand in hand with the right to non-discrimination, making possible to evaluate whether there is equality insofar as there is no discrimination (UNFPA et al, 2012). If we consider the particular conditions in which different social groups have exercised and exercise their rights, we will discover that, historically, there have been situations that are unequal and harmful to specific populations and that have required and demanded special protections in order for them to exercise their rights in equal conditions.

Women's movements have exposed gender inequalities and fought for protection against rights violations that particularly affect women. Within this context, feminism has pointed out the sexist and androcentric nature of human rights, which take the male subject as its model and reference, having been formulated at the heart of patriarchal societies (Facio, 2000). The androcentrism of human rights is shown in the normative component of law: rules that exclude women from

exercising their rights – for example, the right to vote –; rules that favour men – in the exercise of parental responsibility, in decisions on women's sexual and reproductive rights, among other things –; rules that supposedly protect women but in fact discriminate them – for example, forbidding women from working at night, or granting social security rights only to women and not to men, upon becoming widows, –and rules that are necessary but still absent in certain contexts, such as the legalization of abortion or the punishment of certain forms of gender-based violence. In conjunction with this, androcentrism appears in the structural, political and cultural components of law, which includes the way in which authorities (judges, prosecutors and administrative authorities) apply it and solve a particular case, and what doctrines, schools of thought and people in their everyday life think rights are and the scope they give to them (Facio, 2000 y 1996). It is therefore imperative to eliminate sexism from the law: “we must take the precept of non-discrimination and combine it with the ideal of legal equality in order to construct a concept of equality that does not use man and the masculine as its reference” (Facio, 1996: 90). To sum up, feminism's deciral highlights the need to combine a human rights perspective with a gender perspective. This does not mean rejecting the principle of equality, but rather combining it with differences in order to prevent inequalities. In the words of MacKinnon, inequality is not about identity and difference, but about dominance and subordination. Inequality is about power, its definition and its inappropriate distribution (MacKinnon, 1995).

Within feminism itself, post/de-colonial feminism has brought up the importance of recognizing the differences and inequalities within the collective of women as a whole, by denouncing the ethnocentric and universalizing nature of the “white, Western and heterosexist” individual in hegemonic feminism. This is an individual that, by being defined according to the sexual difference between women and men, standardizes women whilst at the same time makes other differences – different differences – invisible, differences that make up subjectivity, such as social class or ethnic origin. Post-colonial feminisms therefore direct attention to the importance of making other forms of oppression visible, thereby exposing the illusion of a “common oppression” shared by all women, rooted in a patriarchal system perceived in ahistorical terms (Pombo, 2011).

Emphasizing the intersection of gender and ethnicity is a way of making non-white women visible, as they are hidden in the category of “woman” and the ethnic categories (“African-American”, “Hispanic”, etc. that refer to male subjects); these categories are understood in homogenous terms and establish the dominant positions as the norm (Crenshaw, 1991). Consequently, the notion of intersectionality is key to thinking about class, ethnicity and gender as being not only related/interconnected but that are also shaped through their mutual articulations, merging into subjective identities. Thus, the challenge is to understand these intersections not only as crossing points that are present in every woman's body and course of life, but also as structural determinants of the strategies that they deploy (Pombo, 2011). “Sexism, racism and class exploitation

are interrelated systems of domination and oppression that determine female agency” (Bidaseca, 2010: 133). We would add to this inequality regarding ethnic origin, as another form of centrism that also determines women’s opportunities develop strategies in a state of autonomy and free from discrimination.

The objective of an intersectional analysis is to reveal the diverse social hierarchies upon which identities are built, thereby showing that they come together to form obstacles and/or unequal opportunities for accessing rights. It seeks to address the ways in which racism, patriarchy, class oppression and other systems of discrimination create inequalities that structure the relative positions of women (AWID, 2004). Hence, it is a tool for recognizing the constituent diversity of populations that have generally been homogenized, and for uncovering the power relations that make up the different social positions and cause inequalities.

If recognizing the causes of women’s subordination allowed us to move from a women-centred approach to a gender-relations approach, then recognizing women’s cultural diversity, and the combination of identities that generate oppression, should allow us to move towards an intercultural gender approach. This new perspective will overcome ethnocentrism in the struggle for gender equality and will allow a framework to be constructed in feminism, one in which all are included, as an intercultural feminism” (UNDP, 2013: 35). Just as we proposed the need to combine a human rights perspective with a gender perspective, we therefore now add the need to combine a gender perspective with an intercultural perspective. In this way, we can synergize the three perspectives, aiming to create links between the three perspectives that, even though each one has its own long-standing conceptual development, have simultaneously been developed further, with limited and insufficient articulation and dialogue between them (UNFPA et al, 2012). The act of synergizing them maximizes our ability to understand the root causes of inequalities and how they intersect, as well as to intervene in reality in a complex way and focusing on the social inclusion of historically excluded groups, in a quest to strengthen their autonomy.

Intersectional analysis and the situation of migrant women

This new perspective of intersectional intervention – intersecting the approaches of human rights, gender and inter-culturality – adds interesting elements for reflection and intervention with migrant women. Initially, it allows for the inequalities faced by migrant women to be identified and for the social structures causing them to be clarified, thereby helping to avoid two stereotyped interpretations about them, which are:

A. Understanding migrant women as victims and objects of social processes that subordinate them (poverty in their country of origin as the cause of their migration, migration as a last resort or relocating against their wishes; domestic violence in the communities of origin;

ethnic discrimination...)

This perspective can be seen, for example, in lines of thought that suggest that vulnerability is accumulated or increased by the existence of various different oppressions, which are understood as being possible to aggregate and divide into sectors, as if it were possible to separate them and add them together. We can also see processes objectifying migrant women in discourses that explain their situation by resorting to the idea of a “triple oppression” – class, gender and ethnicity – as a “ready-made” category that does nothing more than contribute homogenizing and over-simplified explanations (Pombo, 2011).

The above leads us to the careful review of the link between vulnerability and migrant women. From a human rights perspective, vulnerability implies a situation that prevents one from enjoying the enabling capacities granted by rights. Hence, those who are in a vulnerable situation occupy an unequal and subordinate position in the correlation of power relations in a particular society.

As we have seen in Module 3, it is undeniable that migrant women are exposed to situations that produce vulnerability. On the one hand, there are structural conditions in the countries of origin, transit and destination that may be sources of vulnerability; on the other hand, cultural processes comprised of discrimination against the migrant population have been reported (prejudices and stereotypes based on nationality and foreign status; racism; xenophobia, etc.). We have also analysed that the risks of experiencing situations of vulnerability are even greater in the case of irregular migration, which is especially open to extreme abuse and violence – such as human trafficking and illegal trafficking of migrants – by unscrupulous individuals taking advantage of their lack of documents and State protection. This does not mean denying that reality, but rather questioning the link between vulnerability and female migration to analyse it in each particular context. “The association between female migration and vulnerability is an intricate and indisputable matter. The excessive focus on this link may exaggerate a heteronomous role for women and justify restrictive measures on the entry of immigrants” (ECLAC, 2006, 294). As a result, we suggest avoiding automatism when linking migrant women and vulnerability in order to analyse to what extent each woman’s specific contextualized situation entails adversities and discrimination and to what extent it allows for strategies to be created that make women the leading subjects of their actions, even in social conditions marked by inequality based on class, sex, race and xenophobia.

B. Understanding migrant women as being essentially monolithic subjects that are preconceived as poor-coloured- women, leaving aside the social relationships they develop in each particular context.

This perspective appears in proposals that suggest “empowering” migrant women, who are capable of being autonomous and agents per se due to the simple fact of having left an oppressive past behind. Migrant women have historical experiences of organization and demands regarding

their rights, but those experiences are heterogeneous and are attached to a specific set of social conditions that make them possible, and which need to be analysed. Just as we have questioned the universalizing perception of migrant women as mere objects of social processes that subordinate them, we should also try to problematize the conceptions that treat them as subjects who lead processes of emancipation and conquest of greater autonomy, without taking into account the material and symbolic conditions of their existence, as marked by processes of discrimination.

Finally, these ideas suggest that, with regard to intervention proposals, we should encourage actions designed around intersectionality. This means having fully comprehensive actions that consider the overlap between the different lines of oppression and the multiple discriminations that affect the specific populations we work with. This shows the problems of and questions the idea of targeting a single population with segmented policies that separately confront certain aspects of people's identity that are in fact impossible to divide. Instead, and in keeping with the interdependence of human rights, intervention strategies should be designed to include the migrant population as a full subject of rights, but at the same time understand these subjects as being neither universal nor neutral, but instead with the need to be addressed by a perspective grounded in the crossover between the perspectives of gender and inter-culturality.

D. RETHINKING INTERVENTIONS WITH MIGRANT WOMEN IN SITUATIONS OF VIOLENCE

In this section, we will reflect on the intervention with migrant women in situations of violence. First, we will critically review the associations between female migration and gender-based violence. Thereafter, we will present a series of criteria and guides that can contribute to building a situational diagnosis for migrant women in situations of violence. Then, we will present some general guidelines to be considered for developing intervention strategies with this population.

Reviewing the pairing between gender-based violence and female migration

Just as we argued for the need to question the mechanical association of the pairing between vulnerability and female migration in the previous section, we will start this section by questioning another pairing connected to it, one that associates female migration with gender-based violence. As in the previous case, we would like to acknowledge and denounce the existence of structural and cultural processes that favour situations of violence – in all its various types and forms – among migrant women. “The risk of suffering violence increases when factors such as migration-status, age, social class and/or ethnic origin are used as categories for discrimination. Furthermore, a lack of knowledge of the local language, inadequate access to suitable jobs, limited awareness of their rights and, in some cases, early experiences of violence in their communities of origin, are all factors that combine to reduce their ability to protect themselves from abusive situations. Social isolation and a reduction in contact with their family and community networks may increase the chances of women suffering serious forms of violence over extended periods of time” (IOM, 2014b). It is also true that the employment conditions of most migrant women expose them to situations of violence and exploitation that are particularly critical for migrant women who have an irregular migration status. In addition to this, they might have a perception of public institutions as being more of a threat than a source of protection, and a fear that they will not be believed or that the report of gender-based violence might affect their regularization process, all of which are factors that come together to put migrant women at greater risk of abuse, which may remain unpunished (Amnesty International, 2007).

To summarize, migrant women's overexposure to gender-based violence is related to the inequalities and lack of protection they suffer and not to their being migrant women per se. In effect, it is imperative we understand that this violence is not the result of fundamental or intrinsic aspects of “migrant women” – understood in homogeneous, universalizing and oversimplified terms – but is in fact a result of the discrimination these women suffer in each particular context. Following this line of analysis, we wish to highlight the importance of revising certain concepts that define migrant population in general, and certain nationalities in particular, as being inherently chauvin-

istic and violent. Patriarchal systems leave their mark on all societies and condition subjectivities, but claiming that women of a particular nationality are submissive in the face of violence or that men of a certain nationality are chauvinistic is grounded in serious prejudices. These types of ideas undermine our conception of gender-based violence and make effective intervention in this area difficult.

Finally, an analysis of the situations of gender-based violence personified by migrant women obliges us to place the intersections of the inequalities analysed in the previous section as explanatory factors for that violence. This means refraining from reducing violence to an expression that is solely the result of unequal gender relations. Hence, those women who are subordinated on the basis of various hierarchical social systems (gender, class, ethnic, nationality, sexual orientation, etc.) will find justifications, triggers and explanations for the particular violence they suffer in other power relations – in addition to gender (UNDP, 2013).

In this regard, it is essential to pay special attention to how situations of violence are perceived by the very women who are affected by them; to the views and explanations they give for their situation and to where the intersection of inequalities fits in with these explanations. Migrant women have had interesting organizational experiences intervening in the advancement of their rights based on a clear recognition of the intersectionality and interdependence of these rights. Indigenous and Afro-descendant women have also made declarations regarding gender-based violence that define it not only as gender-based discrimination for both indigenous and non-indigenous women, but also as a context of the constant colonization and militarism, racism and economic policies that increase poverty (FIMI, 2006 in UNDP, 2013).

On the other hand, there are also reports of how migrant women perceive the discrimination they suffer in multiple spheres, attributing discrimination to their being migrants and as not being linked to gender patterns or socio-economic status. In this regard, a study by the IOM (2014a) notes that: “Remarkably, discrimination is not recognized as institutional violence by women, as it is directly associated with their migration status and not the dual condition of being a woman and a migrant”. In any case, migrant women’s views on gender-based violence are varied and require specific and contextualized analysis; the extent to which the intersectionality of inequalities is recognized as an explanatory factor for that violence seems to be heterogeneous. Thus, the challenge is to design intervention strategies in which migrant women maximize their critical view of that intersectionality, in order to outline enforcement action that aims to eradicate the violence they face.

Some guidelines and strategies for designing interventions with migrant women

Interventions with migrant women – as any process of social intervention – should stem from a diagnosis of the situation that portrays the particular features of the specific population we are going to work with. After that comes the outlining of the intervention strategies thought to be appropriate for confronting the problems and needs detected and prioritized in that diagnosis. Below, we are going to present a series of criteria and guidance that could contribute to preparing a situational diagnosis for migrant women. We will then lay out some general guidelines that should be considered when designing intervention strategies with that population.

Criteria for preparing situational diagnoses

In order to create a diagnosis portraying the migrant population that each team works with, we suggest producing information regarding the four points that we are going to explain below. With respect to the methodological aspects related to the production of the empirical information necessary for making the diagnoses, we should consider the use of primary and secondary data sources. This will vary according to the possibilities and abilities of each team for producing the necessary information, as well as the availability and accessibility of information from secondary sources.

1-CHARACTERIZING THE SOCIO-ECONOMIC CONDITIONS OF MIGRANT WOMEN

In order to have a general overview of migrant women’s material conditions, it is worth collecting information on their economic situation, level of income, insertion into the labour market, benefits from social programmes, education level and living conditions. This provides a general profile for the population under analysis and also key information for assessing women’s financial autonomy or dependence, an essential factor in perpetuating situations of gender-based violence.

On the other hand, it is interesting to portray family groups and women’s co-habitation, paying special attention to the presence of dependents (children, the elderly, the disabled or the infirm). At this point, it is advisable to diagnose relationships with families and communities of origin in detail, as well as the ties and responsibilities in relation to family who stay in the places of origin. In addition, a survey could be carried out on women’s strategies for combining the different chores of daily life, both paid and unpaid (domestic and care work) and the arrangements they make with commercial, governmental (including educational institutions, social advancement providers, among others) and non-governmental (including community dining halls and nurseries, family and geographical support networks, among others) institutions in order to do so. This portrayal of how women use their time makes it possible to evaluate potential overloads of work and to identify

the specific resources they might need to meet their care needs. Going back to the points made in Module 3, it becomes important to consider the impacts of transnationalization processes in reorganizing the make-up of families, and to avoid prejudices and stereotyped views about models of family and motherhood.

Alongside this, we should look at the national and ethnic origin of the women we are analysing. Belonging to an indigenous or Afro-descendant group or being of a certain nationality may lead to specific types of discrimination that should be investigated. The level of awareness about their rights and the access to mechanisms that regularize their migration status and to a national identification document can also be explored.

Finally, we should consider women's health status and their access to the healthcare providers that are needed to care for them and their dependents. We should focus on identifying access to services and resources that ensure their sexual and reproductive health and that allow them to autonomously regulate their fertility.

2-CHARACTERIZING THE GENDER-BASED VIOLENCE THAT WOMEN ARE EXPOSED TO

As we have already analysed in Module 2, gender-based violence is expressed in different ways and can be of different types. The main forms are: domestic, institutional, workplace, against reproductive freedom, obstetric and media violence. Hence, the multiple types and modalities through which violence is expressed should be explored in each diagnosis, focusing particularly on those we wish to understand in depth.

In light of the findings of an IOM study (2014a), it is important to pay special attention to the institutional form in which violence towards migrant women is expressed, by detecting the discriminatory situations and obstacles to accessing their rights that they may come across.

Furthermore, we recommend studying the views and perceptions that migrant women have about the types and forms of violence that affect them, laying emphasis on detecting the explanations they give for that violence and where the intersectionality of inequalities appears in those explanations (in the terms analysed in the previous item).

The information inherent to the types and forms of gender-based violence merits special attention when gathering data, in order to ensure compliance with ethical principles about not revictimizing possible victims of situations of violence. Individual situations of violence should therefore exclusively be detected by these teams and services that provide social assistance on this issue and/or are able to guide women who are found to be suffering violence. The rest of the teams may consult secondary sources of information, turn to key information providers or eventually prepare

a research plan that complies with the corresponding ethical principles.

Quantifying the magnitude of gender-violence will only be theoretically and empirically relevant if the population being diagnosed is large enough. The priority is to depict the issue in qualitative terms, by gathering the particular ways in which the population studied conceptualizes and faces up to violent episodes.

3-DESCRIBING THE CRITICAL PATHS TAKEN BY WOMEN IN SITUATIONS OF VIOLENCE

The paths taken by women in situations of violence are complex and usually include multiple governmental (mainly to do with health, justice, police and services specializing in violence) and non-governmental institutions, including family and community networks at a local level. The responses found and effective access to justice vary according to the accessibility, availability and quality of the service offered by those institutions. In order to prepare a diagnosis, it is important to know the institutional route or path taken by migrant women in order to gain access to justice, and identify barriers, obstacles and facilitating factors in each stage.

According to the results of the IOM study (2014 a), specific information ought to be collected on the following aspects: women's level of awareness regarding the entirety of the procedures and steps they need to take in processes for care and assistance in situations of gender-based violence; the recognition of their rights as women and as migrants; the stage and severity of the violence at the time it is reported; the institutions that they turn to in order to access health care; lodge the complaint, find safety resources, means of therapeutic support and legal advice services; possible situations of re-victimization and mistreatment linked to their failure to understand and the poor explanations on the part of those providing assistance; women's expectations regarding the institutions used, the responses received and their impact they have.

In order to prepare a diagnosis on these issues, we suggest you consult the answer to the application activity in Module 2: "Retracing the Critical Path for women".

4- IDENTIFYING MIGRANT WOMEN'S ABILITIES, CAPACITIES AND RESOURCES FOR DEALING WITH THE SITUATIONS OF VIOLENCE DETECTED

It is extremely useful to explore the individual abilities and capacities of women as well as the family, local and community resources they can rely on to confront situations of violence as part of the diagnosis.

In this respect, and in line with the findings of the IOM study (2014 a), we could explore: the existence of family and social support networks; women's participation in diverse community spaces and organizations; contact with migrant women who are representatives or members of commu-

nity organizations; and the accompanying, supporting and even translating (both linguistic and of communicational codes) tasks carried out by these representatives faced with specific situations.

Greater homogeneity or heterogeneity regarding the places of origin of the migrant women who are consulted for the diagnosis, as well as their geographical distribution, will influence the range of local and community resources to be investigated. It is often very helpful to use key informants for that purpose.

Some general guidelines to consider when designing intervention strategies with migrant women

Intervention in the area of gender-based violence is complex and requires varied and complementary approaches.

Below, we are going to present a set of guidelines for designing intervention strategies especially directed at migrant women during different stages: 1- organizing work teams; 2- awareness-raising and promotion of rights; 3- direct assistance and intervention; 4- monitoring and evaluation.

1- WORK TEAM ORGANIZATION STRATEGIES FOR INTERVENTIONS WITH MIGRANT WOMEN

Interventions in the field of gender-based violence entail particular challenges and demands for the teams involved. The following might be useful for strengthening teams in interventions with migrant women:

- **Building and maintaining spaces for team meetings and internal and external monitoring.** These conditions favour inter-disciplinary dialogue, improve working conditions, optimize the results of tasks and strengthen each professional's commitment to caring for themselves and caring for their colleagues. Being exposed to accounts of serious rights' violations and its implications at an emotional level are aspects to be considered in order to protect the health and integrity of the people who are part of those teams. In order to achieve this, it is also beneficial to be part of networks that bring together different teams working on similar issues, as they facilitate an exchange of experiences, resources and knowledge and also prevent isolation, helplessness and exhaustion amongst the team members.
- **Having protocols for action that frame, guide and facilitate the task.** Standardizing and frequently reviewing and updating these types of instruments make interventions more dynamic and optimize them. Active participation by the people responsible for applying those protocols is key not only for formulating, but also for monitoring the adequacy of those instruments. It could be worth preparing an instrument to standardize practices for

the specific guidance and intervention required by migrant women.

- **Undergoing service training that strengthens teams' knowledge and experiences in relation to migration, from a gender perspective, and improves their interventions.**
- **Getting to know the institutions that intervene in the assistance circuits for women in situations of violence according to the access migrant women have or might have to them.** Pursuant to the regulatory frameworks in force on migration in each local context, there will be protected rights for migrant women and conditions that enable their access to the institutions that are part of the assistance system for situations of violence. It is important to have complete information regarding the procedures, requirements and forms of assistance in those institutions with regards to migrant women, noting the rights that come to the aid of both regular and irregular migrants. Having this information makes migrant women's critical paths clear and facilitates offering guidance to them, by giving the teams the opportunity to intervene more efficiently and with greater support.
- **Establishing articulations with the institutions involved in the above bullet point.** This allows for vital coordination among them, as women in situations of violence often receive counseling and start proceedings – sometimes simultaneously – in various social, health and legal institutions (ELA, 2009). Consolidating these articulations not only contributes to comprehensive assistance but also avoids the potential for revictimization.
- **Systematizing practices for intervention, and valuing them as essential input for producing knowledge in the field of gender-based violence.** It is often the case, in different contexts, that the teams providing assistance do not have the time and resources necessary for action, or do not feel sufficiently qualified and supported to carry it out. On the contrary, taking advantage of the body of information they produce during the process of research may strengthen them as a team and be valuable in itself in terms of the knowledge produced on the topic.
- **Participating in advocacy spaces that promote migrant women's rights.** These are spaces in which the primary information collected by the teams on discrimination and violations affecting women can be applied and transmitted. Making this information known and allowing it to be included in legislative or executive measures aimed at reverting discrimination and violation is an enriching task for teams.

2- AWARENESS-RAISING STRATEGIES AND PROMOTION OF MIGRANT WOMEN'S RIGHTS

Gender-based violence in the case of migrant women requires action to promote their rights from an intersectional perspective of women's rights and migrant people's rights. Promotion campaigns can be developed to address a particular population (for example, Afro-descendant migrant women); migrant women in general; people who work in institutions providing assistance to migrant women (for example, health teams) or also awareness-raising campaigns directed at society as a whole.

In any of the above cases, the recipient population and the message to be communicated should first be identified, and then the specific formats in which the messages will be communicated and the channels along which the campaign will be disseminated should be further defined.

It is important that the campaign materials used have clear, simple and understandable information for all nationalities. Furthermore, materials should be distributed in areas and institutions that are a point of reference for migrant women, so they can easily reach them.

You could go back to the answers in application activities in Module 3 “Promoting rights” in order to design campaigns that raise awareness about and promote rights.

3- STRATEGIES FOR ASSISTANCE AND DIRECT ATTENTION IN SITUATIONS OF VIOLENCE

The criteria and intervention models chosen for any situation of gender-based violence define the assistance provided to migrant women in situations of violence. The particular feature of this intervention is the special care that should be given to possible violations of rights and discrimination that migrant women might experience based on gender, class, ethnic, linguistic, and national patterns. It is therefore essential to base intervention strategies in the intersectional perspective we have expanded upon in this document, by synergizing the perspectives of human rights, gender and inter-culturality. In this setting, we now present a series of considerations to be taken into account in the stages of assistance and direct attention:

- **Informing women about their rights as migrants**

Just as informing women in situations of violence about gender equality and their rights as women is crucial for this approach, advising them on their rights as migrants might also facilitate the solution of a violent situation. Many migrant people are not aware of the current regulatory framework for migrants in the countries of destination and do not have enough information regarding their rights in those countries. In those contexts governed by legislation that protects the rights of the migrant population, this might lead them to believe they cannot access certain services – including specialized violence or health services – or certain important resources that protect their autonomy and enable them to get away from the aggressor.

Furthermore, particularly in the case of those migrants who have an irregular status, not knowing their rights may cause uncertainty and a fear of being arrested or deported from the country of destination, of losing custody of their children or the possibility of arranging the authorization to travel with them to their countries of origin.

These situations outline the need to generate actions that ensure migrant women can access specialized services for violence and also provide substantive elements to be considered in the initial

interviews held with them, in order to facilitate adherence to treatment and on-going attendance.

- **Considering the impact of migration on the everyday conditions of women in situations of violence**

As we have analysed in Module 3, migration reconfigures family relationships and frames the dynamics of transnational relationships. Thus, migrant women probably maintain social interactions with relatives and social networks in the places of origin and also in their current places of residence. It is necessary to know the scope of these networks in each specific situation, by carefully evaluating three aspects. On the one hand, the people each woman is responsible for in the places of origin and destination, especially children and adolescents, the elderly and people with disabilities or the infirm. This will allow us to identify the need to design protection strategies for those dependent family members, along with the design of strategies for leaving the household where violence takes place or to break off contact with the aggressor. On the other hand, evaluating the level of reliability of the women’s social networks will allow for potential relationships with people or networks that subject women to situations of sexual or labour exploitation to be detected. Finally, assessing the existence of significant relationships and support networks that may accompany women in their process of recuperation and leaving the situation of violence behind.

Migrant women are repeatedly exposed to overloads of work, as they are responsible for earning income to support their families as well as for combining paid work with domestic and care work in their homes. This makes for situations of limited autonomy in managing and using time, added to the insufficient financial autonomy that many women in situations of violence suffer. This scenario makes women’s access and adherence to therapeutic mechanisms and assistance difficult and adds objective obstacles to the subjective obstacles that impede or prevent women from identifying violence and seeking a way out (ELA, 2009).

On the other hand, due to many migrant women’s overload of work and lack of time, as mentioned above, we recommend that services and mechanisms for dealing with violence should offer a variety of opening days and times, thereby making it easier to access them (IOM, 2014 a).

- **Advising on the implications and rights related to access to legal proceedings**

The journey through legal proceedings often results in uncertainty and fear amongst women in situations of violence, as well as doubts about the speed and efficacy of intervention by judicial bodies (ELA, 2009). This might be even more so in the case of migrant women because, as foreigners, they may have limited knowledge about the rules and functioning of the legal system in the countries of destination.

Thus, it is important to advise women by providing detailed information on the implications of

accessing each stage of legal proceedings, in order to dispel any potential fears and clarify their rights. This entails providing specific information on the scope of making a legal complaint in violent episodes and advising on any legal measure to be taken or that could be taken in the situation of violence experienced by each woman. Particular attention should be given to guidance on the equal treatment and non-discrimination that women should receive in police units and different institutions related to legal processes.

The operational method in which these processes of information and advice can be carried out can include mechanisms for individual and/or group assistance, including spaces for self-help or mutual assistance in which participation by migrant women who have suffered, and successfully overcome, gender-based violence is exceedingly valuable.

- **Designing guidance and support strategies for women passing through institutions for ensuring their social rights**

Interventions in situations of violence entail establishing referrals and articulations with a wide range of governmental and non-governmental institutions involved in the protection of social rights. Such is the case of: employment and professional programmes; educational, health and housing institutions; and plans and programmes that transfer money or income. It is vital to advise migrant women on the possibilities of accessing each of those resources and benefits, clarifying requirements and methods.

As in the previous item, it is important to consider that migrant women may not know the bureaucratic rules and administrative procedures of each institution. According to the findings of the IOM study (2014 a), there are two obstacles to women successfully following the path through institutions and accessing resources and services. On the one hand, some women migrants do not have previous experience in completing paperwork and administrative processes, as it is men – mainly their partners – who usually take care of such matters. On the other hand, there is also a lack of time and financial autonomy that characterize a great number of migrants in situations of violence, which impedes this

In this context, supportive referral mechanisms are recommended in order to support women in the path through these institutions – and not only to inform them on their rights and the resources available. This helps to prevent situations of discrimination and institutional violence and to ensure effective access to their rights.

At the same time, it is important to have interventions that enable the financial autonomy of women or at least provide the financial support necessary to complete the paperwork and administrative processes necessary for accessing varied resources.

- **Establishing articulations between governmental institutions and civil society organizations connected to the promotion of migrant people's rights**

The study by the IOM (2014 a) emphasizes the need to continuously and systematically consolidate and strengthen the instances of exchange, articulation and adaptation for the different services and areas involved in protecting the rights of women in general and of migrant people in particular. The migrant women who took part in the study expressed the importance of engaging Consulates in interventions in the situations of violence suffered by women from different migrant communities.

- **Actively including migrant women and their organizations in interventions with women in situations of violence**

In many places, migrant women have a rich history of struggle and of creating strategies for enforcing their rights. There are a variety of migrant organizations that provide information, support and assistance (including in translation) at a local level in situations of gender-based violence. It is extremely important to be aware of these experiences and to include these who perform them in approaches to deal with gender-based violence. Working together with these organizations will not only make any intervention project more participative, but will also become a contribution to strengthening the capacities of migrant women and their organizations.

4- MONITORING AND EVALUATION STRATEGIES

An evaluation should be understood as a constitutive component in any intervention process and as a contribution to optimizing each of its stages. It is present in the different stages of the intervention: at the beginning (through ex ante evaluations or initial diagnoses), during the process (through monitoring the implementation of programmes or projects) and upon conclusion (through ex post, result or impact evaluations).

An evaluation process grounded in a rights-based approach must include the following three dimensions at least: a) using information and data on the situation of the population as a guide for the analysis; b) identifying information related to institutional, regulatory and public policy mechanisms, that progressively ensure the effectiveness of rights, with due consideration of the political, socio-economic and socio-cultural context; and c) the capacities and resources available for both defenders and holders of rights to demand their effective fulfilment. The latter not only depends on normative recognition, but also on the availability of a series of resources and capacities (CIDH, 2008 in UNFPA, 2012).

If we adopt an intersectional perspective as developed in this manual, – in which the perspectives of human rights, gender and inter-culturality are brought together –, then we must focus on evalu-

ating the impacts of our actions on the groups in the greatest situation of inequality, such as the communities where gender/ethnicity/age/area of residence, etc. intersect. Likewise, we should aim for a participative evaluation, by engaging those groups in decision-making at all stages: defining the actions to be evaluated and the time when the assessment will be carried out (initial, process and/or impact evaluation), preparing indicators and assessment tools, selecting information sources, applying tools, analysing the information gathered, documenting and sharing the results.

The creation of evaluation strategies is somewhat complex methodologically. In order to do so, there is a series of supporting material developed by different United Nations' agencies. Among them, we would like to highlight the methodological guide drawn up by the United Nations Evaluation Group (UNEG)¹ and the guides and manuals produced by the UN Women Evaluation Office². We will limit ourselves here to presenting a tool that may be useful for applying evaluation indicators within the proposed perspective.

Checklist for preparing indicators that are sensitive to human rights, gender equality and interculturality (UNFPA, 2012: 87).

- Do the indicators adequately relate to the objectives and results for progress and for overcoming injustice and inequalities at any level?
- Are the indicators related to a goal or standard from an international instrument that allows us to analyse the direction of changes for achieving the objectives and results for progress and for overcoming injustice and inequalities?
- Have the people involved in preparing them taken part in analysing and disseminating them?
- Have quantitative or qualitative indicators been used that allow us to measure the results of the strategy at any level?
- Does the information available allow us to measure a trend regarding gaps, inequalities or barriers that are present in a specific period?
- Is it possible to have a baseline for measuring the strategy's results?
- Is it possible to simultaneously interpret their results from a perspective of gender, human rights and inter-culturality, according to the characteristics of the communities affected and

the intersections between them?

- Is there the capacity to carry out this intersectional analysis?

To conclude, in this section we have presented a set of guidelines and rules that could help in the design of situational diagnoses and intervention strategies with migrant women. They are not models or formulas to be replicated, but are instead a series of criteria whose usefulness and viability should be evaluated in each particular field of intervention.

In any case, we hope they can contribute to discussing and enriching work teams' tasks, as well as to identifying new ways of engaging in the promotion of migrant women's rights.

¹ Available at: http://www.uneval.org/papersandpubs/documentdetail.jsp?doc_id=980

² Available at: <http://www.unwomen.org/en/digital-library/publications/2015/4/un-women-evaluation-handbook-how-to-manage-gender-responsive-evaluation>

E. SUMMARY AND REVISION ACTIVITIES

1. We suggest preparing a synthesis of the contents of the first sections of the module by filling out the following table, in which you can include the contributions from the different perspectives we have analysed, as well as how they come together, in interventions with populations who suffer from multiple and intersectional inequalities. We suggest using the contents in Module 2 in order to add the contributions from a gender perspective.

Perspective	Contribution to intervention processes
Human rights	
Gender	
Critical inter-culturality	
Intersectional or Synergy of perspectives	

2. Which elements and criteria are important for preparing a situational diagnosis and designing intervention strategies with migrant women?

3. 3. What opportunities are offered by an intervention that uses, values and strengthens migrant women’s experiences of taking a leading role in tackling situations of gender-based violence?

F. APPLICATION ACTIVITIES: 1. RECOGNIZING, 2.ENGAGING, 3.MOBILIZING

1. Recognizing: “Reviewing socio-cultural diversities”

In this activity, we would like you to identify any situation of intervention with migrant women performed by your work team in which there is some sort of tension or conflict based on socio-cultural diversity. That is, any scenario – such as the one depicted in the Hijab video – where there are different ideas and views as to how to go about resolving a certain situation. Based on the scenario you identify, we would like to propose thinking about the following questions:

1. How is socio-cultural diversity expressed in this situation? What does it represent? For whom?
2. What alternatives for intervention does it outline? What intervention strategies might lead to situations of discrimination and reproduce inequalities?
3. What particular features would the intervention take on if we position ourselves from an intersectional perspective that brings together the perspectives of human rights, gender and inter-culturality?

2. Engaging: “Constructing a situational diagnosis”

By means of this activity, we suggest carrying out a situational diagnosis that allows us to know the migrant women we work with in depth, from the perspective developed in the module, by complementing and synergizing the perspectives of human rights, gender and inter-culturality. In order to do so, we present the following table that could guide the planning of that diagnosis.

	What are we interested in knowing?	What secondary sources of information can we turn to?	What primary information can we produce? With what tools?*	What tasks are required for producing and analysing this information?	How can we organize ourselves to construct the diagnosis?***
Socio-demographic description of migrant women					
Description of gender-based violence experienced by migrant women					

Description of the critical paths migrant women take					
Description of migrant women's abilities, capacities and resources					

**We are referring to tools for producing empirical evidence, such as questionnaires, interview guides, etc. **We may consider the resources needed, the distribution of tasks and responsibilities and the working schedule.*

3. Mobilizing: "Planning an intervention strategy"

In this activity we will go back to a situation where rights are violated, as identified by the situational diagnosis with which we think our work team can create an intervention strategy. We suggest planning this activity based on the following table, which we recommend you fill in by considering the questions under each item that have been formulated to facilitate the inclusion of an intersectional perspective when planning intervention strategies*:

<p>Situation where rights are violated</p> <ul style="list-style-type: none"> - What is the situation or problem chosen from the diagnosis? - Does the situation identified highlight and recognize the inequalities grounded in gender, social class, ethnic, nationality, etc. patterns? - Does the situation identified take in the differentiated interests and needs regarding gender and inter-culturality? 	
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<p>Objectives</p> <ul style="list-style-type: none"> - What are the general and specific objectives of the initiative? - How does it promote the recognition and protection of the rights of the selected population? To what extent does the initiative aim to transform the situations that cause discrimination? - To what extent do the objectives address the interrelated causes of the problem regarding human rights, gender equality and inter-culturality? - Does the initiative provide the population with a leading role for identifying the inequalities affecting them and for demanding their rights? 	
<p>Target population</p> <ul style="list-style-type: none"> - Who are the direct or indirect beneficiaries of the initiative? - Does the population identified allow for the objectives to be fulfilled? 	
<p>Methodology</p> <ul style="list-style-type: none"> - To what extent do the processes and mechanisms for implementation enable the active participation of the target population in the different stages of the initiative? - Are there mechanisms so that this population can access information on the progress of the initiative? 	
<p>Activities</p> <ul style="list-style-type: none"> - What activities are necessary in order to fulfil the objectives? - Do the activities proposed advance the acquisition of the skills, abilities and resources needed to confront the rights' violations affecting the target population? 	

<p style="text-align: center;">Resources</p> <ul style="list-style-type: none"> - What human, material and financial resources are needed to implement the initiative? - How can we mobilize these resources in order to ensure equality regarding gender and inter-culturality (within the work team and with regard to the target population)? 	
<p style="text-align: center;">Monitoring and evaluation strategies</p> <ul style="list-style-type: none"> - How will the process and results evaluation be implemented? - To what extent are the evaluation indicators sensitive to gender and inter-culturality issues? You can test the indicators using the “Check list” provided. - Are you considering holding any inter-cultural dialogue activities, which will include the results and lessons learned from the initiative? 	

**Some of the questions have been adapted from: UNFPA, UN Women, UNICEF and UNDP (2012) Ampliando la mirada. La integración de los enfoques de género, interculturalidad y derechos humanos. Santiago, Chile.*

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