

Global Compact for Migration: Gender Responsiveness, Implementation and Canada's Role

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Issue

How can Canada implement the Global Compact for Safe, Orderly and Regular Migration (GCM) as a gender-responsive instrument of global migration governance?

Background

The GCM is a multilaterally negotiated non-binding agreement under the United Nations. On December 10–11 2018, states present in Marrakech expressed their support for adopting the GCM. Subsequently, on December 19 at the UN General Assembly, states voted to endorse the outcome document from Marrakech. One hundred and fifty-two states voted in favour of adopting the document, five voted against and 12 abstained (UN 2018b). The purpose of the GCM is to facilitate safe, orderly and regular migration in a holistic and comprehensive manner. Traditionally, states have been resistant to taking a multilateral approach towards migration governance. However, the GCM helps facilitate meaningful international cooperation and engagement on issues relating to migration, and thus represents a watershed moment for global migration governance.

Gender in the GCM: The Feminization of Migration

About half of the people on the move worldwide are women (International Organization of Migration [IOM] 2018, 17), as are 44 percent of migrant workers (ibid., 28). Additionally, over 70 percent of domestic workers worldwide are women (ibid., 29). Women migrant workers experience a greater degree of deskilling relative to men and are concentrated within gendered sectors of employment that are subject to informality, a lack of regulation and a lack of social protection. Women migrants living, moving and working in these circumstances are subject to particular risks; for instance, 98 percent of all sexually exploited victims of trafficking are women (Canadian Women's Foundation 2014, 17). LGBTQI+ migrants are similarly subject to a heightened risk of trafficking and sexual exploitation (Martinez and Kelle 2013, 1), and their concentration in informal and precarious labour sectors and domestic work is frequently downplayed or overlooked (see, for example, Lai 2018).

The GCM establishes gender-responsiveness as a guiding principle. It seeks to “ensur[e] that the human rights of women, men, girls, and boys are respected at all stages of migration, their specific needs are properly understood and addressed, and they are empowered as agents of change” (Global Compact for Migration, 2018). It also aims to

mainstream a gender perspective and to promote gender equality and the empowerment of all women and girls by recognizing their independence, agency and leadership in order to move away from addressing migrant women primarily through a lens of victimhood.

Meaningfully enacting gender-responsiveness in the GCM will ensure that global migration governance also contributes to the realization of the Sustainable Development Goals, including Goal 5, gender equality and the empowerment of women and girls. Therefore, the GCM represents a watershed moment for cooperation on migration governance and working toward gender equality. It is a vital opportunity to build a rules-based international order for migration that truly applies to *all*, including the migrant women that globally constitute 50 percent of this group, rather than falling into old traps of essentializing women as victims or conflating them with children, while failing to responsibly address the gender-specific needs of women on the move.

Canada and the GCM

The emphasis on gender-responsiveness in the GCM has come about in part through Canada's push to place and keep gender on the agenda and to prioritize gender-responsiveness in all recommendations during the thematic consultations and negotiations leading to the adoption of the GCM. International engagement on the GCM has been jointly led by Immigration, Refugees and Citizenship Canada (IRCC) and Global Affairs Canada (GAC). Going forward, Canada is well-placed to lead in international knowledge sharing and capacity building as the GCM is implemented. In so doing, Canada can live up to its recognition that “more work is needed to ‘walk the talk’ and reach the most vulnerable” on gender equality and the empowerment of women and girls both domestically and internationally (Government of Canada 2018a).

With the GCM in its implementation phase, Canada faces a significant opportunity to address the call from the Honourable Ahmed Hussen, Minister of Immigration, Refugees and Citizenship Canada, to develop a “planned, comprehensive approach to migration — with a diverse array of regular pathways for temporary and permanent migration, well-managed borders, and integration programming...” with “engagement of all levels of government, cities, educational and other public institutions, the private sector, community organizations and individuals” for a “well-managed migration system”

(Hussen 2018) that can, in turn, be shared with international partners and enriched through cross-learning. It is now Canada's responsibility to build upon this foundation and incorporate gender-responsiveness more thoroughly into our migration system, through operational implementation of the GCM.

Methodology

To determine the extent to which the GCM incorporates a gender perspective, a detailed, quantitative and qualitative analysis of the zero and final drafts of the GCM was performed. We manually coded for key terms related to gender, guided by Gender-based Analysis Plus (GBA+), and recorded the frequency and the context in which they appeared, analyzing for each term's usefulness towards a gender-integrated, responsive outcome. In addition, we have examined public statements and official documents from the Canadian government, the UN Special Representative of the Secretary-General's office, and other relevant UN sources. Identifying the frequency and significance of these terms also allowed us to identify gender gaps in the document and determine the consequences of omitting gender-inclusive language.

Findings

The GCM reflects a clear recognition of the need for gender-responsiveness in migration governance. Indeed, gender-responsiveness appears as a guiding principle, and the term appears 21 times throughout the final draft. Awareness of broad issues relating to health care and social protection, which each appear seven times in the final draft, is also thoroughly established.

Gaps

Despite the promising start, however, some major gaps remain. While there is no lack of gender mentioned in the GCM, there remains a disproportionate emphasis on victimhood and dependency in reference to women migrants. For instance, *trafficking* appears 24 times, *sexual and gender-based violence and exploitation* appears 10 times, and the *implicit conflation of women with children* occurs 28 times in the GCM document. Meanwhile, there are stark differences in the extent to which *empowerment* (appearing four times) and *credential recognition* (appearing five times, but never in reference to women migrants) for women migrants are addressed. Major gaps also remain with respect to sexual and reproductive health services, and the experiences and needs of LGBTQI+ migrants, neither

of which appear even once in the GCM's final draft. These shortcomings undermine the GCM's professed aims of gender mainstreaming and gender-responsiveness as a guiding principle, and further serve to maintain a disproportionate victimhood discourse surrounding women migrants. They also inadequately engage with the reality of women migrants' needs on the front lines by failing to address empowerment, skills and health-care issues.

Bridging the Gaps

These gaps are why responsible, cross-cutting implementation is so important, and why we have looked to the structure of the UN Migration Network to understand how to engage with the GCM practically. The UN Migration Network will be led by the IOM, with an executive made up of the core group of UN agencies: UN Department of Economic and Social Affairs, International Labour Organization, IOM, Office of the High Commissioner for Human Rights, UNICEF, UN Development Programme, UN High Commissioner for Refugees and UN Office on Drugs and Crime. Yet UN Women, despite being a member and former chair of the Global Migration Group and having a mandate to support the UN system and member states in gender mainstreaming, is notably absent from the UN Migration Network and the executive committee. Further, there is only one Civil Society Liaison in the UN Migration Network, who cannot feasibly act as both a gender advocate and sole representative of hundreds of civil society organizations working on migration. Finally, the UN Migration Network's working groups do not directly address gender, and the initial work plan makes no mention of how gender-responsiveness will be realized. There is, in short, a leadership vacuum around gender-responsiveness in the UN Migration Network, and in operationalizing the GCM that urgently needs to be filled.

Given Canada's substantial role in the negotiation of the GCM's final 23 objectives that emphasize the importance of gender responsiveness in migration, Canada is well-placed to lead in ensuring the gender-responsive implementation of the GCM at home and abroad.

Recommendations

- 1. Canada should sponsor and support gender experts at the UN level.**
 - Promote and utilize GBA+ throughout the UN Migration Network
 - Update GBA+ with a module addressing gender and migration specifically, including sexual and reproductive health and LGBTQI+ experiences for migrants, and push it throughout the UN Migration Network. The experiences of migration interact and intersect with gender, and influence how men, women and non-binary individuals navigate their migration pathways as well as their settling in their new host country, and these interlocking identities in the context of migration should be recognized in GBA+.
 - Offer capacity building guided by GBA+, in collaboration with UN Women and the Expert Working Group for Addressing Women's Human Rights in the GCM, on gender-responsive global implementation of the GCM.
 - Advocate for a gender expert or champion to participate in each thematic working group within the UN Migration Network
 - A fruitful way to do this would be to place one member of the Expert Working Group for Addressing Women's Human Rights in the GCM within each thematic working group. This would correct for the absence of gender from the UN Migration Network's work plan and ensure that gender is holistically woven into GCM implementation.
 - Sponsor a secretariat-level gender advocate position in the UN Migration Network in addition to the Civil Society Liaison
 - This will strengthen capacity and help to fill the leadership vacuum that presently exists around gender-responsive migration.

2. On the international level, Canada should use its influence and Feminist International Assistance Policy to support the gender-responsive implementation of the GCM abroad.

- Provide funding and operational advice for the development of gender-responsive national implementation plans in countries receiving official development assistance, migration policies and programs that are consistent with Canada's Feminist International Assistance Policy objectives.
- Work with civil society organizations abroad to develop guidelines, administer and monitor programs and policies resulting from the GCM. At the same time, Canada should advocate for meaningful participation of civil society organizations focused on gender and women's human rights in future events and negotiations.

- Civil society organizations are most often those on the front lines working directly with migrants in communities, and are thus very well positioned to guide evidence-based and gender-responsive policy development. Engaging closely with civil society throughout the implementation phase of the GCM is also a possible avenue for Canada's National Action Plan on Women, Peace and Security. Building on previously formed relationships with civil society organizations and the advisory group established by the National Action Plan on women, Peace and Security (Government of Canada, 2018b), GAC and IRCC can continue to build operational capacity in Canada's migration system, and scale up the National Action Plan on Women, Peace and Security to build relationships and share knowledge internationally.

3. Canada must develop and implement a national action plan for domestic implementation of the GCM to cultivate best practices to export abroad internationally, thereby strengthening Canada's reputation as a trailblazer in gender equality and migration governance.

- Canada can “walk the talk” by employing the GBA+ tool domestically at an operational level to

Canada's immigration system and to the resulting policies, programs and initiatives (Hennebry 2019).

- Expanding the GBA+ to account for factors such as race, ethnicity, religion, age and mental or physical disability, as well as embracing a conception of gender that includes LGBTQI+ gender identities will signal Canada's commitment to multiculturalism and inclusion at home, while setting normative standards for domestic implementation of the GCM as part and parcel of best practices to share with like-minded countries.
- Collaboration between IRCC GAC will enhance the development of informed best practices that Canada can implement at home and export abroad.
 - Collaboration between these two government bodies could involve high-level working meetings, training sessions, knowledge sharing, and capacity building and support in terms of bringing the gender-sensitive goals of the Global Compact home to Canada and supporting informed, responsive implementation globally.
- Canada should align the Temporary Foreign Workers Program with the GCM's gender-responsive objectives, especially as it pertains to Objective 5 (enhancing availability and flexibility of pathways for regular migration); Objective 6 (facilitating fair and ethical recruitment and safeguarding conditions that ensure decent work); Objective 7 (addressing and reducing vulnerabilities in migration); and Objective 10 (preventing, combatting and eradicating trafficking in persons in the context of international migration), to name only a few (UN. 2018a).

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Works Cited

- Canadian Women's Foundation. 2014. "No More': Ending Sex-Trafficking In Canada." https://www.canadianwomen.org/wp-content/uploads/2017/09/CWF-TraffickingReport-Auto-1_0.pdf.
- Government of Canada. 2018a. "Government of Canada Intervention to the 69th Session of the UNHCR Executive Committee." https://www.international.gc.ca/genev/statements-declarations/2018-general_statement-declaration_generale.aspx?lang=eng.
- Government of Canada. 2018b. "Canada's National Action Plan on Women, Peace and Security." https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/gender_equality-egalite_des_genres/cnap_wps-pnac_fps.aspx?lang=eng.
- Hennebry, J. 2019. "Bringing the migration compact home." *Open Canada*. <https://www.opencanada.org/features/bringing-migration-compact-home/>.
- Hussen, A. 2018. "Speaking Notes for the Honourable Ahmed Hussen, Minister of Immigration, Refugees and Citizenship." New York. <https://www.un.org/en/conf/migration/assets/pdf/GA-HLE-statements/Canada.pdf>.
- IOM. 2018. *World Migration Report 2018*. https://www.iom.int/sites/default/files/country/docs/china/r5_world_migration_report_2018_en.pdf.
- Lai, F. Y. 2018. "Migrant and lesbian activism in Hong Kong: a critical review of grassroots politics." *Asian Anthropology*, 17(2): 135–150. <https://www.tandfonline.com/doi/full/10.1080/1683478X.2018.1461053>.
- Martinez, O. and G. Kelle. 2013. "Sex Trafficking of LGBT Individuals: A Call for Service Provision, Research, and Action." *International Law News*, 42(4): 1-6. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4204396/>.
- UN. 2018a. *Global Compact for Safe, Orderly, and Regular Migration*. New York. https://refugeesmigrants.un.org/sites/default/files/180711_final_draft_0.pdf
- . 2018b. "General Assembly Endorses First-Ever Global Compact on Migration, Urging Cooperation among Member States in Protecting Migrants." <https://www.un.org/press/en/2018/ga12113.doc.htm>.