Women migrant workers’ labour market situation in West Africa
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Acknowledgements

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<th>Full Form</th>
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<tr>
<td>AU</td>
<td>African Union</td>
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<tr>
<td>CEACR</td>
<td>ILO Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of all Forms of Discrimination against Women</td>
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<tr>
<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<tr>
<td>GCM</td>
<td>Global Compact for Safe, Orderly and Regular Migration</td>
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<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
</tr>
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<td>ICERD</td>
<td>International Convention on the Elimination of All Forms of Racial Discrimination</td>
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<tr>
<td>ICESCR</td>
<td>Covenant on Economic, Social and Cultural Rights,</td>
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<td>ICLS</td>
<td>International Conference of Labour Statisticians</td>
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<td>ICRMW</td>
<td>UN International Convention on the Protection of the Right of All Migrant Workers and Members of Their Families</td>
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<td>OTUWA</td>
<td>Organisation of Trade Unions of West Africa</td>
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<td>RECs</td>
<td>Regional Economic Communities</td>
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<td>SDGs</td>
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Executive summary

The objective of this report is to provide an overview of the situation of women migrant workers in West Africa based on a review of laws, regulations, policies, and existing data. This report will serve as a basis for developing a methodology to be applied or adapted for comparable studies in East, Northern and Southern Africa. Findings from all four sub-regional reports will contribute to the production of a Regional Report on women migrant workers situation in African labour markets. The study was conducted between November 2019 and January 2020 and the methodology consisted of a desk review of secondary data sources, such as existing studies, reports and relevant academic research on women migrant workers, their situation in West Africa region and law, policy and practices applicable to them.
Key findings

The following summarizes the key findings and conclusions from this study, which inform the recommendations. While they may also be relevant for other African subregions, they are identified specifically for the situation of women migrant workers in West Africa:

A. **It is difficult to estimate the number of women migrant workers in West Africa for the following three key reasons:** 1) overall, data on women migrant workers in the sub-region is limited; 2) women migrants predominantly engage in the informal sector, for which it is more difficult to obtain data; and 3) some migrant women workers are undocumented, temporary workers or cross-border traders.

B. **Key data that will inform policy and decision-making actors about the situation of women migrant workers is lacking in the subregion.** This missing information includes standardised and sex-disaggregated labour migration data on stocks and flows of migrant workers, occupational distribution, educational attainment levels, participation in informal apprenticeships, child migrants in child labour, employment and unemployment rates and access to employment services and social protection.

C. **Almost half of the migrants in West Africa are women moving within the subregion or to other parts of the world; the majority are low-skilled young women,** although the region also has semi- and high-skilled female migration.

D. **An increasing number of women are migrating primarily for economic reasons,** and women migrants’ participation in both formal and informal employment is rising as a survival strategy to increase low household incomes.

E. **Most employment opportunities in the subregion for women migrants remain in the informal economy, and primarily in the areas of domestic work, trade and commerce sectors.** Women nationals and migrants alike earn less than their male counterparts, and women migrants face precarious employment characterized by informal contracts, low wages, long working hours and a lack of benefits such as social security, pensions and worker’s compensation, which can intensify their vulnerabilities in destination countries. When women work in less-regulated informal employment, the risk of exploitation and abuse, including trafficking is greater. Women migrant workers in West Africa are at risk and in need of protection.

F. **National laws and policies are insufficiently aligned with international, regional and sub-regional policy frameworks for the protection of women migrant workers,** and effective enforcement is lacking.

G. **While migration and labour laws are in place, labour-related provisions only apply to men and women migrant workers working in the formal economy,** whereas most migrants, both women and men, work in informal employment.

H. **Labour legislation provisions relevant to women workers, both nationals and migrants, are inadequate.** Such provisions are related to equal remuneration for men and women for work of equal value, protection against discrimination in employment and occupation and protection against gender-based violence and harassment. Implementation mechanisms also need to be established and information on measures taken made widely available to workers, employers and government authorities.
A gender-responsive approach in labour migration policies is not widely applied. Almost all ECOWAS Member States have developed or are planning to develop a national migration policy or have a similar strategic framework in place. Including a gender-responsive approach would consider men’s and women’s needs, constraints and opportunities, as well as the possible differential effects and impacts of migration measures on men and women.

Recognition of women’s increasing role in labour migration and promotion of equality of opportunity and treatment is limited. A focus on specific dimensions relevant to women migrants, such as access to health care, sexual and reproductive health, maternity leave, and protection against violence and harassment, including sexual harassment is needed. Legal and policy progress will help promoting women migrant workers’ rights and equal opportunities in the context of the migration process.

Recommendations

While they may also be relevant for other African subregions, the following recommendations are identified specifically for the situation of women migrant workers in West Africa:

Governments

1. Effectively enforce and implement national migration and labour legislation and policies related to the protection of women migrant workers; and ratify relevant international labour Conventions promoting the protection of migrant workers and gender equality.

2. Develop and implement gender responsive bilateral labour migration agreements or MoUs.

3. Develop/strengthen policies on international migration and mobility, with a particular reference to labour migration, with attention to concrete commitments and actions to promote equality of treatment and opportunities, access to health care, sexual and reproductive health, maternity protection, and protection against violence and harassment, including sexual harassment.

4. Include gender-specific measures when gender inequalities exist to bring about substantive equality and evaluate the effectiveness or impact of these policies and amend accordingly.

5. Facilitate the transition of women and men nationals and migrants to the formal economy.

6. Develop and maintain labour market and migration information systems, with harmonized and comparable information, based on international statistical standards, and in particular following the ICLS Guidelines concerning statistics on international labour migration, within the subregion with data disaggregated by sex and age and improve data collection on migration of women.

7. Promote fair labour recruitment of women migrant workers in the subregion with attention on fair recruitment to protect women migrants from unscrupulous labour recruiters, recruitment agencies and networks.

8. States, individually and at the regional level, should provide gender responsive pre-departure services for women migrants in both formal and informal employment.

9. States should provide assistance to women migrant workers in vulnerable situations and protect their human and labour rights.

10. Integrate women migrant workers into skill development programmes and enhance recognition and equivalence of qualifications and skills throughout countries in the subregion.

11. Meaningfully involve social partners in the formulation and implementation of gender-responsive labour migration policies and legislation.
Social partners +1

1. (All) Advocate for the ratification of international, regional and sub-regional standards and harmonization of West African countries’ national migration and labour laws, with particular attention to the standards promoting gender equality and protection of the rights of migrant workers.

2. (All) Advocate for the inclusion of gender responsive provision related to equality of treatment and opportunities, access to health care, sexual and reproductive health, maternity protection, and protection against violence and harassment, including sexual harassment in national legislation and policies on migration and labour.

3. (All) Partner with governments in the formulation and implementation of gender-responsive labour migration policies and legislation.

4. (All) Provide gender responsive pre-departure services to women migrants in both formal and informal employment.

5. (All) Provide direct and timely assistance to women migrant workers in vulnerable situations.

6. (All) Promote the participation of women migrant workers in skill development programmes and advocate for the recognition and equivalence of qualifications and skills throughout countries in the subregion.

7. (All) Improve the participation and representation of women, both nationals and migrants, in employer’s organizations and business associations, trade unions, civil society organizations, and other initiatives relevant to their issues.

8. (Workers, CSOs and migrant organizations) Raise awareness among women and men workers, employers and authorities of the situation of women migrant workers, with attention to addressing the constraints, mistreatment and misperceptions.

9. (Workers, CSOs and migrant organizations) Promote the transition of West African women and men, both nationals and migrants, to the formal economy.

10. (Workers, CSOs and migrant organizations) Promote fair labour recruitment of women migrant workers in the subregion.

1 Workers, employers, civil society and migrant organizations.
1. Introduction
Migration is at the forefront of the international agenda, both through its inclusion in the Sustainable Development Goals (SDGs) and through the adoption of the Global Compact on Migration (GCM) by 164 member states in December 2018. Globalization and labour market dynamics have increased both opportunities and pressures for women to migrate. Migration can contribute to gender equality by enhancing women's earning opportunities, autonomy and empowerment; however, it also can expose women to severe violations of their human rights.

During the migration process, women migrant workers, especially those in irregular situations, are vulnerable to economic and sexual exploitation, including: poor working conditions; deskilling and lack of recognition and portability of skills and access to skill development opportunities; gender-related and racial discrimination and xenophobia; harassment or intimidation to migrants and their families; gender-based violence, including physical and sexual abuse by authorities, traffickers or smugglers; increased health risks and lack of medical care, including sexual and reproductive services; a lack of access to justice; and human trafficking, forced labour and other forms of abuse.

According to the second edition of the ILO's Global Estimates on International Migrant Workers (ILO 2018a), women migrant workers represented 3.6 million workers in Sub-Saharan Africa, accounting for almost 30 per cent of migrant workers, and have a labour force participation rate of 47.3 per cent. In some countries, these figures are even higher; according to UNCTAD's Economic Development in Africa 2018 Report (UNCTAD 2018), almost 50 per cent of international migrants from Burkina Faso, Ethiopia, Kenya and Senegal are women.

While women continue migrating mainly for family reasons, they are increasingly migrating for employment reasons on their own account, and often as their family's primary income earner (UNDESA 2005). In Africa, the growing precariousness of the labour force is pushing women, as well as men, to seek employment abroad. At the same time, the increasing numbers of women joining the labour force in their own countries has resulted in an increasing demand for women migrants, especially in the care sector, in some primary countries of destination. There is also growing labour market demand in the agricultural, hotel and restaurant services, and cleaning services, among others, attracting an increasing number of women migrant workers.

African States face a number of key challenges in terms of developing and enforcing laws and policies that specifically address the needs of women migrant workers. Often, legislation is gender blind, or directly or indirectly establishes barriers to women's regular migration into formal sector jobs. Bans imposed on women's migration into specific sectors or countries have been especially harmful in that they promote the growth of unlicensed recruiters and increase the potential for forced labour or trafficking, while reducing women's access to assistance. A lack of understanding about the specificities of women's labour migration, the limitations they face, and the policy responses needed to ensure labour migration is fair and safe for women is a pervasive reason for legislative frameworks that are not gender responsive. This is often accompanied by limited resources and, in some cases, lack of political will and further compounded by the lack of standardised and sex-disaggregated data on migration.
Purpose and objective of the study

The objective of this report is to provide an overview of the situation of women migrant workers in West Africa based on a review of laws, regulations, policies, and existing data. It will also describe and present data on women migrant workers’ working conditions and wages, sectors where they are concentrated, representation in the informal economy and other labour and social protection issues.

This study is in line with Sustainable Development Goals’ (SDGs) target 8.8 (Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment); target 10.7 (Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies); as well as target 5.1 (5.1 End all forms of discrimination against all women and girls everywhere).

This report will serve as a basis for developing a methodology to be applied or adapted for comparable studies in East, Northern and Southern Africa. Findings from all four sub-regional reports will contribute to the production of a Regional Report on women migrant workers situation in African labour markets in 2020.

Overview of methodology

The methodology consisted of a desk review of secondary data sources, such as existing studies, reports and relevant academic research on women migrant workers, their situation in West Africa region and law, policy and practices applicable to them. The research also takes account of relevant comments of the ILO supervisory bodies on ratified Conventions, as well as relevant concluding observations of UN Human Rights Treaty Bodies, with focus on UN core international human rights treaties relevant to women migrant workers.

Three country case studies are used to inform conclusions and recommendations: Côte d’Ivoire, Nigeria, and Ghana. All of them function as both countries of origin and destination for women migrant workers. Côte d’Ivoire hosts the largest number of migrants in the subregion followed by Ghana and Nigeria and all three have a significant number of nationals living abroad. The selection rationale for these case studies also included the availability of data and presence of the International Labour Office (ILO) in each country.

Due to the lack of gender-disaggregated data on skill levels and access to skills development and recognition, these issues were not fully addressed in this report.
Navigating this report

This report is organised into the six sections:

1. **Introduction** – presents the theme, purpose and objective of the study and provide an overview of the methodology.

2. **International and regional standards and policy framework for the protection of women migrant workers** – explores the international, regional and sub regional standards and policy frameworks for the protection of women migrant workers, including the ratification among West Africa countries of the most relevant international instruments applicable to the protection of women migrant workers.

3. **Profile of women migrants in West Africa** – provides an overview of existing data available on sociodemographic characteristics of women migrant in the subregion.

4. **Labour market profile of women migrant workers** – Provides an overview of existing data available on labour market characteristics of women migrant workers in the subregion.

5. **Women migrant workers' labour market situation during the migration process: Law, policy and practice** – reviews the law, policies and practices affecting women migrant workers in the subregion.

6. **Conclusions, recommendations and areas for further research.**
2.
International and regional standards and policy frameworks for the protection of women migrant workers
International, regional and sub-regional standards and policy directly or indirectly related to migration and in particular to women migrants provide a framework for developing national laws and policies to ensure the protection of migrant women, in this case, women migrant workers from West Africa.

This section of the report will first review the international standards and regulatory frameworks applicable to women migrant workers to then overview the current international policy frameworks, the African standards and policy frameworks and finally the West Africa (ECOWAS) standards and policy frameworks.

### International standards and regulatory frameworks

#### International normative framework for the protection of migrant workers and refugees

The international community has developed three instruments specific to the protection migrant workers: the *ILO Migration for Employment Convention (Revised), 1949 (No. 97)* (ratified by 50 countries) and its related Recommendation (No. 86); the *ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)* (ratified by 25 countries) and its related Recommendation (No. 151); and the *UN International Convention on the Protection of the Right of All Migrant Workers and Members of Their Families, 1990 (ICRMW)* (ratified by 55 countries) and its related General comments No. 1 on migrant domestic workers and No. 2 on the rights of migrant workers in an irregular situation and members of their families. These Conventions provide a comprehensive framework for the protection of migrant workers, as well as guiding principles for labour migration policy at all stages of the migration process, including measures to regulate migratory movements.

With regard to the protection of women migrants, Article 6 in the Convention 97, calls for equal treatment without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, in respect of: conditions of work, membership of trade unions and enjoyment of the benefits of collective bargaining, accommodation, social security, employment taxes and legal proceedings. Convention No. 143, in its Article 1, calls for the respect of the basic human rights of all migrant workers, irrespective of their migrant status, by member States. It also substantially widens the scope of equality between migrant workers in a regular situation and nationals, in particular by extending it to equality of opportunity (Part II of Convention No. 143). The ICRMW calls for the protection of human rights to migrants in accordance with the principle of equality among all persons, an in turn, guarantees the access to human rights regardless of the migrant status. Its General comment No. 1 recognizes that women represent the overwhelming majority of migrant domestic workers and highlights the risks and vulnerabilities they face, and General comment No. 2 acknowledges that migrant workers in irregular
situation, particularly women, are at greater risk of mistreatment, sexual, physical and psychological violence, as well as denial of access to medical care by private and public actors.

Given the West African region has high levels of mixed migration flows, it is worth noting that Conventions Nos 97 and 143 also apply to refugees and displaced workers to the extent that these are workers in another country than their own. The recently adopted Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No.205) is also particularly relevant in this context.

The widely ratified United Nations human rights treaties provide a set of robust and comprehensive standards that apply to some of the most widespread abuses women migrants face. As such, the Convention on the Elimination of all Forms of Discrimination against Women, 1979 (CEDAW) (ratified by 189 countries), especially important for the protection of women migrant workers, "seeks lasting solutions for gender-based discrimination and exclusion, which, combined with other dimensions – ethnicity, economic situation, nationality, age, occupations, amongst other-, limit the exercise of the rights of women migrant workers" (UN Women 2015:1). Also very relevant for the protection of women migrant workers is the General Recommendation No. 26, 2008 of the CEDAW Convention, which "addresses in detail the circumstances that contribute to the particular vulnerability of many migrant women and their experiences of gender-and-sex-based discrimination, identifying this vulnerability as both a cause and a consequence of the violation of their human rights" (UN Women 2015:1).

The International Convention on the Elimination of All Forms of Racial Discrimination, 1965 (ICERD) (ratified by 181 countries) provides additional protection to women and men migrant workers against any distinction, exclusion, restriction or preference based on national or ethnic origin or race, descent, colour; the International Covenant on Civil and Political Rights, 1966 (ICCPR) (ratified by 173 countries), and the International Covenant on Economic, Social and Cultural Rights, 1966 (ICESCR) (ratified by 170 countries) requires ratifying States to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. In addition, the Convention on the Rights of the Child, 1989 (CRC) (ratified by 196 countries) provides comprehensive standards for the protection of girls and boys migrants, calling upon States to respect the rights of the child without discrimination of any kind, irrespective of the child's or his/her parents’ or guardian's national, ethnic or social origin, race, colour, sex, language, religion, political or other opinion, property, disability, birth or other status. Also relevant to the protection of girls and boys migrants, are its two optional Protocols on the sale of children, child prostitution and child pornography (ratified by 176 countries) and on the involvement of children in armed conflict (ratified by 170 countries). General comment No. 22 focuses on the general principle regarding the human rights of children in the context of international migration, and General comment No. 23 focuses on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return.

In the case of migrant women and girls trafficked and coerced into forced labour, prostitution or domestic work, the Protocol to Prevent, Suppress and Punish Trafficking in Person, especially Women and Children, 2000 (ratified by 175 countries), related to the UN Convention against Transnational Organized Crime, provides protection and assistance to victims of trafficking.

In relation to international labour standards, unless otherwise specified, all ILO Conventions apply to both women and men workers irrespective of their nationality. The fundamental rights embodied in the eight ILO core conventions are applicable to all workers, including migrant workers. Notably, the rights to freedom of association (Freedom of Association and the Protection of the Right to Organize Convention, 1948 (No. 87) - ratified by 155 countries) and collective bargaining (Right to Organize and Collective Bargaining Convention, 1949 (No. 98) - ratified by 167 countries), freedom from forced labour (Forced Labour Convention 1930 (No.29) - ratified by 178 countries) and Abolition of Forced Labour Convention 1957 (No.105) - ratified by 175 countries) and child labour (Minimum Age Convention, 1973 (No. 138) - ratified by 172 countries) and Worst Forms of Child Labour Convention 1999, (No. 182) - ratified by 186 countries), and non-discrimination in employment and occupation (Equal Remuneration Convention 1951 (No. 100) - ratified by 173 countries) and Discrimination (Employment and Occupation) Convention 1958 (No.111) - ratified by 175 countries) are widely regarded as essential to protecting migrants’ human rights.
The eight ILO core conventions provide protection to women migrant workers as they tackle violations of the fundamental principles and rights at work. For instance, the right to organize and to collective bargaining applies to all workers, including migrant and domestic workers; this last category is especially relevant for women in general and women migrant workers particularly. The implementation of freedom of association and collective bargaining principles could contribute to the effective improvement of working conditions in the informal economy, particularly for women and youth; this is relevant to women and men migrant worker as they are highly represented in this sector. Women migrant workers themselves in vulnerable situations facing multiple disadvantages, as women or girls, based on sex, as migrants, based on nationality, as domestic worker, based on occupation or as informal workers, based on sector of work. These vulnerabilities put them at risk of forced or compulsory labour, discrimination and unequal remuneration.

In response, Conventions Nos. 29 and 105 provide protection to women migrant workers against forced labour, modern slavery and trafficking in persons; under Convention No. 111, migrant women are protected against direct and indirect discrimination based on their race, colour, sex,, , religion, political opinion, national extraction or social origin; Convention No. 100 aims to guarantee equal remuneration between men and women for work of equal value, and covers all workers. Girls, in different regions of the world, need to work at early age due to poverty and lack of opportunities for parents or persons in charge, exploitation, or conflict or violence. Some need to migrate from rural to urban areas or to neighbouring countries, often unaccompanied. Conventions Nos 138 and 182 lay out provisions to protect all children, including migrant children from hazardous occupations and exploitations and call for the abolition of child labour.

In addition to the ILO core Conventions and the two ILO migrant workers Conventions, two key gender equality Conventions (Workers with Family Responsibilities Convention 1981 (No. 156) and Maternity Protection Convention2000 (no. 183), three social security Conventions (Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19); Equality of Treatment (Social Security) Convention 1962 (No. 118) and Maintenance of Social Security Rights Convention 1982 (no. 157), the Private Employment Agencies Convention 1997 (No. 181), the Domestic Workers Convention, 2011 (No. 189), as well as the most recently adopted Violence and Harassment Convention, 2019 (No. 190) and its related Recommendation No. 206, provide a robust framework to protect the labour rights of women migrant workers.
Ratification among West Africa countries of the most relevant international standards applicable to the protection of women migrant workers

The Ratification of the three Conventions dedicated to labour migration and the rights of migrant workers by West African countries is uneven (see Table 1). One country (Côte d’Ivoire) has not ratified any of the three migrant-specific instruments, three countries (Liberia, Sierra Leone and Togo) have signed the ICRMW and of them only one (Togo) has ratified the C.143 but not the C.097; only one country (Burkina Faso) has ratified all three. Ghana has ratified only the ICRMW, while Nigeria has ratified the ICRMW and C97. The five UN International Human Rights treaties relevant for the protection of women migrant workers are ratified by all West African countries (see Table 2).

<table>
<thead>
<tr>
<th>Countries/Convention</th>
<th>ICRMW</th>
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<tbody>
<tr>
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NA, No action PE, Preliminary endorsement ✓ Ratification – Not in force

Source: Compiled by the author from ILO NORMLEX data base [http://www.ilo.org/dyn/normlex/] and UN Treaties [https://treaties.un.org/]

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PE, Preliminary endorsement ✓ Ratification

Source: Compiled by the author from UN Treaties [https://treaties.un.org/]
For the Protocols related to the CRC, there are few countries that have preliminary endorsed them, the rest of the countries have ratified the two Protocols. Côte d’Ivoire and Nigeria have ratified all treaties and protocols, while Ghana has ratified all but the Protocol to the Convention of the Rights of the Child on the sale of children, child prostitution and child pornography.

With regard to the Protocol to Prevent, Suppress and Punish Trafficking in Person, especially Women and Children, the majority of West African countries have ratified it, except Côte d’Ivoire, Ghana, Gambia and Liberia.

The ILO core Conventions are widely ratified by West Africa countries, though they have not been sufficiently domesticated into national legislation (see Table 3). Moreover, West Africa States have a weak track record for compliance with ILO reporting obligations, often reporting late or not at all, which has been identified as a potential problem for monitoring labour and employment policies at the regional level (Dimechkie 2014, Ibourk, forthcoming).

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Table 3. Status of ratification of relevant International Labour Conventions

| Ratification | – Not in force |

Source: Compiled by the author from ILO NORMLEX data base http://www.ilo.org/dyn/normlex/

The two gender equality Conventions, Convention No. 181 and Convention No. 118 are also poorly ratified. Convention No. 157 has not been ratified by any West Africa country.
International Policy frameworks

United Nations Global Compact for Safe, Orderly and Regular Migration

The United Nations Global compact on migration for Safe, Orderly and Regular Migration (GCM), adopted by 164 nations in December 2018, is a non-legally binding instrument grounded in values of state sovereignty, responsibility-sharing, non-discrimination, and human rights which recognizes that a cooperative approach is needed to optimize the overall benefits of migration, while addressing its risks and challenges for individuals and communities in countries of origin, transit and destination.

The GCM is based on 10 cross-cutting and interdependent principles. In particular, “The Global Compact ensures 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. It mainstreams a gender perspective, promotes gender equality and the empowerment of all women and girls, recognizing their independence, agency and leadership in order to move away from addressing migrant women primarily through a lens of victimhood” (United Nations 2018:4).

The Expert Working Group for Addressing Women’s Human Rights in the Global Compact for Migration2 established in 2017, has produces a number of guidance notes including Issue No. 4 on realizing the human rights, including labour rights, of women migrant workers.3 The [GCMGender] Guidance identifies a number of challenges relating to realizing labour rights for women migrants; the right to freedom of association and collective bargaining, safe and secure working environments, and access to social protection benefits. The Guidance Note also identifies clear and concrete actions for three priority areas: (1) adoption and strengthening of legislation relevant to women migrant workers such as the extension of coverage in national labour law in the formal and informal sectors, prohibition of sexual, gender and disability-based violence, discrimination and harassment in employment and occupation, equal access to maternity protection and sick leave, promotion of equal pay for work of equal value and regular migration pathways for both skilled and low skilled workers; (2) building the capacity of relevant actors, such as labour inspectors, employers, workers organizations, and judges on areas related to the protection of women migrant workers; and (3) address negative perceptions and attitudes towards migrant workers, in particular women migrant workers.

The 2030 Agenda for sustainable Development

The 2030 Agenda for Sustainable Development, adopted by all UN members States in 2015, is a commitment to eradicate poverty and achieve sustainable development by 2030 world-wide, ensuring that no one is left behind.

On gender, Sustainable Development Goal (SDG) 5, one of the 17 SDGs aims at achieving gender equality and women’s empowerment. “It requires assessing the specific challenges that affect women and girls, with particular emphasis on discriminatory practices influencing decision-making and the ability to migrate. It also requires determining how to empower women and girls through migration. To tackle these challenges, SDG5 indicators are critical to build evidence-based systems and gender-sensitive policies” (IOM 2017:59).

2 The EWG is composed of individual experts from UN human rights treaty bodies, special procedure mandate holders, UN agencies, civil society organizations and academic institutions. UN Women serves as the substantive Secretariat of the Expert Working Group. The EWH has issues a number of GCM Gender Series for addressing women’s human rights in the Global Compact for Migration. They aim to provide governments and other key stakeholders with clear and concrete guidance on ensuring that the human rights of all women and girls in migration are at the core of the Global Compact for Migration.

3 https://www.empowerwomen.org/-/media/files/un%20women/empowerwomen/resources/unwomen_ewg_guidance%20note_issue%204.pdf?la=en&vs=5634
On decent work, SDG 8 promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all, including migrants. Target 8.8 aims to “Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment” (United Nations 2015:20).

On inequalities, SDG 10 aim at reducing inequality within and among countries. Target 10.7 seek to “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies” (United Nations 2015:21).

**Labour migration and labour mobility frameworks**

The ILO has developed key policy document on labour migration and labour mobility (see Table 4).

> **Table 4. Global Labour migration frameworks**

<table>
<thead>
<tr>
<th>Policy document</th>
<th>Gender focus</th>
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<tbody>
<tr>
<td>2019 General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs</td>
<td>The General Principles and Operational guidelines apply to all workers, including migrant workers and emphasizes, among other things, the following:</td>
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<td>- In the case of migrant workers, written contracts should be in a language that the worker can understand, should be provided sufficiently in advance of departure from the country of origin, should be subject to measures to prevent contract substitution, and should be enforceable.</td>
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<td>- Workers should be free to terminate their employment and, in the case of migrant workers, to return to their country. Migrant workers should not require the employer's or recruiter's permission to change employer.</td>
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<tr>
<td>2017 International Labour Conference (ILC) Resolution and Conclusions on Fair and Effective Labour Migration Governance and its follow-up Plan of Action</td>
<td>The Resolution acknowledges the high representation of <strong>women migrant workers</strong> in the care sector and domestic work where they can face discrimination, exploitation and abuse, including violence and harassment. The Resolution calls for particular attention to <strong>women</strong>, youth, persons with disabilities and other vulnerable groups when addressing skills, education and training gaps.</td>
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<tr>
<td>2016 Guiding principles on the access of refugees and other forcibly displaced persons to the labour market</td>
<td>One of the guiding principles focuses on labour rights and equality of opportunity and treatment which calls for the adoption or reinforcement of national policies promoting equality of opportunity and treatment for all, in particular gender equality, recognizing the specific needs of women, youth and persons with disabilities, with regards to fundamental principles and rights at work, working conditions, access to quality public services, wages and the right to social security benefits for refugees and other forcibly displaced person.</td>
</tr>
<tr>
<td>2014 ILO Fair Migration Agenda</td>
<td>The Agenda acknowledges that about half of the migrants worldwide are <strong>women</strong>, however numbers vary by regions. Those differences can be attributed to differences in propensity to migrate, to <strong>gender selectivity</strong> in migration policies and to <strong>gender segregation</strong> in labour markets. The Agenda highlights ILO’s role on the attention given to the specific needs of migrant women, adolescents and children.</td>
</tr>
<tr>
<td>2006 ILO Multilateral Framework on Labour Migration</td>
<td>The Multilateral Framework promotes the protection of women migrant workers in several ways, including by calling for <strong>gender-sensitive policies</strong>, sex-disaggregated data, the provision of opportunities for decent work for all women in working age, bilateral and multilateral agreements addressing <strong>gender-specific</strong> trends and measures to address trafficking and assist and protect victims.</td>
</tr>
<tr>
<td>2004 ILC Resolution and conclusions concerning a Fair Deal for Migrant Workers in a Global Economy and its follow-up Plan of Action</td>
<td>The Resolution acknowledges that about half of all migrants are <strong>women</strong>, but most are now migrating on their own as primary income earners. The Resolution acknowledges that the increase in trafficking, especially <strong>women and children</strong>, poses a particular threat to human rights protections and creates new challenges for governments and the international community.</td>
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Over the past decade, migration has been elevated on the regional agenda, resulting in a multiplicity of policy frameworks. The Africa Union adopted in 2018 the Protocol to the Treaty Establishing the African Economic Community Relating to the Free Movement of Persons, Right of Residence and Right of Establishment (AU Free Movement Protocol) that includes, “free movement of persons, right of residence and right of establishment, which foresees right of entry and the abolition of visa requirements, an African common passport, the free movement of border communities, the harmonization of national laws and policies on immigration, the free movement of students, researchers and workers, the mutual recognition of skills, right of residence, portability of social security, protection of property, remittances and right of establishment” (UNCTAD 2018:52). The protocol applies to all African women and men, but gender related issues are not specifically mentioned. The implementation of the Protocol in the different Regional Economic Communities (RECs) has been slow, all RECs, except the Community of Sahel-Saharan States (CEN-SAD) and the Intergovernmental Authority on Development (IGAD), have adopted free movement protocols, however the ratification rate is highly uneven. The RECs that have shown progress have been the East African Community (EAC) and the Economic Community of West African States (ECOWAS).

In 2003, the AU adopted the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, which guarantees comprehensive rights to women: elimination of discrimination against women, access to justice and equal protection before the law, economic and social welfare among others. In relation to labour, the Protocol calls for equal access to employment; equal remuneration for jobs of equal value for women and men; transparency in recruitment, promotion and dismissal of women and punishment of sexual harassment in the workplace; freedom to choose occupation and protection against exploitation by employers; promotion and support to women’s occupation and economic activities, especially within the informal sector; establishment of a system of protection and social insurance for women working in the informal sector; minimum age for work, prohibition of employment of children below that age and prohibition, combat and punishment of all forms of exploitation of children, especially the girl-child; recognition of the economic value of the work of women at home; adequate pre- and post-natal maternity leave in the public and private sectors; equal taxations laws to women and men; recognition and enforcement of the right of salaried women to the same allowances and entitlements as those granted to salaried men for their spouses and children; recognition that both parents bear the primary responsibility for the upbringing and development of children; and prevention of exploitation and abuse of women in advertising and pornography (AU 2003).

In addition, the Africa Union adopted the Migration Policy Framework for Africa in 2006, which provides comprehensive and integrated non-binding policy guidelines for its member States and regional economic communities to address migration challenges and promote migration and development in the region. In 2018, the AU adopted the revised version of the Migration Policy Framework, which contains two sections dedicated to labour migration and education and gender and migration (as a cross cutting issue) (AU 2018). There are specific recommended strategies for both thematic issues (see Box 1) and a 2018-2030 Plan of Action where labour migration is one of its nine thematic areas. However, it is worth noting it does not include any specific action on gender.
Box 1. Migration Policy Framework for Africa:
Recommended strategies relevant to women migrant workers

Labour migration and education strategies related to women
1. Ensure that national laws, including constitutional, administrative and civil law and labour codes, provide women migrant workers, especially domestic workers, with the same rights and protection extended to all workers.
2. Establish effective complaint mechanisms and ensure that migrants, especially migrant women, have recourse to enforceable, timely and affordable remedies. Ensure that migrant workers are able to make complaints against their employers or others, including on grounds of sexual harassment in the workplace, and have access to remedies including for unpaid wages and compensation for violations of labour rights, without fear of reprisals and expulsion.
3. Promote equal opportunity and the protection of migrant women right ensuring that labour migration policies and practice are gender-sensitive and non-discriminatory, in recognition of the increasing feminisation of labour migration.
4. Enhance national and regional labour migration data collection, analysis and exchange to document the conditions and needs of migrant women and men workers and their families.
5. Facilitate the integration of all migrants, women and men, in the labour market including in the education and training sector, removing gender-based barriers that restrict women from being recruited, as well as the right to join trade unions, to form community organisations; to associate and collectively bargain.
6. Set up national and sub-regional social dialogue mechanisms to address migrant labour issues, including the challenges faced by women migrant workers.
7. Provide social protection and social security benefits, particularly unemployment insurance, compensation for employment injury, long-term illness, death benefits, disability, parental leave, supplementary insurance schemes, and old age pension for all labour migrants, including women migrant workers, while working abroad and/or upon their return.

Gender and migration
1. Conduct research in order to gain a deeper understanding of the gender dynamics of migration, which would enable both policy makers and practitioners to address the special needs of women and men migrants.
2. Strengthening responses to the particular needs of migrant women and girls, particularly ensuring that their health needs, labour rights and human rights are respected.
3. Develop migration policies that allow women and men to migrate for employment through safe and regular channels.
4. Ensure that initiatives and programs on migration management and addressing the root causes of irregular migration in Africa are informed by gender analysis and are implemented in a gender-responsive manner.
5. Enhance knowledge generation and awareness on the gendered dimensions of migration in Africa, including sex-disaggregated data and gender-responsive evidence and analysis on current migratory trends in Africa.
6. Support associations and networks of migrant women and enhance their voices in policy dialogue processes at national, regional, continental, and global level.
7. Take effective steps to counter migrant trafficking and smuggling, and other illegal practices which specifically target and victimise migrant women and men.
8. Ensure adequate treatment and access to justice in the context of applicable human rights instruments, of women, men and children that are victims of trafficking and sexual slavery.
9. Promote informational/educational campaigns to raise awareness about the gender dimension of migration among migrants, those affected by migration, and policy makers and personnel involved in migration, especially in the managing of the migration process.

Source: Migration Policy Framework for Africa, 2006

In the 2015 Declaration on Migration, member States committed to speed up the implementation of the continent-wide visa free regimes, the operationalization of a common passport, the recognition of qualifications and skills, the empowerment of Africa women and youth in education and increased efforts to combat trafficking in persons.

According to UNCTAD (2018), the African Union has made progress in eliminating restrictions related to visa regimes, however the progress in the implementation on the right to reside and establish are often restricted to highly skilled professionals, which limits its applicability to women migrant workers in practise, as they tend to be concentrated in lower skilled jobs. In addition, the absence of progress in mutual skills and certificates recognition discourages the cross-border movement of labour and constrains the labour mobility.

In 2013, the AU celebrated the golden jubilee of the establishment of the Union and adopted the “Agenda 2063 The Africa we want”, a strategic framework aiming at inclusive and sustainable development in the African continent. The aspiration 6 of the Agenda 2063 calls for “an Africa whose development is people driven, relying in the potential offered by African people, especially women and youth, and caring for children”. One of the two related goals are “full gender equality in all spheres of life” and its priority areas are women and girls’ empowerment and end of violence and discrimination against women and girls (AU 2015).

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**Economic Community of West Africa States (ECOWAS) standards and policy framework**

The Treaty establishing ECOWAS was signed in Lagos on 28 May 1975 with the long-term objective of establishing a Community citizenship to all member States’ nationals. The Treaty was revised on 24 July 1993 in order to promote cooperation and integration between member States, maintain and enhance economic stability, foster relations among Member States and contribute to the development of the Africa continent.

**Free Movement Protocols**

In 1979 the ECOWAS Member States signed the Free Movement of Person, the Right of Residence and Establishment Protocol in Dakar, which provides the legal framework for ECOWAS community citizen to enter, reside and establish economic activities in the territory of other member states. The Protocol stipulates the progressive implementation of these rights (see Box 2) in three phases equivalent to 15 years: Phase 1 includes the elimination of the need for visas for stays of up to 90 days in ECOWAS Member States by Community citizens; Phase 2, the right to reside in other member States for the purpose of seeking and taking up paid employment; and Phase 3, the right of ECOWAS citizens to carry out economic activities, including establishment of businesses in other ECOWAS Member States. The protocol was further complemented by four supplementary protocols with a view to operationalizing the three phases (ICMPD and IOM 2015, Dimechkie, 2014).
ECOWAS Member States issue common passports and have made progress towards the harmonization of education certificates (UNTACD, 2015). However, according to the Survey on Migration Policies in West Africa (Devillard, Bacchi, and Noack 2015), although the protocols establishing the right of entry and the right of residence came into force long ago, the related rules and regulations are not coordinated and complementary across countries. Regarding the right of entry, all countries have implemented the abolition of visa and entry requirements for a 90-day stay. In relation to the right of residence, a specific residence permit for ECOWAS citizens is granted only in Benin, Burkina Faso, Côte d’Ivoire, the Gambia, and Nigeria. In most of the countries, the national labour legislation does not set specific provisions for access to employment for ECOWAS citizens and while the ECOWAS Free Movement Protocols calls for equal treatment in terms of employment, Member States’ nationals are still exposed to discriminatory practices.

**Box 2. Rights and protection granted by the Free Movement Protocols to migrant workers from ECOWAS member States**

- The right to enter, reside and establish in Member State (Protocol A/P.1/5/79, Article 2).
- Protection of property, goods or fixed assets legally acquired in Member States, and equal treatment with nationals regarding tax laws. (Supplementary Protocol A/SP.1/7/85, Article 7).
- The right of residence in Member States «for the purpose of seeking and carrying out income earning employment, «including the right to apply for jobs, to travel and reside in Member States to take up employment, and to live in Member States after having been employed there. (Supp. Protocol A/SP.1/7/86, Articles 2 and 3).
- Protection from mass expulsion; individual expulsion must be based on «a well-founded legal or administrative decision» and must be carried out in respect of their fundamental rights. (Supp. Protocol A/SP.1/7/86, Article 14).
- The right to transfer earnings or savings without impediment from Member States (Supp. Protocol A/SP.1/7/86, Article 17).
- The right to equal treatment with nationals regarding employment security, re-employment in case of job loss, training and professional education (Supp. Protocol A/SP.1/7/86, Article 23).
- The right to create and manage enterprises under the same conditions as nationals. (Supp. Protocol A/SP.2/5/90, Article 2).
- Protection from confiscation of assets and capital on a discriminatory bases (Supp. Protocol A/SP.2/5/90, Article 7) Amends provisions of Art. 7 of Protocol to confirm obligation on signatories to resolve amicably disputes regarding the interpretation and application of the Protocol (Art. 2).
- Supplementary Protocol A/SP.2/5/90 on the Implementation of the Third Phase (Right to Establishment) (1990) Defines the right of establishment emphasizing non-discriminatory treatment of nationals and companies of other member states except as justified by exigencies of public order, security or health (Art. 2-4).
- Forbids the confiscation or expropriation of assets or capital on a discriminatory basis and requires fair and equitable compensation where such confiscation or expropriation (Art. 7).

Source: Dimechkie, 2014:11
Some ECOWAS Member States apply quota regimes for the delivery of work permits, ban migrant from certain occupations and restrict migrant-owned business. In addition, administrative barriers for the obtaining residence permits and adequate documentation are put in place (Dimechkie 2014). Because of these protectionist policies and discriminatory practices to ECOWAS citizens, many migrants circulate and work without legal status. In terms of women, “the ECOWAS Treaty and its supplementary Protocols do not make any gender-specific provision in migration, or consider the gendered aspect of migration” (Bisong 2019).

**ECOWAS Common Approach on Migration**

In January 2008, the Community adopted the **ECOWAS Common Approach on Migration**, a non-binding framework on migration which provide directions on strategic priorities as well as action plans to promote effective migration management in West Africa based in six principles: free movement of person within the ECOWAS zone, promotion of regular pathways for migration as an integral part of the development process, combat of human trafficking, policy harmonization, protection of the rights of migrants, asylum-seekers and refugees and recognition of the gender dimension of migration. Each principle has specific actions and measures (see **Box 3** for the ones for the gender principle). The gender-related principle acknowledges the needs and concerns of women migrants and the need to promote safer migration, especially for migrant women. It also recognized the role inequalities and discrimination play in intensifying the challenges of female migration (Bisong 2019).

**Box 3. Actions and measures of the gender-related principle**

- Include gender dimensions in migration policies.
- Establish and strengthen support institutions for entrepreneurship training for female migrants.
- Remove all illegal trade barriers which stifle the entrepreneurship potential of women when they migrate.

Source: ECOWAS Common Approach on Migration

One important output of the Common Approach on migration is the **ECOWAS Gender and Migration Framework and Plan of Action**, adopted in 2015. The five-year strategic plan stipulates measures to be taken by all relevant stakeholders, the Commission, its members states and their agencies to include gender dimensions in migration policies. The Action Plan set five priority aspects of migration and gender in the region: cross-border trading and migrant workers, human trafficking, women as victims of displacement caused by conflict, tourism (including sexual tourism) and international labour migration, and domestic workers. It also set nine specific objectives and forty-two activities in line with its main objective: encourage a regular and safe migration process for both men and women, to enable them to contribute more effectively to the socio-economic development of the ECOWAS region (CEDAO n.d). The Action Plan includes only three activities related to labour migration: 1) facilitation of low-skilled migrant workers through memoranda of understanding between countries of origin and destination, 2) active participation of authorities in the recruitment and protection of migrant domestic workers and 3) mechanisms in place to address the challenges and constraints of women in the context of cross-border trade.
ECOWAS Convention on the Recognition and Equivalence of Degrees, Diplomas, Certificates and other Qualifications in Member States

ECOWAS has made some progress towards the harmonization of education certificates and adopted in 2003 the ECOWAS Convention on the Recognition and Equivalence of Degrees, Diplomas, Certificates and other Qualifications in Member States to facilitate labour mobility of women and men nationals within the REC. This convention commits Member States to recognise the validity or equivalence of diplomas and certificates with the same academic value and to provide training and education in accordance with international standards, while considering the regional context. However its implementation has faced difficulties due to language barriers and to variations in education systems based on different colonial legacies (Ibourk Forthcoming; Dimechkie, 2014).

As seen in this section, international, regional and sub-regional standards and policy frameworks include provisions applicable to the protection of women migrant workers. However, this protection will not be comprehensive until national laws and policies are aligned with those international instruments, concrete implementation mechanism are in place and commitment and willingness to protect women migrant workers and address their risks and vulnerabilities are shown by governments in the subregion. After reviewing the applicable standards and policy frameworks, the following section will focus on the profile of women migrants in West Africa.
3.

Profile of women migrants in West Africa
Women migrants represented forty-seven per cent of the total international migrants in Africa (UNCTAD 2018), with primary motivations including economic and family reasons; political instability, conflict and violence situations; employment opportunities within and outside the continent. Rising demand of care and domestic service within the continent, as well as cross border trade opportunities favour intraregional migration of women. At the same time educational opportunities, ageing populations and greater job opportunities in Europe, the United States, Eastern Asia and especially in Arab States in the health and domestic service sectors attract African migrants to other regions.

African women, both nationals and migrants, are located at the lower end of the occupational hierarchy in both informal and formal labour markets. Women migrants’ participation to the formal and informal labour market is rising as a survival strategy to increase scanty family incomes (Awumbila et al. 2014). According to the ILO Global estimates on international migrant workers (ILO 2018a), the labour participation rate of female migrant workers in the Sub-Saharan Africa region was 47.3 per cent, against 85.3 per cent of men migrant workers and 56 per cent of women workers who are nationals.

Women migrant workers in the sub-region, as elsewhere, are more likely to face discrimination by being both migrants and women. In addition, women migrants often face challenges with regard not only to the quality of employment but also to access to employment. Women migrants working in less-regulated informal sectors are at greater risk of exploitation and abuse, including trafficking (Andall 2018).

This section of the report will focus on the socio-demographic characteristics of women migrants in the subregion. It will first review the number of women migrants, then present the main countries or origin and destination and the age of those women migrants. The employment-related characteristics of women migrants will be analysed in Section 4 of this report.

▶ Number of women migrants in West Africa

In Africa, an increasing number of women are migrating primarily for economic reasons, in particular looking for income opportunities abroad (MMC 2018, UNCTAD 2018, Awuambila et al 2014). It is difficult to estimate the number of women migrant workers in West Africa for three key reasons: 1) overall, data on women migrant workers in the sub-region is limited; 2) women migrants predominantly engage in the informal sector; and 3) some of those women workers are undocumented, temporary workers or cross-border traders.

Female migration in the sub-region constituted less than 50 per cent of the total of migrants between 1990 and 2019 (see Figure 1). Some countries such as Burkina Faso and Niger have hosted higher numbers of women migrants steadily over the last three decades, while other countries like Benin and Guinea-Bissau have seen an increase in just the last decade. Côte d’Ivoire, Liberia, Nigeria and Sierra Leone present the lowest number of women migrants as a percentage of total of migrants in the sub-region.
The most recent data available from UNDESA (mid-2019) shows that Côte d’Ivoire hosts 1.137.566 women migrants, while Ghana and Nigeria host 217.556 and 567.087 respectively. According to an ILO and OECD study on how migrants contribute to Côte d’Ivoire’s economy (2018), most migrants in the country are working age men. Whereas girls and women represented 42 per cent of the migrant population in 2014, by mid-2019, this representation increased to 44.6 per cent. In Ghana and Nigeria, girls and women represent 46.6 per cent and 45.1 per cent of the migrant population respectively, thus, like Côte d’Ivoire, just over half of immigrants are men.

Data on emigration shows that women in West Africa countries tend to migrate internally in higher proportions than internationally. For some countries such as Burkina Faso and Senegal, the percentage of internal migration is slightly higher than of international migration, at 57 per cent against 43 per cent and 56 per cent against 44 percent respectively. For other countries, such as Ghana and Nigeria, the percentage is remarkably higher, 97 per cent against 3 percent and 81 per cent against 19 per cent, respectively. Those who emigrate internationally were aged at departure between 18 and 26 (UNCTAD 2018).

It is worth noting that this data only captures formal, documented flows of migrants, excluding undocumented migrants, temporary and seasonal workers, and border residence, of which women potentially comprise a significant proportion.
Main countries of origin and destination

Nowadays, all West African States are countries of emigration and immigration. According to a 2015 survey on migration policies in West Africa (Devillard, Bacchi, and Noack 2015), Côte d’Ivoire has the highest number of migrants within its territory (2,406,700 persons), among which the majority originate from another country in the sub-Region, followed by Ghana and Nigeria with 1,851,800 and 1,199,115 migrants respectively residing in their territory. When this data is compared with the data provided above on the number of migrant women, it is evident that the migration into these three countries is predominantly male. The same survey shows that Burkina Faso, Côte d’Ivoire, and Mali have the largest native population residing abroad in absolute numbers, and Cape Verde, Togo, and Liberia have the largest share of native population abroad as percentage of their population. Burkina Faso, Côte d’Ivoire, Ghana, and Nigeria have both a large immigrant and emigrant population. West and Central Africa host one of Africa’s largest displaced population with some 5.6 million internally displaced, 1.3 million refugees, 1.4 million returnees and 1.6 million stateless (UNHCR 2020).

Most of the migrants in Côte d’Ivoire come from the sub-region, and many of them are seasonal workers who work part of the year in Côte d’Ivoire and the rest of the time in their country of origin. Destination countries for Ivorian migrants differ according to sex. While men migrate mainly within the sub-region, to Burkina Faso, Mali and other West Africa countries (46 per cent of men against 28 per cent of women), women tend to migrate more to France and other OECD countries (55 per cent women versus 41 per cent men). Although the primary motivation to migrate remains financial or professional, a significant proportion of women and men decide to leave the country to study abroad. Marriage or family reunification is a more important motivation for women (26 per cent) that for men (9 per cent) (OCDE and CERES 2017).

For Ghana, according to its 2010 population census, 86 per cent of migrants were African nationals with 68.3 per cent from other West Africa countries. Nigerians, Togolese and the Burkinabe were the largest migrant population from the Sub-Region, accounting for about 21 per cent, 5per cent and 5per cent respectively. The main destination countries for Ghanaian migrants are in Europe (37.7 per cent), with the United Kingdom and Italy as main destination countries; West Africa (25.4 per cent); and the Americas (23.6 per cent), with the United States and Canada as main destination countries. Although the interregional migration is male dominated, few countries such as Germany, the Netherlands and Canada host more Ghanaian women than men. Within West Africa, Côte d’Ivoire and Nigeria remain the main destination countries for Ghanaian migrants. Ghanaian migrants are also exploring new and farther regions such as Asia (2.3 per cent) and Oceania (0.5 per cent) (SIHMA 2014a).

For Nigeria, based on data from 2010 and 2013, most migrants come from West Africa countries representing 0.52 per cent of the total population of Nigeria, while the rest originate from other African and non-African countries. Beninese, Ghanaians, Malians and Nigeriens represented the largest migrant population in the country in both 2010 and 2013. According to the IOM Migration Profile of Nigeria (2014), the proportion of men migrants in Nigeria is higher than women migrant, except for migrants from Mali, Togo, Equatorial Guinea and Mauritania. The male-female ratio has dropped in the last three decades from 56.2/43.8 per cent in 1990 to 54.4/45.6 per cent in 2000 to 53.5/46.5 per cent in 2005 and 53.7/46.3 per cent in 2013 (SIHMA 2014b).

The same report from IOM shows that 35.6 per cent of Nigerian migrants lived in African countries in 2013; 34.2 per cent in Europe, with preferred destinations being the United Kingdom, Italy, Spain, Germany and Ireland; 26.4 per cent in North America; and the remainder in Asia, Latin America and the Caribbean, and Oceania. Nigerian migrants in African countries mostly live in West Africa (46.2 per cent), with preferred destinations being Côte d’Ivoire, Benin, Ghana, Gabon, Niger and Togo; and in Middle Africa (42 per cent), preferred destinations are Cameroon, Gabon and Sudan. According to the SIHMA (2014b), Italy, the United Kingdom, Ireland, Canada and Burkina Faso host more Nigerian women migrants than men.
The most important migration corridors in the sub-region are the Burkina Faso – Côte d’Ivoire corridor with 1.3 million migrants in 2017, the Côte d’Ivoire-Burkina Faso corridor with 0.5 million, the Mali – Côte d’Ivoire with 359,000 and the Benin – Nigeria with 362,000. The main extra-continental corridor of Western Africa is with the United States, at 718,372 migrants in 2017 (UNCTAD 2018).

**Age**

Africa has the lowest median age of migrants in the world, at 31 years old (UNCTAD 2018), this is related to the low median age of the population as a whole. West Africa follows this pattern for both women and men. For women, the focus of this report, mid-2019 UNDESA data shows high percentage of young female migrants, in relation to the total of female migrants in the sub-region (see Figure 2).

**Figure 2. Percentage distribution of Women migrants in West Africa by age in mid-2019**

Similarly, for Côte d’Ivoire, percentages of women migrants, in relation to the total migrant population in the country, are high for migrant girls and young women (between 54.1 per cent and 69.3 per cent). For adults and senior migrant women percentages are between 25 and 49 per cent (see Figure 3).

![Figure 3. Percentage distribution of Women migrants in Côte d’Ivoire by age-group in mid-2019](source)

For Ghana, percentages are more homogenous among all age groups, ranging between 40 per cent and 55 per cent. Percentages are still higher for migrant girls and young women (see Figure 4).

![Figure 4. Percentage distribution of Women migrants in Ghana by age-group in mid-2019](source)
For Nigeria, percentages are similar to the whole subregion. As in all cases migrant girls and young women percentages are higher than adults and seniors (between 50.8 per cent and 52.8 per cent). For adults and senior migrant women percentages are between 32 per cent and 46 per cent (see Figure 5).

![Figure 5. Percentage distribution of Women migrants in Nigeria by age-group in mid-2019](image)


A high percentage of migrant women in the sub-region and in the three case studies are girls and young women, which means they are well represented among working-age migrants. With regards to girls, given that the African continent has the highest incident of child labour globally, 19.6 per cent (ILO 2017b), most probably a high percentage of these girls (5-9 and 10-14 age groups) are involved in the informal labour market. Although, not specific to girls, evidence shows that trafficked children from Mali, Togo, and Nigeria work in Côte d’Ivoire’s cocoa and coffee plantation areas. Also child labour migration is quite prevalent in Benin, where children are trafficked for work in countries such as Côte d’Ivoire, Togo and Nigeria (Awumbila et al. 2014). In relation to young and adult migrant women, there is a high likelihood that an important percentage of these women are active in the labour market, in the informal sector mainly.

As illustrated in this section, almost half of the migrant in West Africa are women moving within the subregion but also towards other region in the world, the majority are girls and young women. The above profile of West African migrant women provides important inputs to the analysis of the labour market profile of women migrant workers in the sub-region, the focus of the following section.
4.

Labour market profile of women migrant workers
Labour migration is the dominant form of migration in the sub-region. It includes short-term cross-border movements and temporary, seasonal, and permanent migration and involves low- medium- and high-skilled workers. Although low-skilled migration is more prevalent, migration in the sub-region also involves high-skilled individuals which tend to prefer interregional migration (rather than intraregional migration) to more developed destinations, which can increase ‘brain drain’ in the subregion (Devillard, Bacchi, and Noack 2015). It dates back to pre-colonialism when movements were mainly motivated by the search of security and fertile land for settlement and farming (Adepoju, 2003).

This section of the report will first present available data on the labour force participation and unemployment to then review the sectors of employment and types of occupations, the wages and the working and living conditions of women migrant workers in the subregion.

**Labour force participation and unemployment**

Despite the gender gap in Sub-Saharan Africa (SSA) due to economic, political, and social inequalities between men and women, women's participation in the labour force is higher than in any other regions. This is a reflection of the incidence of poverty and a lack of access to social protection, leaving no option to men and women but to work. Often, given their limited access to education and vocational opportunities women enter into vulnerable employment such as own-account workers4 or contributing family workers5(ILO 2017a).

In relation to the labour force participation and unemployment of nationals and migrants in Côte d’Ivoire, the OECD and ILO study (2018), based on data from 2014, shows: migrant men have a higher labour force participation rate that Ivorian men; while migrant women have a lower participation rate (37.7 per cent) than Ivorian women (41.5 per cent); and migrant workers aged 15 and over have a lower unemployment rate (2.8 per cent) than Ivorian nationals (7.3 per cent) (see Table 5). In 2008, long-term unemployment rate (as a percentage of total unemployment) was higher for Ivorian nationals (68 per cent) than for migrant workers (55 per cent). This difference is greater among women; 69 per cent of unemployed Ivorian women have been unemployed for at least one year, against 53per cent of unemployed migrant women. Young women and men migrants (15-24 age group) are less likely to face unemployment than their native peers; in 2014, the unemployment rate for the former was 5.6 per cent, compared to 10.8 per cent for the latter. In addition, part-time employment rate is higher for women than men and, slightly higher for native woman (20.6 per cent) than for migrant women (19.5 per cent). Underemployment is slightly higher for women migrants (7.1 per cent) than Ivorian women (6.1 per cent) (OECD/ILO 2018a).

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4 Working on their own account or with one or more partners, hold the type of job defined as a self-employed job, and have not engaged on a continuous basis with any employees to work for them during the reference period.

5 Workers who are self-employed in a market-oriented establishment operated by a related person living in the same household, but with a limited degree of involvement in its operation to be considered a partner.
In Ghana, according to the OECD and ILO study on the contribution of migrants to development in the country (2018), women migrant workers confront a double disadvantage as employment rates are lower for women than men, and the women migrant worker employment rate is lower than for Ghanaian women. While unemployment rates for natives and migrant men were close to 5 per cent in 2010, migrant women confront an unemployment rate of 8.2 per cent compared with 5.8 per cent for Ghanaian women (see Table 5). The unemployment rate for young women migrant workers (12.8 per cent) was considerably higher than the rate for young men migrant workers (8.1 per cent). The gap between these rates for men and women (4.7 percentage points) is also larger than the gap between unemployment rates of young men and women native-born workers (1.8 percentage points) (OECD/ILO 2018b).

### Table 5. Labour force participation and unemployment in Côte d’Ivoire, Ghana and Nigeria

<table>
<thead>
<tr>
<th>Countries/Indicators</th>
<th>Côte d’Ivoire</th>
<th>Ghana</th>
<th>Nigeria</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>National</td>
<td>Migrant</td>
<td>National</td>
</tr>
<tr>
<td>Labour force</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>41.5 per cent (2014)</td>
<td>37.7 per cent (2014)</td>
<td>65.7 per cent (2010)</td>
</tr>
<tr>
<td>Men</td>
<td>–</td>
<td>–</td>
<td>69.0 per cent (2010)</td>
</tr>
<tr>
<td>Unemployment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>7.3 per cent (2014)</td>
<td>2.8 per cent (2014)</td>
<td>5.8 per cent (2010)</td>
</tr>
<tr>
<td>Men</td>
<td>–5 per cent</td>
<td>–</td>
<td>–</td>
</tr>
</tbody>
</table>


In Nigeria, men dominate the labour force, but due to more exposure and investment in education for girls, women participation in the country’s labour force is improving. Data from 2012 shows an increase from 37 per cent in 1990 to 47 per cent in 2012 for women nationals (Isiugo-Abanihe and IOM Nigeria 2014). With regards to migrants in Nigeria, according to data from 2014, participation in the labour force for women migrant workers was 69.7 per cent, while it was 76.2 per cent for men (African Union Commission 2017) (see Table 5). If the latter data is compared with the former, although from different years, women migrant workers have a higher labour force participation rate than Nigerian women.

### Sectors of employment and types of occupations

In the West Africa region, similar to the national population, most migrants work in low-skilled positions in the informal economy, which does not facilitate the regularization of their immigration status. It also makes them more vulnerable to poor living and working conditions, abuse and exploitation, particularly women migrants. The informal economy is highly dominated by women migrants, with the exception of Mali and Niger (Awumbila et al. 2014). According to Andall (2018), this dominance has historical backgrounds associated with the urbanization and emergence of the formal economy during the colonial era where bureaucracies, public and private enterprises, mines and infrastructure development recruited limited number of women and had discriminatory practices.

While formal employment rates continue to be low in West Africa, an increasing number of highly-skilled women migrants are employed in the formal economy, especially banking and in healthcare (Bisong 2019). The share of highly-skilled women migrants from the region increased 180 per cent between 1990 and 2000. This impressive rate can be explained in part by increased school enrolment among girls, and increased demand for skilled migrants in education and healthcare, where women are highly represented (Dimechkie 2014.).
Strong labour demand in agriculture, industry (construction, mining, oil) and services (hospitality, trade, domestic work) sectors continues to influence internal and intra-regional movements in the sub-region. The agriculture and industry sectors especially absorb men migrant workers. Women migrants continue to be disproportionately represented among low-skilled migrants, working mainly in trade and commerce and domestic sectors, often without formal contracts and decent working conditions, lack of legal protection, social security, pensions and worker’s compensation which magnify their already vulnerable situation (Devillard, Bacchi, and Noack 2015).

With regards to migrant occupations, as Devillard, Bacchi and Noack (2015) point out, it is hard to compile and compare data on this due to limited information, and the information that is available are classified differently depending on the country. However, in her background paper on Intra-African Female Labour Migration: Common Issues, Work and Rights, Andall (2018) presents the five most common types of occupations for African women, which are also applicable to migrant women in West Africa:

1) **Traders**: Women migrants in Africa are centrally involved in cross-border trading (see Box 4) and street trading (Andall 2018). Women migrants from Mali often sell paintings in the markets of Senegal (Devillard, Bacchi, and Noack 2015), Ghanaian women in Togo are traders and Nigerian and Ghanaian women migrants work in the distribution of skin lightening cosmetics in Senegal (Andall 2018).

2) **Domestic workers**: Primarily citizens, including internal migrants performing domestic service in African countries. Women migrant involvement in the sector varies across the region. Child labour in this sector is widespread. In West Africa, women migrants in Niger tend to work in the domestic work sector where Nigerien women do not work due to cultural traditions (Devillard, Bacchi, and Noack 2015). Togolese women work as domestic workers in Central and West Africa, and women migrants from Guinea-Bissau are renowned to be good workers in Senegal (Andall 2018). Women migrant workers from the subregion also work as domestic workers in other region, such as the Ghanaians in the Middle East (see Box 5).

3) **Service sector (hair stylist)**: hair styling is a niche occupation for many women migrants where they have developed a good reputation, for instance, Cape Verdean women work as hair stylist in Senegal and Senegal women work also as hair stylist in the United States (Andall 2018).

4) **Sex workers**: women migrant sex workers, as national sex workers, encounter discrimination and stigmatization and receive limited recognition as workers. In addition, women migrant working in this sector are likely to be under a precarious residence status, which increases their vulnerability and limits their ability to advocate for their rights (Andall 2018).

5) **Agricultural workers**: women migrants are recruited as temporary workers in the farming and horticulture sector in Africa. Both national and migrant child labour is prevalent in the sector (Andall 2018) (see Box 6).
The three case studies for this report support that migrant workers in each country work primarily informally, in the agriculture and services sectors, with women migrants more concentrated in the latter. In Côte d’Ivoire, according to the OECD and ILO study (2018a), informal employment is more prevalent among active migrants than among national and they are more likely than national to work on their own account. Agriculture remain an important sector for the country’s economy where nationals and migrants are active. According to 2014 data, the service sector is the larger sector of employment for women, at 41.2 per cent for both nationals and migrant women.

Similarly, in Ghana, according to a migration country profile by the Scalabrini Institute for Human Mobility in Africa (2014), while the informal sector employs 60 per cent of the migrant population among which woman migrants have a higher rate (8 per cent) than migrant men, the public sector employs 3 per cent and the formal sector 5 per cent. Most of the migrants were self-employed with a slight difference between women (65.6 per cent) and men (60 per cent). Agriculture and service sectors appeal to internal migrants from rural to urban areas and migrants from the sub-region.

Box 4. Cross-border traders in West Africa

- Women, nationals and migrants, play a central role in the food economy in West Africa. They are active participants in vegetable, grain and tuber farming, harvesting and sale. In border regions, they are essential actors in the local trade that underpins processes of regional integration.
- Cross border trade is a central low-level entry point into labour markets given the low start-up costs. Informal cross border trade features prominently among women’s individual strategies for self-employment, poverty reduction and wealth creation in Sub-Saharan Africa.
- Cross border trade takes place primarily within the informal sector, women migrants are at risk of exploitation, including sexual and physical violence.
- Women working in the informal cross border trade address vital issues of livelihoods such as food and income security, yet they suffer from invisibility, stigmatisation, violence, harassment, poor working conditions and lack of recognition of their economic contribution and are neglected by mainstream trade policies and institutions, thus undermining the profitability and visibility of their activities.
- Support of women’s trading activities by trade-related institutions, services and resources remain weak.

Source: Andall 2018, (Tremolieres and Walther 2019), (UN WOMEN 2010)

In recent years, services have become a more important source of employment for national workers (43 per cent) and migrants (51per cent) (SIHMA 2014a). Domestic work has been a critical driver of internal (rural–urban) migration among low-killed women in Ghana and has also generated intraregional child labour migration among young girls aged 8–14 from Togo to Ghana. Ghanaian women are also active in informal retail trade such as selling cosmetics in Senegal (Andall 2018). There are also important flows of Ghanaian women migrating to the Arab States as domestic workers, and Ghanaian women and girls trafficked for sexual exploitation and forced labour in Europe, Asia and, also neighbouring countries.
Box 5. Ghanaian domestic workers in the Arab States

- Key drivers for migration to the Arab States are high unemployment and lack of decent jobs in Ghana.
- The most popular destinations for Ghanaians domestic workers in the Middle East are Saudi Arabia, the United Arab Emirates, Qatar, Jordan and Kuwait.
- Most women are recruited by private recruitment agencies and connection men.
- Women face highly exploitative working conditions, different from what the broker verbally promised in Ghana, and with little recourse to legal complaint mechanisms.
- The hardship and abuse labour migrants go through in the Middle East include, “exploitation through exorbitant fees and charges payment; delayed, denied and reduced salary payment; sexual and physical abuse, contract substitution and reduction in already agreed pay; seizure of passports upon arrival and long hours of work with less rest; health and safety concerns; multiple work place engagement without consultation, consent and excess work payment to the migrant worker” (ITUC-AFRICA 2018).
- The kafala system, which tends to tie migrants to a single employer, makes it very difficult for migrant domestic workers to switch jobs, however some manage to do it with the help of brokers.
- Partly as a result of the government ban for migrant domestic worker migrating to the Middle East enacted in 2017, there is a network of fraudulent recruitment agencies in Ghana and the receiving countries.
- Most returnees have suffered violence, including sexual and physical assaults.


In Nigeria, despite of the lack of recent available data on the employment status of migrants, a study from 2001 finds that most of migrant workers were employed in the informal economy (Isiugo-Abanihe and IOM Nigeria 2014). Trade is an important driver of migration from Nigeria to neighbouring Benin, Ghana and Togo, as well as to Côte d’Ivoire and Mali. Demand of low skill and high skill intensive sector in South Africa has influenced migration from Nigeria (UNCTAD 2018). According to a migration country profile by the Scalabrini Institute for Human Mobility in Africa (2014), Nigerian women and girls are victims of trafficking, recruited for domestic servitude, sex trafficking and prostitution. Young women from southern Nigeria, particularly from the Edo state, have been smuggled into Europe (Italy, Spain, Holland, Germany, Norway), the Middle East and neighbouring African states to engage in sex work.
Box 6. Migrant girls in child labour in West Africa

▷ Trafficked children from Côte d’Ivoire are forced to work as domestic worker in North Africa.
▷ Children from Burkina Faso, Benin and Togo engage in Ghana in cocoa harvesting, domestic work and commercial sexual exploitation, sometimes as a result of human trafficking.
▷ Trafficked girls from Nigeria are subjected to forced labour and commercial sexual exploitation in North Africa and Europe.

Source: (U.S. Department of Labour 2018)

Wages

The Equal Remuneration Convention, 1951 (No. 100), which covers all workers, national and non-nationals, aims to guarantee equal remuneration for men and women for work of equal value. However, in many countries, migrant women may face a double wage penalty for being both women and migrants (Amo-Agyei 2020). Women have fewer options than men for regular migration, are often employed in lower paid informal sectors, with few if any labour protection measures. There is limited information regarding wages of migrants in the subregion and the three countries studied, however some information is available thanks to the OECD and ILO studies of Côte d’Ivoire and Ghana (2018). In Côte d’Ivoire, according to data from 2008, men’s incomes were on average more than twice as high as those of women, regardless of their place of birth. Ivorian and migrant men earned 151USD and 140USD respectively, while Ivorian and migrant women earned 66,2USD and 66,4USD respectively. This can partly be explained by the high rate of part-time employment among women, which had a lower hourly wage for women (0.65USD for Ivorians against 0.56USD for migrants) than for men (1.04USD for Ivorians against 0.78USD for migrants).

In Ghana, women, both nationals and migrant workers, earn less than native and migrant men workers, even when education and experience are considered. Whereas in 2006 migrant workers earned on average about two-thirds of the wage of native workers, in 2013 wages of migrant men workers surpassed those of native male workers. However, the wages of migrant women remain lower to those of women nationals (OECD/ILO 2018b).
Migrants are more likely to have vulnerable jobs than nationals, the probability of being in vulnerable employment\(^6\) is higher for women and those with low levels of education. According to UNCTAD (2018), women migrants often face precarious employment characterized by informal contracts, low wages, long working hours and a lack of benefits such as social security, pensions and worker’s compensation, which can intensify vulnerabilities in destination countries. Lack of freedom of movement is common with women migrant workers, particularly those in the domestic work sector, who are often not permitted to have enough daily rest and often no weekly rest periods. In Côte d’Ivoire, migrants work on average longer hours than nationals. On average, a person born in Côte d’Ivoire works 44 hours in his main job, and 46 hours in total, compared to 48 hours and 51 hours for an immigrant. Furthermore, women’s status as migrants and especially as undocumented migrants can lead to sexual exploitation at various stages along the migratory route, including during, before departure, in transit, residing in the destination country or at their place of work.

After the attempt of developing a labour market profile of women migrant workers in the subregion, the following section will focus on the legal and policy framework in place in the three case studies and the practices affecting the situation of women migrant workers in the sub-region.

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\(^6\) Workers in vulnerable employment, is “defined as the sum of own-account workers and contributing family workers, are less likely to have formal work arrangements, and are therefore more likely to lack elements associated with decent employment such as adequate social security and recourse to effective social dialogue mechanisms. Vulnerable employment is often characterized by inadequate earnings, low productivity and difficult conditions of work that undermine workers’ fundamental rights” (International Labour Office 2010:18).
5.

Women migrant workers’ labour market situation during the migration process: Law, policy and practice
When analysing the situations women migrant workers face during the migration process, it is key to review the legal and policy frameworks in place affecting their entry to countries of destination and access to labour markets. Notably, different gender norms in origin and destination countries affect the working conditions and experiences of women migrants in terms of how predominant national labour, family and social protection laws relating to women impact women’s labour market participation (Andall 2018).

In Africa, where socio-cultural norms favour men to women, women are disproportionally disadvantaged when accessing the labour market compared to men (African Union Commission 2017). African States face challenges in terms of developing and enforcing legislation and policy that addresses the specific needs of women migrant workers. Often, legislation is gender blind (see Box 7), or directly or indirectly establishes barriers to women’s regular migration into formal sector jobs. In particular, bans imposed on women’s migration into specific sectors or countries have promoted the growth of unlicensed recruiters, increased the potential for forced labour or trafficking, and reduced women’s access to assistance.

One key reason legislation is not gender-responsive relates to the lack of awareness and understanding about the specificities of women’s labour migration and the challenges they face, and the policy responses needed to ensure labour migration is fair and safe for women. This is often exacerbated by the paucity of standardized and sex-disaggregated data on migration, limited human and financial resources in the area, and a lack of political will.

This section of the report will first review the laws and policies related to migration, labour, women and trafficking to then provide an overview of specific practices impacting the access of women migrants to the labour market, such as restrictions to certain sectors or countries, means of recruitment, pre-departure information and training, information and services, skill development or recognition, collective bargaining and justice.

Law and policies affecting women migrant workers

Almost all ECOWAS Member States have developed or are planning to develop a national migration policy or have a similar governance framework in place. However, while immigration and labour laws are in place, their provisions only apply to migrants working in the formal sector while the majority of migrants, both women and men, work in the informal economy.

The following subsections review the legal and policy framework as it relates to women migrant workers in three case studies: Côte d’Ivoire, Ghana and Nigeria.
Box 7. Key concepts for a gender approach to labour migration laws and policy

**Gender biased** – discriminates and has negative impact on specific gender groups. Examples include excluding women or men from migrant recruitment programmes, forcing women to migrate for work in particular sectors or types of work, or paying different wages to men and women migrants for jobs of the same value. Gender-biased migration measures include prohibiting or restricting women's migration for their “protection”. These types of measures tend to have negative consequences, e.g., pushing women and girls into seeking illegal migration channels that make them more vulnerable to human trafficking, and unskilled and informal jobs that include occupations that put their lives/health at risk (e.g. prostitution).

**Gender blind** – fails to recognize gender as a key factor. For example, a household is measured as one economic unit in migration studies, when in fact it is made up of men and women with different tasks, needs, and decision-making power. Gender-blind migration measures may appear to be unbiased, but they are often based on men's perspectives and/or the assumption that all persons have the same needs, interests, access to resources and power. Gender-blind measures may result in reinforcing gender inequalities and exacerbating exploitation of women migrant workers. For example, gender-neutral workplace policies that do not acknowledge sexual harassment and violence perpetrated by men against women result in predicaments where women are not provided safe mechanisms to make complaints, or places to support each other.

**Gender equality** – This refers to the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men. Gender equality is not a women's issue but should concern and fully engage men as well as women. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centred development.

**Gender neutral** – is not aimed specifically at either women or men and is assumed to affect both sexes equally. For example, using gender-neutral language such as “migrant worker”, or setting quotas or targets for migrants may appear to be neutral in letter and spirit. Gender-neutral measures may benefit men and women equally but they may also have a differential impact on women or men even if unintended or unexpected. Given that the migrant man is assumed to be the “normal” migrant and the migrant woman is considered as the exception, gender-neutral measures can result in outcomes that are detrimental to women migrant workers.

**Gender responsive** – integrates gender concerns and factors rooted in the gender division of labour and unequal power relations between men and women. Gender-responsive measures are based on sex-disaggregated data and gender analysis, and consider men's and women's needs, constraints, and opportunities, as well as the possible differential effects and impacts of migration measures on men and women. Where gender inequalities exist, they will contain gender-specific measures targeting specific gender groups (women, men, people with non-conforming gender identities) to bring about substantive equality – meaning equitable opportunity, treatment, benefits, rights, and obligations that result in equal outcomes for men and women.

**Empowerment of women and girls** – concerns their gaining power and control over their own lives. It involves awareness-raising, building self-confidence, expansion of choices, increased access to and control over resources and actions to transform the structures and institutions which reinforce and perpetuate gender discrimination and inequality. This implies that to be empowered they must not only have equal capabilities (such as education and health) and equal access to resources and opportunities (such as land and employment), but they must also have the agency to use these rights, capabilities, resources and opportunities to make strategic choices and decisions (such as is provided through leadership opportunities and participation in political institutions).


https://trainingcentre.unwomen.org/mod/glossary/view.php?id=36
Côte d’Ivoire

Côte d’Ivoire lacks a comprehensive national migration policy. Legislation on entry, identification and stay of foreigners in the country covers immigration issues, while emigration policies are almost nonexistent (Devillard, Bacchi, and Noack 2015). Despite the absence of specific public integration programs for migrants, they benefit from civil, economic and social rights on an almost identical basis as those of nationals, with the exception of political rights (OECD/ILO 2018a).

Nationals from ECOWAS countries are exempt of the visa requirement to enter Côte d’Ivoire and only need a valid passport7, do not require a resident permit8 and require a work permit granted by the Ministry of Interior for a salaried activity9. ECOWAS third country nationals must have a visa to enter Ivorian territory, require a stay and work permit. All migrants, regular or irregular, may benefit from the obligations and rights set out in the labour legislation which also guarantees free access to the labour market for migrants. However, some restrictions on access to public jobs and land ownership apply (Ibourk Forthcoming). Furthermore, provisions in the labour law tend to apply to migrants working in the formal economy, as most women migrants work in the informal economy, they are excluded from protection under the labour law.

With regard to the protection of Ivorian women, according to the concluding observations by the Committee on the Elimination of Discrimination Against Women (CEDAW), adopted in 201910, there has been progress in recent legislative reforms, policies and programmes, as follows:

- **Law No. 2016-886 of 8 November 2016** establishing the Constitution of the Republic of Côte d’Ivoire that promotes and protects women’s rights.
- **Law No. 2016-1111 of 8 December 2016** on the suppression of trafficking in persons.
- **Decree No. 2016-781 of 12 October 2016** that centralized legal aid and increases access of women in rural areas to justice.
- **Law No. 2015-653 of 17 September 2015** on compulsory schooling for both girls and boys.
- **National programme for maternal and child health adopted in 2015.**
- **Decree No. 2014-842 of 17 December 2014** establishing the National Observatory for Equality and Gender and
- **Decree No. 1651/MEME/CAB of June 2012** establishing 32 gender desks at police stations.

However, according to CEDAW, women still encountered considerable challenges, including:

- Conflict-related sexual violence during the post-electoral crisis of 2010-2011.
- Difficulties accessing justice despite the Decree No. 2016-781 due to lack of implementation.
- Low participation in political and public life.
- Prevalence of harmful practices such as child marriages and female mutilations.
- Prevalence of gender-based violence and trafficking and exploitation in prostitution.
- Disproportionally high levels of illiteracy among women and girls, compounded by low access to education.
- High maternal mortality and female malnutrition.
- A disproportionate burden of unpaid work from women that limits professional opportunities.
- Underrepresentation of women among landowners; and
- The challenges women face in obtaining land certificates and discriminatory provisions on inheritance rights.

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7 According to Law No. 90-437 of May 13, 1990 regarding Entry and Stay of Foreigners and reaffirmed in an inter-ministerial decree in 2013.
8 Ordinance No. 2007-604 of 8 November, 2007 regarding the Suppression of the Stay Permit.
9 Law No. 2002-03 regarding Entry and Stay of Foreigners, modifying Law No. 90-437 of May 13, 1990.
10 CEDAW/C/CIV/CO/4, 30 July 2019, paras 4,5.
Women migrant workers face a variety of constraints, including difficulties accessing justice and their ability to file a complaint; the burden of unpaid work that limits professional opportunities due to their childcare and household responsibilities; the high maternal mortality and female malnutrition. Another key consideration is that women migrant sex workers are also directly affected by the prevalence of gender-based violence and trafficking and exploitation in prostitution. Women migrant workers' children, especially girls, might be affected by child marriages, female mutilation and low access to education.

In relation to labour matters affecting Ivorian women and migrants, the new labour code\(^\text{11}\) includes provisions on equal remuneration for men and women for work of equal value (Art. 31.2 and 31.3), protection against discrimination in employment and occupation (Art. 4), and the protection against harassment (Art. 5). However, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) requested the Government for information on measures taken to prevent and combat sexual and moral harassment, as this information is lacking.\(^\text{12}\)

The CEACR also called for information about measures taken or envisaged to ensure the application of the principle of equal remuneration for men and women for work of equal value and data on remuneration disaggregated by sex, occupation and job level, within the same economic sector and different sectors.\(^\text{13}\) In addition, in its concluding observations, CEDAW expressed concern about, “the prevalence of violations against women and girls working in the informal sector and in domestic work, particularly with regard to sexual harassment in the workplace and violations of the principle of equal remuneration for work of equal value, the guarantee of the minimum salary, paid leave, maternity and paternity leave and the respect of maximum working hours (for domestic workers), the lack of implementation of relevant national legislation, and the concentration of women in the informal labour market and their exclusion from labour and social protection” (CEDAW 2019:11-12).

With respect to the economic exploitation of girls, including child labour, the United Nations Committee on the Rights of Child, in its concluding observations of 2019, noted the consistently high number of girls and women involved in domestic work (CRC 2019). Women migrant workers also receive lower remuneration than men nationals and migrants, as seen in the previous section, are at risk of sexual or moral harassment at the workplace and elsewhere. Furthermore, they are highly concentrated in the informal economy, and therefore excluded from labour and social protection. Women migrant domestic workers are especially vulnerable to inadequate working conditions.

Special attention has been given to law and policy on trafficking. As mentioned above, the Ivorian Government adopted the Law No. 2016-1111 of 8 December 2016 on the Suppression of Trafficking in Persons. A year earlier the Government developed a National Strategy on Combating Trafficking in Person and a National Plan of Action 2016-2020. However, according to the ILO supervisory bodies, and CEDAW, there was a lack of information on the enforcement of the Law No. 2016-1111 on the activities of the National Committee against Trafficking in Persons and the implementation of the national strategy and the plan of action 18b)\(^\text{14}\). Also, according to the CEDAW the following areas were found to be insufficient: standardized early identification and referral system for women and girl victims of trafficking; protection of victims and witnesses; measures to protect women and girls in prostitution; policies and exit programmes for women wishing to leave prostitution (CEDAW 2019). Women migrant workers are at risk of falling into traffickers' networks and end up working in the sex sector.

Child trafficking is a priority in the country, and the Government has adopted the Law No. 2010-272 pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labour and the Decree No. 2011-365 of 3 November 2011 which established the Inter-Ministerial Committee on the Trafficking, Exploitation and Labour of Children. However, Côte d'Ivoire has a high rate of internal trafficking and is a well-known destination for boy victims of trafficking from Ghana, Mali, Burkina Faso, Togo and Benin, exploited in agriculture, mines, construction and carpentry. Girls from Ghana, Togo and Benin are exploited as domestic workers and street vendors, and girls and women from Ghana and Nigeria are often forced into prostitution (Devillard, Bacchi, and Noack 2015).

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In 2018, The ILO supervisory bodies also requested information from the Government on the effect given in practice to Law No. 2010-272 and statistical data on the number and nature of the violations reported, investigations, convictions and penal sanctions. The CEACR also expressed concern at the high number of children engaged in hazardous types of work in agriculture.\(^{15}\) The number of migrant girls in Côte d’Ivoire is high as seen in Section 3. While this study did not find available data on child migrants in child labour, child workers often confront the worst form of child labour in agriculture and domestic labour.

The implementation of interventions targeting vulnerable migrants seems unlikely given the financial constrains the country is facing. However efforts have been made to provide migrants with access to social protection programs and employment in the same way as nationals, as is already the case for the services of the Youth Employment Agency (OECD/ILO 2018a).

In conclusion, Côte d’Ivoire applies the ECOWAS Protocol of Free Movement, is receptive to ECOWAS migrant workers and facilitates their residence in the country. However, existing labour legislation does not, or hardly, extends protection to workers in the informal economy, where most women migrant workers are concentrated. With regards to Ivoirian women migrant workers, the lack of emigration policies is an important gap for the protection of their rights while abroad.

**Ghana**

Ghana has adopted an important number of laws and regulations as well as taken a number of policy initiatives covering immigration, emigration, labour migration, irregular migration and trafficking in persons, reaching an advanced stage in its migratory legal and policy framework (Devillard, Bacchi, and Noack 2015). However, it was not until 2016 that the country adopted its National Migration Policy and two years later, its Labour Migration Policy.

In terms of legislation, Ghana’s Constitution includes the commitment to respect the human rights and freedoms of all persons in the country, including migrants, irrespective of their country of birth and legal status. ECOWAS member States nationals do not require a visa to enter Ghana\(^{16}\) however a work permit for a salaried activity is required\(^{17}\). As in Côte d’Ivoire, labour provisions apply only to migrants working in the formal economy. Consequently, women migrants working in the informal economy are excluded from the protection of the labour law. According to the labour code\(^{18}\), the maximum hours of work and the different hours of work provision do not apply to domestic workers in private homes, which affects both nationals and migrants engaged as domestic workers.

On the policy side, as mentioned above, Ghana adopted a National Migration Policy in 2016 which recognizes migration, gender and vulnerability as one of the nine cross-cutting issues throughout the document and acknowledges that women and men are affected differently by migration, which generate gendered patterns and outcomes in the migratory process, including increasing women migrant vulnerabilities. The policy includes policy objectives and strategies on gender (see Box 8).

The country took its migration policy a step further through the elaboration of a Labour Migration Policy, adopted in 2018. One of its four strategic policy objectives is to strengthen systems for the protection and empowerment of women and men migrant workers and their families through a set of policy implementation strategies covering migrants in Ghana and Ghanaian living and working abroad. The Policy also flags two situations where women are especially affected: 1) the massive flow of women migrating to the Gulf States, especially Saudi Arabia as domestic workers through private employment agencies; and 2) women and girls trafficked from Ghana for sexual exploitation and forced labour in Europe, Asia and, also neighbouring countries.

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\(^{15}\) Côte d’Ivoire – CEACR, Convention No. 182, observation and direct request, 2018.

\(^{16}\) According to the Immigration Regulations (LI 1691), 2001.

\(^{17}\) Immigration Act (Act 573), 2000.

\(^{18}\) Labour Act 2003.
Box 8. Policy objectives and strategies on migration and gender in the National Migration Policy of Ghana

Policy objectives
a. Mainstream gender into migration management.
b. Incorporate gendered dimensions of migration in development planning.
c. Respond to the cost and benefits of the migration-gender nexus.

Strategies
a. Mainstream gender into migration and development planning.
b. Address the special needs and concerns of women migrant workers and their children.
c. Promote inter-agency and multi-stakeholder collaboration to counter human trafficking and migrant smuggling.
d. Improve nation-wide social protection and equitable development programmes for positive economic growth.
e. Promote the positive outcomes and mitigate the negative consequences of the migration-gender nexus.

Source: National Migration Policy, 2016

On regulations relating to the protection of women, the concluding observations adopted by CEDAW in 201419, noted progress in the adoption of legislative texts, including:

- The Criminal Offence (Amendments) Act, 2007 (Act 741) which widens the scope of persons responsible for the practice of female genital mutilation; and

However, CEDAW Committee expressed concern at:

- The limited or no access of women to justice due to lack of legal literacy, especially among rural women; unaffordable legal costs and the stigmatization of women who bring cases to court.
- The persistence of adverse cultural norms, practices and traditions regarding the roles and responsibilities of women and men in the family and in society, which contribute to the persistence of violence against women and harmful practices.
- The persistence of violence against women, including domestic violence and female genital mutilation, as well as rape and sexual harassment in school, the workplace and the public sphere.
- The prevalence of women and girls trafficked for sexual exploitation and forced labour relative to the limited number of convictions under the Human Trafficking Act.
- The delay adopting the Affirmative Action (Gender Equality) bill and the underrepresentation of women in decision-making positions.
- The low enrolment and completion rates of girls, at all levels of education and regional disparities in the access to quality education due to economic and cultural barriers.
- The regional and socioeconomic disparities in access by women and girls to sexual and reproductive health care services.
- The prevalence of harmful practices such as early or forced marriages in rural areas and the persistence of traditional customs limiting women’s access to inheritance and land.

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19 CEDAW/C/GHA/CO/6-7, 14 November 2014, para 4.
Women migrant workers might be affected by the limited access women overall have to justice, compromising their possibilities to bring cases of exploitation or abuse to justice; by cultural norms regarding the role and responsibilities of women which could put them at risk of violence and harassment, including sexual harassment; by the limited access to sexual and reproductive health care services, depending of the region they live; and by the prevalence of trafficking for sexual exploitation and forced labour. Women migrant workers’ children, especially girls, might be affected by child marriages, female mutilation and low access to education.

In relation to labour matters affecting Ghanaian women and migrants, the Labour Act includes provisions on equal remuneration for every worker (Art. 68), protection against discrimination in employment and occupation (Art. 14e) and termination of employment by the workers on the grounds of harassment (Art. 15). However, CEDAW highlighted in 2014 the lack of information on the gender wage gap; the implementation of the equal pay for work of equal value principle; the employment of women in the private sector; the low participation of women in the public sector; the concentration of women in the informal sector with limited basic safety services and social protection coverage among other benefits; and the lack of legislation protecting domestic workers (CEDAW 2014).

In 2019, the ILO supervisory bodies expressed concerns regarding the implementation of the principle of equal pay for work of equal value embodied in the Equal Remuneration Convention, 1951 (No. 100). Notably, the Labour Act 2003 only referred, “equal pay for equal work without distinction of any kind” without including the concept of “work of equal value.” It argued that “often” “female jobs” are undervalued in comparison with work of equal value performed by men when determining wage rates. The concept of “work of equal value” is fundamental to tackling occupational sex segregation in the labour market20.

The CEACR further noted that adoption of policies is only efficient if concrete measures are implemented. The CEACR asked for information on measures taken to improve gender equality in employment and occupation within the framework of the National Gender Policy and the Coordinated Programme of Economic and Social Development Policies (2017-24) It also urged the Government to expand the definition of sexual harassment in the Labour Act to explicitly cover hostile environment sexual harassment21. Women migrant workers in Ghana, as women nationals, are also affected by lower wages than national and migrant men as seen in the previous section. They are also concentrated in the informal sector, therefore also affected by this lack of access to services and benefits. Women migrant domestic workers in Ghana are at risk of exploitative working conditions and abusive treatment due to the lack of legislation protecting domestic workers.

On human trafficking, Ghana has adopted the Human Trafficking Act 2005, a piece of legislation inspired in the provision of the Palermo Protocol; it covers the most important issues, but is not clear in its definition of crime, and because it is not comprehensive it can lead to difficulties on the prosecution of perpetrators (Devillard, Bacchi, and Noack 2015). The 2014 CEDAW Committee observation and the 2019 ILO CEACR Committee’s direct request on C29 Forced Labour Convention expressed concern that Ghana remains a source, transit and destination country for women and children trafficked mainly for purposes of sexual exploitation and forced labour. This concern is informed by the high incidence of internal trafficking of women and girls from rural areas and the limited number of convictions under the Human Trafficking Act, 2005, due to low level of reporting and inadequate identification of victims of trafficking (CEDAW, 2014; CEACR 2019). The CEACR further called for measures to ensure thorough investigations and robust prosecutions for persons who engage in the trafficking of children.22 Women and girl migrants transiting or migrating to Ghana are at risk of being trafficked for sexual exploitation and forced labour.

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In conclusion, Ghana applies the ECOWAS Protocol of Free Movement and has adopted a National Migration Policy and a Migration Labour Policy which include the immigration and emigration aspects of migration and have gender as a cross-cutting issue. However, implementation and enforcement of these policies and protocol is limited. There is no mechanism in place, or at least is not mentioned in the policy or in the reviewed literature, to address the special needs and concerns of women migrant workers. In addition, as in Côte d’Ivoire, existing legislation does not extend protection to the informal economy where most women migrant workers are concentrated.

Nigeria

Nigeria’s legal framework on migration23 includes provisions about the residence permit, but there is no information on the procedure and conditions for granting and renewal of a residence permit, the duration of a permit nor family migration (Devillard, Bacchi, and Noack 2015). Administrative practices partially fill these gaps; for example, ECOWAS Member States nationals are granted an ECOWAS residence card valid for 5 years and renewable, while ECOWAS third country nationals are granted with a Combined Expatriate Residence Permit and Aliens Card valid for 2 years and renewable.

While existing regulations governing migration24 provide certain labour provisions, they lack clarity on migrants’ access to employment. Hence, administrative practices again fill the gap. ECOWAS Member States Nationals can apply for the ECOWAS Residence Card after presenting a letter of employment and paying the correspondent fees (Devillard, Bacchi, and Noack 2015). This letter of employment applies only to migrants working in the formal economy, excluding women migrant workers in the informal economy.

The policy framework on migration consists of the National Policy on Labour Migration, 2014 (NPLM) and the National Migration Policy, 2015 (NMP). The NPLM, produced with the technical support of ILO and IOM in collaboration with national partners in Nigeria calls for specific attention, “to ensure that all labour migration policies, legislation, institutions and practices are gender responsive. Specific sex disaggregated data on labour migration and immigration concerning Nigeria will be collected and analysed to ensure that the implementation of the Policy is gender responsive at all levels of government, and in the actions of social partners and other actors” (Federal Goverment of Nigeria 2014:20). It also dedicates a section to equal treatment in relation to inequalities and discrimination based on sex, race, ethnic origin and nationality, and acknowledges that, “sexual discrimination puts women migrant workers at particular risk of marginalization, exploitation and abuse. Discrimination facilitates potentially abusive employment situations and weakens the position of migrant workers” (Federal Government of Nigeria 2014:23). Finally, the Policy also calls for special attention to certain vulnerable categories, such as women domestic workers.

The NMP, also produced with the technical support of ILO and IOM in collaboration with national partners in Nigeria, establishes residence rights and better addresses trafficking and smuggling activities (Ibourk Forthcoming). It also dedicates a section to migration and gender identifying specific objectives and strategies (see Box 9) and recognizes the feminization of migration, the increased demand for services mostly provided by women, such as domestic work, nursing, teaching and sex work, and the often abusive work conditions women face, especially those who are victims of trafficking. The Nigerian government has developed a plan of action for the 2019-2023 National Migration Policy (Government of Nigeria n.d.), which includes a section on migration and gender with the overall objective to, “ensure that gender issues are addressed in providing opportunities for current and prospective migrants.” Three policy initiatives are presented: 1) Explore migration-gender relations in different sociocultural settings in Nigeria, with special focus on women’s empowerment; 2) Provide legal and social assistance to women migrants who are victims of human trafficking, migrant smuggling and other related crimes and activities; and 3) Protect and promote the rights of women.

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23 Immigration Act of 1963 (Chapter 171), the Immigration Regulations (LN 93) and the Immigration (Control of Aliens) Regulations (LN 94) also adopted in 1963.
24 Immigration Act of 1963.
Box 9. Objectives and strategies on migration and gender in the Nigerian National Migration Policy

Objectives

a. Explore migration-gender relationships in different sociocultural settings in Nigeria, with a special focus on women’s empowerment.
b. Design a scheme for detecting and containing irregular migration along gender lines, in particular the trafficking/smuggling of women and girls.
c. Make gender equality a core value in all issues and activities within the migration and development policy and its implementation strategy.

Strategies

a. Ensure, in conjunction with the Ministries for Women Affairs, Health, and Labour and Productivity, as well as the National Human Rights Commission and CSOs, that the peculiar needs of migrant women in the areas of health, human rights and labour rights are respected, thus integrating the gender perspective.
b. Reinforce the involvement of women in all areas of the nation’s reform and development agenda on migration.
c. Work through the National Agency for the Prohibition of Trafficking in Persons and related security, governmental and non-governmental agencies to counter migrant trafficking and smuggling, as well as harsh working conditions that target and victimize migrant women.
d. Promote information campaigns aimed at raising awareness about the gender dimension of migration, in conjunction with policymakers, the Nigerian Immigration Service, Nigerian Police Force and other agencies involved in preventing irregular migration and in repatriating Nigerian citizens from countries where they have overstayed their welcome.

Source: National Migration Policy, 2015

On regulations relating to the protection of women, according to the CEDAW Committee concluding observations in 2017, there was positive progress in the adoption of legislatives texts such as:

- The Violence against Persons (Prohibition) Act, 2015.
- Ekiti State Gender-based Violence (Prohibition) Law, 2011.
- The Jigawa State Gender Policy and Action Plan, 2013; and
However, the CEDAW is concerned about the protection of women on several accounts:

- The stagnation of the Gender and Equality Bill, designed to eradicate gender inequality in politics, education and employment25, which will incorporate the Convention into the national legislation.
- The insufficient budget allocations for legal aid; alleged corruption and stereotyping within the judiciary which hinders women access to justice.
- The persistence of harmful practices and discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society, which perpetuate women’s subordination in the private and public spheres.
- The prevalence of gender-based violence against women and girls, including domestic violence.
- The State remains a source, transit and destination country for trafficking in persons, in particular women and girls, for purposes of sexual and labour exploitation.
- The underrepresentation of women in the National Assembly, in senior leadership positions in the diplomatic service and at the ministerial level.
- The lack of data on the effect of the privatization of schools on access to education by women and girls; The high rate of maternal mortality, which is partly attributable to the lack of access to skilled midwives and the high number of unsafe abortions.
- The lack of information on the effect of the national microcredit policy on women and girls and on efforts to enhance their capacity with regard to entrepreneurship.
- Women own less than 7.2 per cent of the total land mass in the State and their land rights in rural areas are not guaranteed; and
- The prevalence of child marriage and inheritance rights largely based on succession by men.

Women migrant workers are affected by a number of discriminatory practices in employment. This is exacerbated by the delays in the adoption of the Gender and Equality bill; no access to justice to complain about abuses and exploitative working conditions; cultural norms on the role of women, which could lead to subordination and violence; the lack of information and access to microcredits which would empower women migrants’ independence; inadequate maternal health which could result in their death and the risk of being trafficked for sexual and labour exploitation purposes. Women migrant workers’ children, especially girls, might be affected by lack of access to education, harmful practices, gender-based violence and trafficking.

In relation to labour matters affecting Nigerian women and migrants, the adoption of the Labour Standard Bill is pending, which, in principle, will include provisions on equal remuneration for men and women for work of equal value, protection against discrimination in employment and occupation and protection against harassment. In 2019, The ILO supervisory bodies noted that the National Minimum Wage (Amendment) Act from 2019 excluded certain workers from its coverage, such as those working in establishments with less than 25 employees, part-time workers, workers paid on commission or piece rate and workers in seasonal employment such as agriculture. The Committee requested information from the Government on the extent to which women are impacted by the exclusions from the national minimum wage provided under the Act and the measures taken to address the consequences of the exclusion in practice26. The CEACR also noted that the Government had not yet adopted the Labour Standards Bill, which would hopefully fully reflect the principle of equal remuneration for men and women for work of equal value.

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25 The bill calls for the elimination of discrimination in employment by ensuring the rights to work; equal employment opportunities; free choice of profession; equal remuneration of persons of equal skills, competence and knowledge; social security provisions; maternity leave, health, maternal health and safety (Federal Government of Nigeria 2011).

26 Nigeria - CEACR, Convention No. 100, observation and direct request, 2019.
In relation to the gender wage gap, the CEACR pointed out the absence of legislation that fully reflects the principle of the Convention and the persistence of a significant gender pay gap in the country. In addition, and the ILO supervisory bodies and CEDAW expressed concerns related to discriminatory provisions in the national legislation which prohibit the employment of women in night work and the recruitment of married women to the police; the delay in adopting the labour standards bill, which is intended to prohibit sexual harassment at work; the lack of information on discriminatory practices based on maternity and marital status at work; the gender-wage gap, especially in the private sector; and the limited efforts of the State party to implement specific programmes aimed at building women's capacity with regard to technology, innovation and entrepreneurship. Women migrant workers in Nigeria, are also affected by the exclusion of coverage regarding minimum wage, as many of them work part-time or are seasonal workers. They are also affected by the prevalence of the gender pay gap in the country and discriminatory practices faced by women nationals.

With regards to human trafficking, the country revised in 2005 the *Trafficking in Person (Prohibition) Law Enforcement and Administration Act, 2003*, established a trust fund for victims of trafficking in 2008 and has carried out prevention activities such as media campaigns, advocacy meeting with community leaders, and town hall meetings to divulgate information among the population and training sessions to official (Devillard, Bacchi, and Noack 2015). However, as pointed by the CEDAW Committee in 2017, Nigeria remains a source, transit and destination country for trafficking in persons, especially women and girls for purposes of sexual and labour exploitation (CEDAW 2017). According to the 2018 ILO CEACR observations on C29 Forced Labour Convention and the 2017 CMW observations, despite the fact that the Anti-Trafficking Act of 2015 eliminated judges' ability to impose a fine in lieu of a prison sentence for trafficking offences, the courts continue to penalize traffickers with only fines (CMW 2017). In relation to the protection and assistance for victims of human trafficking, the ILO CEACR Committee called the Government to strengthen its measures to ensure identification, protection and assistance of victims of trafficking for purposes of both sexual and labour exploitation (CEACR 2018d).

Foreign child victims of trafficking in Nigeria are mainly children from Benin, Togo, Côte d'Ivoire and Niger who are exploited in domestic work, prostitution, agriculture, mining, street trading, petty crimes and the drug trade, while international trafficking of Nigerians involves a variety of countries of destination, from West and Central African countries, to EU Member States, North Africa, the Middle East, and Asia (Devillard, Bacchi, and Noack 2015). The ILO CEACR direct request on C182 Worst Forms of Child Labour Convention called for effective measures to ensure thorough investigations and prosecutions of perpetrators of the sale and trafficking of children for labour and sexual exploitation. It also noted the Government efforts establishing bilateral and multilateral agreement with other countries to tackle the phenomenon through joint intelligence and information sharing, victims' identification, rescue operations, rehabilitation and counselling, repatriation of victims, mutual legal assistance between countries and capacity development of law enforcement bodies and other relevant stakeholders. The Committee encouraged the Government efforts in strengthening international cooperation and assistance in combating the trafficking of children (CEACR 2018g). As discussed in the previous section, women and girl migrants in Nigeria and Nigerian women and girls are at risk of being trafficked for sexual exploitation and forced labour.

In conclusion, although Nigeria facilitates the migration of ECOWAS States' member nationals through administrative practices and has adopted a Migration Labour Policy and a National Migration Policy that are gender responsive, there is no reference in the policies or in the reviewed literature about how this gender responsive approach is applied. In addition, as in Côte d'Ivoire and Ghana, existing legislation does not extend protection to undocumented migrants, as well as the informal sector, where most women migrant workers are concentrated.
Practices affecting women migrant workers

Restrictions on employment

International instruments such as the Convention on the Elimination of all Forms of discrimination against Women (CEDAW), the CEDAW General Recommendation 26 on Women Migrant Workers (GR 26; para 24) and the Committee for Migrant Workers (CMW) General comment on migrant domestic workers (para 61) as well as the CEACR in the 2016 ILO General Survey concerning the instruments for migrant workers caution against the use of sex-specific bans and discriminatory restrictions on women’s migration.

Women migrants face restrictions to employment through government bans in certain countries or sectors. Restrictions on African women’s international migration include the Ethiopian and Ghanaian governments’ ban on the migration of domestic workers to Saudi Arabia in 2013 and 2017 respectively. Even though such bans are intended to prevent exploitation, the results are counterproductive as such restrictions often lead to women migrating through irregular, unregulated and unprotected channels (UN Women 2017). Other negative effects of these bans include: they may criminalize activities of recruitment agencies violating the ban, following which women and also men seek riskier methods to migrate; they affect the household income of those who depend on migrant workers remittances; and they affect the freedom of young people to make decisions about their own lives, where they work and how they gain their livelihoods (Louisa 2018). Bans also affect equal opportunities for women migrant workers to seek employment abroad as they often disproportionately impact on women (see 2016 General Survey).

On the restriction on sectors of employment, Côte d’Ivoire legally restricts the employment of women and men migrants in public service jobs and has implemented a policy of “ivoirisation” of executives (Ibourk Forthcoming). Ghana restricts the employment of migrants in marketplace trading, petty trading, hawking, kiosk trade, operation of taxi and car hire services, pool betting, and the operation of beauty salons and barber shops (Devillard, Bacchi, and Noack 2015). Other restrictions worth noting is the access to land, in both countries to all migrants as ownership of land is reserved to nationals only.

Means of recruitment

There is limited information on the migration recruitment industry in Africa. Social networks play a critical role in facilitating mobility, however recruitment agencies have become important in brokering employment in within and outside Africa (UNCTAD 2018). Well-regulated recruitment agencies can support potential migrants negotiate better pay or working conditions and offer employment-related and pre-departure trainings and relevant information about the job and the country of destination. However, if those agencies are poorly regulated, they can then be a source of exploitation and unethical practices by providing false information on the nature and conditions of work with the potential employer, and/or deducting part of a client’s wages or creating debt bondage to their clients due to high processing fees. None of the studied countries have ratified the Private Employment Agencies Convention 1997 (No. 181), as mentioned in Section 2 of this report. The ratification of this Convention and related national legislation would help regulate the operation of the private recruitment agencies and protect the rights of migrant workers using their services.
According to the Survey on Migration Policies in West Africa (2015) and the report on recruitment of migrant workers to, within and from Africa (Omeira forthcoming), international recruitment through private employment agencies is regulated by law in some countries in West Africa such as Burkina Faso, Ghana, Liberia, Mali, Nigeria, and Togo. In Côte d’Ivoire, the Labour Code foresees the possibility for private employment agencies to operate. Decrees Nos 96-193 and 96-194 of 1996 regulate fee-charging employment agencies in relation to placement and temporary work, and Order No. 6421 of 15 June 2004 on recruitment and visa fees of non-national stipulates that the visa cost is payable by the employer and determined according to the worker’s salary.28 The order does not apply to some categories of workers such as executive directors, agricultural labourers and domestic workers. In practice, their role is mostly limited to the national labour market.

In Ghana the Labour Act regulates the Private Employment Agencies (PEAs) and stipulates that fee charging to workers is allowed. It also limits the recruitment services of PEAs to those countries with which Ghana has established bilateral agreements. It regulates the Labour Regulations Act of 2007 and provides additional regulation for PEAs and introduce restriction on the recruitment of children for work outside the country and of trafficking in person.

Nigeria’s Labour Act regulates recruitment and provides for a licensing system, monitored by the Ministry of Labour. In addition, the National Labour Migration Policy establishes that PEAs are to register with the Federal Ministry of Labour and Employment. The policy also recognizes the importance of pre-departure training and counselling for migrant workers and calls for special attention to recruitment and deployment of the most vulnerable categories of workers, including women domestic workers. One of the National Migration Policy’s objectives is to strengthen mechanisms regulating the activities of PEAs to prevent the exploitation of potential labour migrants, and the National Employment Policy commits the Government to well-coordinated, fair and efficient recruitment processes, ensuring workers recruited via PEAs are not denied to freedom of association and right to collective bargaining. Furthermore, it specifies that all cost associated with recruitment are payable by the employer and seeks to regulate and supervise the multiple levers of recruitment. It also seeks to provide timely information about jobs openings, sectoral changes, geographical imbalance and other labour and income trends through the National Electronic Labour Exchange (NELEX). Private employment agencies in Nigeria are also bound by a Code of Conduct (2011). However, the regulation of these private recruitment agencies is limited in practice and they often operate outside the control of national authorities.

There is a lack of information on the means of recruitment of women migrating to and from Côte d’Ivoire. However, it is well documented in the case of Nigeria, revealing that many low-skilled Nigerian women are trafficked into Europe for sexual exploitation, and also many skilled women are recruited in the health and education sectors in Europe and the United States. However, there is a lack of information regarding the means of recruitment of migrant women in the country.

In Ghana, different means of recruitment are adopted to identify foreign labour, including recommendation through personal networks, online advertisements, and recruitment agencies. According to data provided by the government, in 2017, PEAs placed into overseas employment 1,589 workers (686 men and 903 women). Major destinations were Saudi Arabia (1,145), Qatar (307), and Dubai (117). Of the total of migrant workers placed, 871 were domestic workers in Saudi Arabia, virtually all women (Omeira forthcoming). The favoured means of recruitment of migrant workers is determined according to the worker’s salary.

28 For non-African workers, one-month salary for a fixed-term employment contract, and one and a half month salary for a permanent contract; for African workers, half a month of salary for a fixed-term employment contract, and three-quarters of a month for a permanent contract.

29 According to NAPTIP, in 2018, the agency received a total of 1,076 cases, fully investigating 206 cases, and apprehending 823 suspects (45 per cent women). More than a fifth of cases received, and about a quarter of cases fully investigated, related to foreign travel which promotes prostitution. 1,173 victims were rescued (84 per cent women), about a third of which are trafficking related to procurement for sexual exploitation or prostitution externally or for foreign travel which promotes prostitution (Omeira 2020).
Access to information and services

There is limited information in West Africa on the access of potential migrants to pre-departure information and training in countries of origin, and to information and services in host societies. The Ministry of Labour in Nigeria has collaborated with the ILO to develop information material on five important countries of destination, (Italy, Spain, Switzerland, the United Kingdom and the United States), and the Action Plan to implement the Nigerian's National Policy on Labour Migration includes activities to conduct awareness raising and pre-departure training programmes for potential migrant workers. According to CEACR observation on the application of the Migration for Employment Convention (No. 97) in 2017, the Nigerian Government indicated it had established two Migrant Resource Centres in Lagos and Abuja, which provided free information to nationals who plan to migrate and referral services to returning migrants. However, no further information is available as to the functioning and impact of these centres.

According to Survey on Migration Policies in West Africa (2015), formal recruitment agencies in Africa that broker employment in the domestic service sector, a women-dominated sector, deliver a variety of services, such as training in child and elderly care, food preparation and housework to potential domestic workers prior to placing them in households; however, the survey report does not specify in which subregion or countries. In Ghana, awareness raising campaigns on information about different aspects of the migration process through theatre plays, TV and radio shows, flyers, and advertising have been organized with the support of IOM, but no pre-employment programmes and pre-departure orientation training have been organized on a regular basis (Devillard, Bacchi, and Noack 2015). For Ghanaian migrants who return voluntarily, or as a result of deportation, the government provides information on job vacancies and training programmes (Scalabrini, 2014).

Regarding access to social services, according to Côte d’Ivoire legislation, migrants have almost identical access to social services and social protection as nationals. They have immediate access to non-urgent, preventive and urgent public health care and to primary and secondary public education and vocational training under the Law n° 2002-03 of January 3, 2002, and they benefit from universal health insurance, whatever their legal status according the Decree n° 2014-395 dated 25 June 2014. As for social protection benefits, migrants are entitled to a pension plan and family allowances, in accordance with law n° 99-476 of August 2, 1999 (OECD/ILO, 2018a); however, access to these benefits may be contingent on having a job in the formal sector, which is unlikely as the majority of migrants, as well as nationals, work in the informal sector.

Ghana provides access to health, education and social security to all migrants lawfully residing in the country, including refugees who are registered by the Ghana Refugee Board. “The National Health Insurance Scheme allows for coverage of health-care services to legal residents of Ghana. In the case of education, children in Ghana have access to public primary and secondary schools, and admission does not require a residence permit. Permanent residents can also access university education. Social security is accessible to immigrants and their families in Ghana” (IOM 2018:2). In additions, several national and international civil society and faith-based organizations working on migration, provide general services to migrants, refugees and asylum seekers (Scalabrini, 2014).

Access to social protection and collective bargaining

Regional governance on social security is based on the ECOWAS General Convention on Social Security drafted in 1993 and revised and adopted in 2012, however Western Africa countries do not have comprehensive social protection schemes which means that the convention cannot be applied in all countries for all branches. Some West African countries are also part of the regional Multilateral Convention on Social Security (CIPRES Convention). Several countries have signed bilateral agreements in this area, including Benin, Burkina Faso, Cape Verde, Côte d’Ivoire, The Gambia, Guinea-Bissau, Guinea, Mali, Niger, Senegal, and Togo. However, these agreements primarily cover long term benefits, such as pensions, and women migrant workers may not accumulate enough years of contribution to benefit, leaving them vulnerable particularly in old age. In addition, women migrant workers are disproportionately in sectors or occupations not sufficiently covered by national social security legislation, including domestic work and temporary or seasonal work (Van Panhuys, Kazi-Aoul, and Binette 2017).
Through the AUC/ILO/IOM/UNECA Joint Labour Migration Programme, the ILO has promoted the inclusion of a portability component in the ILO’s Social Security Inquiry (SSI) questionnaire and related resources. The questionnaire includes information on legal coverage of non-nationals in social protection schemes and programme, information on the number of emigrants and immigrants (indicating the main countries of destination), contributory capacity of non-nationals, information receipts and benefits to non-nationals for different schemes and programmes. Moreover, the data from the questionnaires is expected to feed into the World Social Protection Report, a Global ILO Flagship Report. The revised SSI questionnaire will also be used for data collection for JLMP Africa Report on Labour Migration Statistics. In West Africa, Ghana, Mali, are in process of completing the questionnaire SSI+ (SSI with migrant module). This questionnaire will allow to collect sex disaggregated data.

Social security programmes are in place in Côte d’Ivoire, Ghana and Nigeria, and with provision concerning women, such as the inclusion of maternity and survivor's benefits. However, the coverage of those benefits is for formal employees, whereas self-employees are excluded (SSA and ISSA 2017). Women and men migrants are less likely to be covered by formal employment contracts and to receive benefits than nationals because most migrant workers are employed in the informal sector.

With respect to freedom of association and the right to organize and collective bargaining, there are a variety of actions that can be taken to strengthen the protection of migrant workers (see Box 10). Côte d’Ivoire’s Labour Code includes an exception to the principle of equal treatment regarding trade unions (Art. 51.6). While all migrants can join a trade union, only nationals or those nationals from states with which the country has concluded reciprocal agreements can fulfil administration and direction functions (Republique de la Côte d’Ivoire 2017). Ghana through its Labour Act, 2003, provides equal treatment among migrants and nationals, and the migrants benefit from all obligations and rights from the labour legislation, including those about trade unions (Art. 87) (Republique of Ghana 2003). Finally, Nigeria, through its Trade Unions Act, 1973, Article 12 calls for membership in trade unions not to be restricted on discriminatory grounds, including place of origin (Federal Republic of Nigeria 1973).

Box 10. How can trade unions strengthen migrant workers’ protection

In countries of origin
a. Lobby against social dumping
b. Assist in offering pre-departure and return orientation and training
c. Negotiate for standard employment contracts in accordance with international standards
d. Lobby for abolition of recruitment fees
e. Provide migrants with trade union contact names and addresses
f. Provide referral services for migrants suffering from abuse
g. Ensure migrant women’s protection from discrimination and from falling victims to trafficking

In countries of destination
a. Lobby for legislation on equal treatment and non-discrimination in employment conditions, social security and to avoid labour market segmentation
b. Organize training on the rights of migrant workers
c. Call for the repeal of provisions discouraging migrants from joining trade unions
d. Include migrants in collective bargaining agreements
e. Cooperate in identifying abusive employment agencies
f. Help identify those involved in trafficking
g. Establish migrant workers rights’ committees
h. Lobby for the inclusion of a social clause in bilateral/international treaties

There is broad awareness in unions of the need to advance gender equality in Africa, but despite progress, unions' efforts are constrained by structural issues of gender equality rooted in the economy and by cultural values justifying inequality as “natural” or even desirable. These structural issues also affect the level of representation of women in different unions and in union leadership (Minter 2014). In West Africa, the Organisation of Trade Unions of West Africa (OTUWA) included empowering workers in the informal economy and the unemployed, particularly youth and women, among other issues, in its strategic plan 2016 – 2020. It recognized the strength and growing participation and representation of women and youth in affiliate national centres. Two of the planned activities are 1) a workshop on recruitment, servicing of members and increasing worker participation which pretends to ensure women and young workers participation is fully integrated as a central aspect of the roll-out programmes and 2) an Annual Women Academy where women will discuss innovative ideas to increase the participation and representation of women in trade unions (OTUWA n.d.).

In the last decade, global attention to organization of domestic workers has increased considerably, with the active engagement of organizations such as Women in Informal Employment: Globalizing and Organizing (WIEGO) and the International Domestic Workers’ Network (IDWN). There are several Unions affiliated to IDWN that are dedicated to and advocate for the rights of domestic workers in Benin, Burkina Faso, Côte d’Ivoire, Ghana, Guinea, Liberia, Mali, Niger, Nigeria, Senegal and Togo.

The role of civil society organizations (CSOs) is an important source of assistance to women and men migrant workers in the subregion. Authorities rely on CSOs to provide support to migrants at risk and victims of human trafficking (VoT), carry out awareness raising activities and implement reintegration programmes for returnees. For instance, CSOs are especially active in the assistance of VoT in: Côte d’Ivoire (protections of through shelter), Ghana (protection through rescue, shelter and counselling), Guinea (protection), Guinea Bissau (prevention and protection), Liberia (support and assistance), Mali (protection through shelter), Niger ( protection through medical assistance and shelter), Senegal (protection through shelter), Sierra Leone (protection through shelter) and Togo (protection through shelter). They are also active in awareness raising activities in Burkina Faso (information dissemination event about the different aspects of the migration process), Liberia (pre-departure trainings) and Togo (information dissemination), in reintegration programmes for returnees in Sierra Leone and in mobilization of the Diaspora in Togo.

The preceding sections provided an analysis of the legal and policy frameworks relevant for both woman migrants and women nationals to understand how they affect women migrant workers and presenting the common practises with regard to restriction of employment, means of recruitment, access to information and services, skill development and recognition, and social security and collective bargaining; the following section will focus on conclusions and recommendations.

30 The Syndicat National des Employés d’Hôtel et de Maison du Benin, the Syndicat National des Employés de Maison et de Gardiennage du Burkina Faso, the Domestic Service Workers Union in Ghana, the Syndicat National des Employés de Maison de Guinée, the Syndicat des Travailleuses/eurs Domestiques et les Travailleuses/eurs de l’Économie Informelle de Côte d’Ivoire, the Domestic Workers Union of Liberia, the Syndicat des Travailleurs Domestiques du Mali, the Syndicat National des Travailleurs des Hôtels, Bars, Restaurants et Assimilés du Niger, the National Union of Hôtels and Personal Service Workers in Nigeria, the National Hotel Trade Catering, Café, Bar and Allied Workers (domestic workers and informal) in Senegal and the Syndicat National des Domestiques du Togo.
Conclusions and recommendations

Conclusions

Almost half of the migrants in West Africa are women moving within the subregion but also towards other regions in the world such as Europe, the United States and the Middle East, most are low-skilled young women, although there is also medium- and high-skilled female migration. Labour migration is the dominant form of migration flows in West Africa. Most employment opportunities in the subregion still exist in the informal sector and women migrants tend to work mainly in domestic work, trade and commerce sectors.

An increased number of women are migrating primarily for economic reasons as women migrant’s entry into the formal and informal labour market increasingly becomes a survival strategy to increase low household income. Women, nationals and migrants alike, earn less than their male counterparts and women migrants face precarious employment characterized by informal contracts, low wages, long working hours and a lack of benefits such as social security, pensions and worker’s compensation, which can intensify their vulnerabilities in destination countries. When women work in less-regulated informal sectors, the risk of exploitation and abuse increases, including trafficking, requiring specific protection measures.

Harnessing the potential of medium-skilled and low-skilled women migrants through fair and safe recruitment, access to pre-departure information, training and services, skills development and recognition and well-managed migration can be key for regional economic development. It can support the transition of women migrants from low-value sectors to higher value-added sectors in the economy, and from the informal to the formal economy while also increasing their productivity through skills upgrading can increase economic growth.

In relation to legal and policy frameworks, international, African and ECOWAS standards and policy frameworks include provisions applicable to the protection of women migrant workers. However, this protection will not be comprehensive until national laws and policies are aligned with those international instruments, concrete implementation mechanism are in place and commitment and willingness to protect women migrant workers and address their risks and vulnerabilities are shown by governments in the subregion.
While national migration and labour laws are in place, labour provisions generally only apply to those working in the formal economy, leaving most national and migrant workers unprotected. As a large part of the active population in West Africa, both nationals and migrants, work in the informal economy, it is imperative to address this imbalance and increase the numbers working in the formal economy. This not only provides safeguards for social protection and workers’ rights, but it can also increase economic productivity.

Provisions relevant to women workers, both nationals and migrants, such as equal remuneration for men and women for work of equal value, protection against discrimination in employment and occupation and protection against gender-based violence and harassment need to be included if non-existent, or improved if not adequate in labour codes and labour laws. Implementation mechanisms also need to be established and metrics and related data shared. To achieve this, CSOs, trade unions, migrant organizations and women migrants themselves could join forces for systemic-informed approach to advocate for the inclusion of such provisions and also monitor the implementation of measures related to those provisions.

Almost all ECOWAS Member States have developed or are planning to develop a national migration policy or have a similar strategic framework in place. Given the concentration of women in low-skilled migration and the increase in the emigration of highly skilled women in the subregion, it is critical to apply a gender-responsive approach in labour migration policies. Therefore, policies should not only recognize women’s increasing role in labour migration, but also promote equality of treatment and focus on specific dimensions relevant to women migrants, such as access to health care, sexual and reproductive health, maternity protection, and protection against violence and harassment, including gender-based violence and sexual harassment. Legal and policy progress will help promote women migrant workers’ rights and equal opportunities in the context of the migration process. It is critical to pay attention to the specific dynamics of women’s labour migration, such as the migration channels used, the sectors of the labour market where they are employed, the forms of abuse they suffer and the consequences and impact to their lives. Unfortunately, this is often overlooked in gender blind policies and laws.

Finally, key data to inform policy and decision-making actors about the situation of women migrant workers is lacking in the subregion. This missing information includes: standardised and sex-disaggregated migration data, data on migrant workers occupations disaggregated by sex, data on educational attainment levels and skills of migrant workers disaggregated by sex, data on child migrants in child labour disaggregated by sex, and gender disaggregated data about access of migrant workers to employment services and social security.

**Recommendations**

The following recommendations draw upon the key findings and conclusions from this study, and while they may also be relevant for other African subregions, they are identified specifically for West Africa:

**Governments**

1. **Effectively enforce and implement national migration and labour legislation and policies related to the protection of women migrant workers** and ratify of relevant international labour Conventions promoting the protection of migrant workers and gender equality, including the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), as well as the Domestic Workers Convention, 2012 (No. 189) as many women, nationals and migrants, in the subregion are employed as domestic workers, and the Violence and Harassment Convention (No. 190) that protects women, nationals and migrants, against gender-based violence and harassment.
2. Develop and implement gender responsive bilateral labour migration agreements or MoUs, ensuring that, when negotiated, they pay specific attention to gender concerns relating to equality of opportunity, access to health care, maternity protection, and violence and harassment, as well as access to accurate information and services relating to the migration process (including pre-departure and recruitment).

3. Develop/strengthen policies on international migration and mobility, with a particular reference to labour migration, with attention to concrete commitments and actions to promote equality of treatment and opportunities, access to health care, sexual and reproductive health, maternity protection, and protection against violence and harassment, including sexual harassment. This includes West African countries where these policies are absent, such as Côte d’Ivoire, as well as countries where they already exist, such as Nigerian and Ghanaian.

4. Include gender-specific measures when gender inequalities exist to bring about substantive equality and evaluate the effectiveness or impact of these laws and policies and amend accordingly in consultation with the social partners.

5. Facilitate the transition of women and men nationals and migrants to the formal economy, in partnerships with employers, through assessment and diagnostics of factors, characteristics, causes and circumstances of informality in the national context.

6. Develop and maintain labour market and migration information systems, with harmonized and comparable information, based on international statistical standards, and in particular following the ICLS Guidelines concerning statistics on international labour migration31, within the subregion with data disaggregated by sex and age and improve data collection on migration of women. This can contribute to data sharing and analysis across subregions. Particular attention should be given to address limited data on undocumented migrants.

7. Promote fair labour recruitment of women migrant workers in the subregion, with attention on fair recruitment to protect women migrants from unscrupulous labour recruiters, recruitment agencies and networks, in collaboration with social partners.

8. States, individually and at the regional level, should provide gender responsive pre-departure services for women migrants in both formal and informal employment. This includes information session and pre-departure trainings that prepares women migrating inside or outside the West African subregion.

9. States should provide assistance to women migrant workers in vulnerable situations and protect their human and labour rights in partnership with social partners+.

10. Integrate women migrant workers into skill development programmes and enhance recognition and equivalence of qualifications and skills throughout countries in the subregion, including recognition of prior learning.

11. Meaningfully involve social partners+ in the formulation and implementation of gender-responsive labour migration policies and legislation. A multi-stakeholder approach is needed.

Social partner +32

1. (All) Advocate for the ratification of international, regional and sub regional standards and harmonization of West African countries’ national migration and labour laws, with particular attention to standards promoting gender equality and protection of the rights of migrant workers. Promote effective enforcement and implementation.

2. (All) Advocate for the inclusion of gender responsive provisions related to equality of treatment and opportunities, access to health care, sexual and reproductive health, maternity protection, and protection against violence and harassment, including sexual harassment in national

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32 Workers, employers, civil society and migrant organizations.
legislation and policies on migration and labour, as well as when negotiating and concluding bilateral agreements.

3. (All) Partner with governments in the formulation and implementation of gender-responsive labour migration policies and legislation, with attention to monitoring, reporting and validation to ensure legislation is upheld.

4. (All) Provide gender responsive pre-departure services to women migrants in both formal and informal employment such as vocational and technical trainings and information sessions on the migration process, potential risks and their rights and obligations.

5. (All) Provide direct and timely assistance to women migrant workers in vulnerable situations to prevent discrimination, exploitation and abuse and promote their human and labour rights.

6. (All) Promote the participation of women migrant workers in skill development programmes and advocate for the recognition and equivalence of qualifications and skills throughout countries in the subregion, in partnership with governments.

7. (All) Improve the participation and representation of women, both nationals and migrants, in employer’s organizations and business associations, trade unions, civil society organizations, and other initiatives relevant to their issues, honouring the principle of equality of treatment and opportunities.

8. (Workers, CSOs and migrant organizations) Raise awareness among women and men workers, employers and authorities of the situation of women migrant workers, with attention to addressing the constraints, mistreatment and misperceptions through tailor-made messages to different audiences such as the government.

9. (Workers, CSOs and migrant organizations) Promote the transition of West African women and men, both nationals and migrants, to the formal economy to ensure a fairness of the recruitment process and access to social protection.

10. (Workers, CSOs and migrant organizations) Promote fair labour recruitment of women migrant workers in the subregion, with attention to fair recruitment to protect women migrants from unscrupulous labour recruiters, recruitment agencies and networks.

### Areas for further research

Areas to consider for additional research relevant to understanding the situation of women migrant workers in West Africa include:

i. In-depth data collection and research on gender dimensions of migration and labour migration of women in the subregion using key informant interviews, surveys and focus groups.

ii. Research on barriers to skills development and recognition for women migrant workers in the subregion.

iii. Scale of and working conditions of undocumented women migrant in the informal economy.

iv. Research on living and working conditions of girl migrant workers in the subregion.

v. Collect data on the dimensions of women migrant labour experiences in transit and destination countries across the region.

vi. Research and publication on changing trends and patterns of women intra-regional migration.

vii. Disseminate information on women migrant workers’ labour contribution to the subregion’s economy.

viii. Carry out a landscape analysis on key strategies to support the safe integration of West African migrants, especially women and children, in their host countries.


Women migrant workers’ labour market situation in West Africa
Bibliography


