



UNDOCUMENTED MIGRANT WOMEN IN EUROPE: A NEGLECTED CHAPTER IN FUNDAMENTAL RIGHTS PROTECTION

UNDOCUMENTED MIGRANT WOMEN IN EUROPE: **A NEGLECTED CHAPTER IN FUNDAMENTAL RIGHTS PROTECTION**

KEY OBSERVATIONS AND RECOMMENDATIONS

Authors: Hajar Salimi Khaligh, Alyssa Ahrabare, Anna Zobnina



A Member State has the right to decide on its own immigration policies; however, immigrants' fundamental rights must be protected and guaranteed in accordance with EU and international law, by which Member States are bound

European Parliament resolution (2014) on undocumented women migrants in the European Union, par. C

Member States should ensure that migrant, refugee and asylum-seeking women and girls do not face discrimination on any grounds

Member States are encouraged to take measures to enhance the ability of undocumented migrant women and girls to access their fundamental rights, and for those of them who are victims of violence against women or trafficking in human beings, to report the crimes without fear of removal

Council of Europe (CoE) Committee of Ministers
Recommendation (2022) on protecting the rights of migrant, refugee and asylum-seeking women and girls, par. 5 and par. 7

States parties must pursue all appropriate means to eradicate trafficking and exploitation of prostitution to ensure that laws, systems, regulations and funding are in place to make the realization of that right effective, rather than illusory

Committee on the Elimination of Discrimination against Women (CEDAW Committee)
General Recommendation no. 38 (2020) on trafficking in women and girls in the context of global migration, par. 4

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INTRODUCTION:

Migrant, refugee and asylum-seeking women and girls in Europe face persistent inequalities as well as specific barriers to protection and enjoyment of their fundamental rights. As a group they are at the intersection of multiple systems of structural oppression (patriarchy, colonialism, and capitalism) and, as a result, they face multiple forms of violence (male violence, racism, exclusion, administrative violence, etc.). Among them, some belong to other discriminated groups (women with disabilities, lesbians, underage girls, single mothers, etc.). One particularly at-risk group is undocumented migrant women (UMW).

The COVID-19 pandemic has amplified existing discrimination and violence against women and created new outcomes that disproportionately impact migrant women and girls. In the face of this unprecedented health emergency, European countries adopted extraordinary measures such as extensive lockdowns, restricting freedoms and human rights in the process. Migrant women and girls have been overwhelmingly affected by these measures, which illustrates the failure of legislative systems across Europe to effectively guarantee migrant women and girls the enjoyment of their protected rights. From the early stages of the pandemic, the European Network of Migrant Women highlighted the augmented risk, for women in precarious situations, to lose their legal status and to consequently be exposed to more violence. This concerned, in particular, domestic and care workers at risk of losing their jobs and housing, asylum-seeking women whose applications for permanent status were delayed indefinitely, victims of male violence in the home whose legal status depends on their spouses, and women in prostitution including victims of trafficking for sexual exploitation.

Regretfully, as Europe recovers from the pandemic, these women continue to live at extreme risk of unemployment, poverty, homelessness, trafficking, male violence in the

home, exploitation in prostitution and labour exploitation, and femicide, while continuing to live behind multiple barriers to justice, and in fear of losing their legal status.

Furthermore, in the past year, the takeover of Afghanistan by the Taliban and Russia's invasion of Ukraine reminded us that in war and conflict women and girls are at grave risk of male sexual violence, exploitation and of displacement. It is very likely that the world will keep facing global struggles including pandemics, natural disasters and incidents of economic downturn linked with the climate crisis. Unless the root-causes of these calamities are addressed, the number of displaced women and girls will continue to increase, and, without meaningful protection, they will continue to be disproportionately impacted. In 2019, the European Union set out an ambitious agenda to strengthen the rule of law - one of the founding values of the European Union enshrined in Article 2 of the Treaty on European Union. For this agenda to be realised, it is urgent to recognise the protection of fundamental rights of those most at risk of discrimination in the EU - migrant, refugee, and asylum-seeking women - as central to the EU strategy on fundamental rights. In the current political and socio-economic situation that the EU is facing, it is urgent that the EU and international legal frameworks protecting these rights are effective and enforceable.

There are different applicable laws for UMW residing within the territories of European countries. Their fundamental rights are protected under European Union (EU) Law, Council of Europe (CoE)'s system of human rights, international human rights treaties, as well as national fundamental rights systems, all designed to provide protection for all residents regardless of their migration status. However, specific rights are limited to citizens or are conditioned to the possession of a valid residence permit. In this report, we investigate the level of protection of fundamental rights provided for UMW

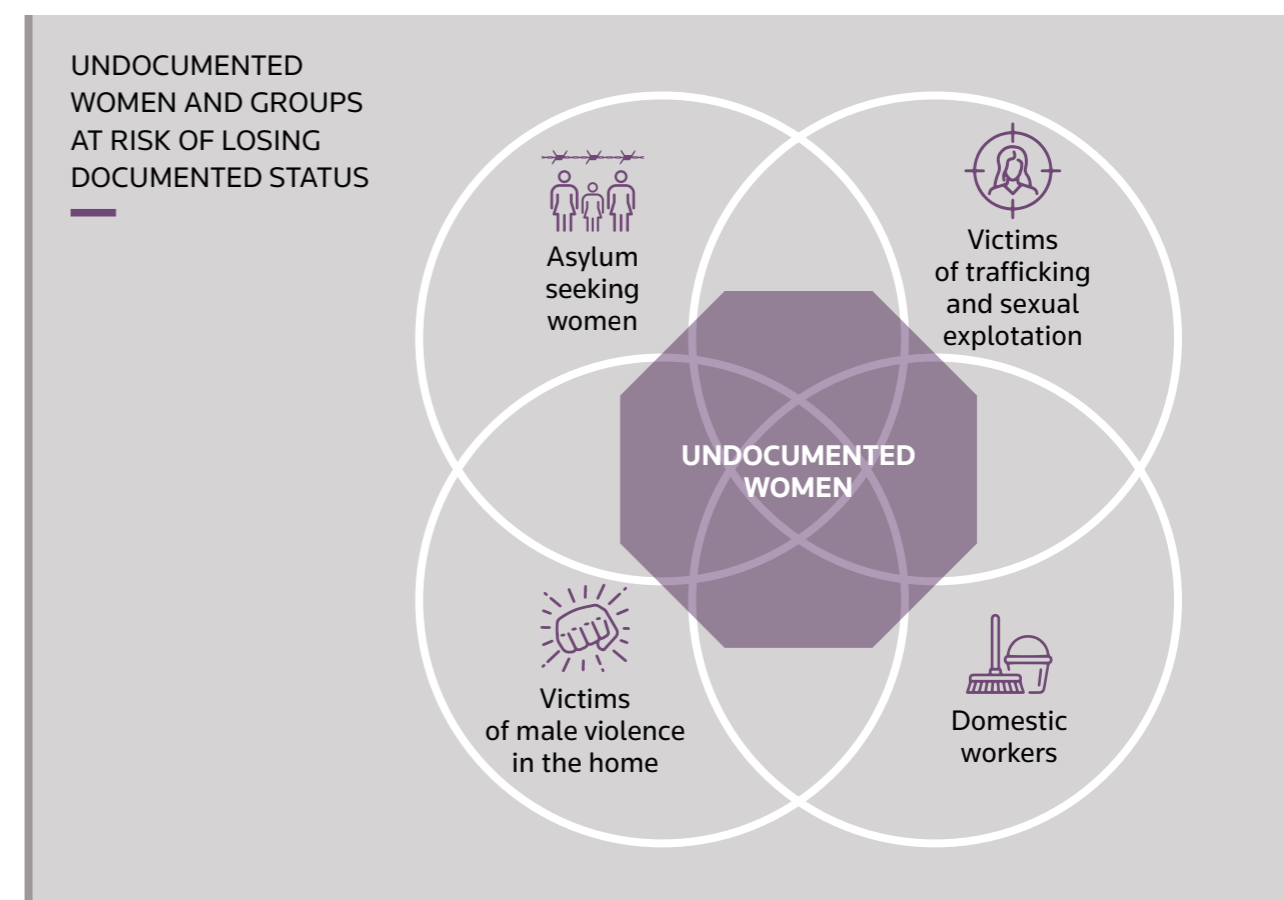
at the European level and in nine European countries, i.e. Belgium, France, Germany, Italy, Portugal, Hungary, Spain, Sweden, and Greece. The report highlights the provisions that already exist to protect fundamental rights of UMW in the legal systems of the EU and CoE, as well as the gaps in legislation in the area of fundamental rights protection. It also provides a limited number of examples of inconsistencies and failures in implementation of laws, provided by the national experts who took part in the review of the legal mapping. However, it must be noted that the law enforcement and implementation, in policy and in practice, are not the main focus of this publication.

For the purposes of this report, we have chosen to focus on access to rights - within the primary and secondary law of EU, CoE and selected countries - of undocumented migrant women, as well as four at-risk groups, namely domestic workers, asylum seeking women, women victims of violence in the home, and victims of sexual exploitation, including trafficking for its purposes. These four groups have been identified through discussions and consultations with ENoMW membership during the COVID-19 lockdowns, as being at a particular and immediate risk of losing their documented status due to

the extraordinary measures taken by the states during the pandemic and their pre-existing structural disadvantages. However, we acknowledge that other groups amongst migrant, refugee and asylum seeking women and girls face disproportionate risks of discrimination, exclusion and violence.

The selection of the nine countries covered in this report was determined by the membership of ENoMW present in these countries, as well as by the need for a comparative mapping of different legal regimes and further monitoring of their implementation at a national level. It was also determined by different political trends within EU countries, on migration, integration, tackling male violence against women, and fundamental rights protection as a whole, relevant to undocumented migrant women and the four at-risk groups addressed in this report.

The full report is available on the [European Network of Migrant Women website](#).



KEY OBSERVATIONS

1. EUROPE-WIDE PROTECTIONS

Any individual within the territories of the European countries is entitled to the protection of specific human rights under the EU Law system, CoE system, and the national legal systems. The EU system of fundamental rights protection imposes an obligation on the member states of the European Union and EU institutions to respect human rights as enshrined in the Charter of Fundamental Rights of the EU (CFR) when implementing EU law.

international law. This includes fulfilling undocumented women's rights to dignity, life and integrity, freedom from torture, degrading treatment, slavery and forced labour, respect for private life, equality before the law and the right to an effective remedy.

In relation to undocumented women and associated risk groups, efforts are yet to be made by the European institutions, both including expertise on intersecting violence faced by migrant women and girls in new legislation and monitoring pre-existing relevant Union law. To address this, the EU must undertake measures to:

EUROPEAN UNION LAW

The European Union has a plethora of legal instruments designed to protect, uphold and promote the fundamental rights of all people on its territory, regardless of their sex, ethnicity and residency status. The Union has also adopted specific instruments to ensure equality between women and men and non-discrimination on the basis of sex, race, colour, ethnic or social origin. Currently, a Proposal for a Directive of the European Parliament and of the Council on Combating Violence against Women and Domestic Violence, published by the European Commission on 08.03.2022, presents another opportunity for the European Union to enforce the fundamental rights of all women on its territory, without discrimination as to their legal and socio-economic status. While addressing discrimination against women in irregular situations may be considered a challenging area from the perspective of EU competences, fulfilling undocumented migrant women's fundamental rights remains an obligation of the Member States, both under European Union and

- monitor the full compliance of Member States with EU law effectively, in particular with directives and regulations that directly concern and protect undocumented migrant women and associated risk groups;
- use infringement procedures against Member States in cases of failure to integrate properly EU law protecting undocumented migrant women and associated risk groups in the national legal framework;
- use its shared competence to legislate in the area of freedom, security, and justice, under Article 4 of the Treaty on the Functioning of the European Union (TFEU) and Article 8 of the TFEU which provides that "the Union shall aim to eliminate inequalities, and to promote equality, between men and women.", and to adopt measures in this regard to specifically protect undocumented migrant women;

- use shared competence in the area of freedom, security and justice and, pursuant to Article 83 of the TFEU, to legislate on setting minimum rules and sanctions on the crimes of sexual exploitation of women, and to criminalise all parties committing such crimes, including persons directly sexually exploiting women and those profiting from such exploitation; such legislation must ensure the minimum standards of protection and support for all sexually exploited, including undocumented women;
- use shared competence on labour rights pursuant to Article 153 of the TFEU to legislate on setting minimum requirements for working and employment conditions, providing the legal ground for adopting measures to protect employed undocumented migrant women; and
- exercise EU shared competence pursuant to Article 79 of the TFEU regarding immigration policies and the scope of competences broadly worded in Article 79.

torture or inhuman and degrading treatment (Article 3), the right to legal aid and fair trial (Article 6), and the right to respect for family life (Article 8). It must be noted that the most relevant case law of the ECHR with respect to immigration concentrates mainly on the right to respect for family life and the right not to be subject to torture or inhuman and degrading treatment and only a few examples are available that specifically address migrant women. Under the European Social Charter (ESC), specific rights are guaranteed for migrants in irregular situations. This includes the right to health (Article 11) and the right to medical assistance (Article 14).

Additionally, the Council of Europe Convention on preventing and combating violence against women and domestic violence, known as the Istanbul Convention, is the main human rights treaty in Europe providing legal standards aiming to ensure women's fundamental rights to a life free from discrimination and violence through prevention, protection, prosecution of perpetrators and coordination of policies. The Convention is specific in its non-discrimination clause that clarifies that migration and legal status cannot be a barrier to the provisions of the Convention. It thus ensures that migrant, refugee, asylum-seeking, and undocumented women are protected by the Convention. Despite this, many of the 34 states that ratified the Convention, have placed reservations on specific articles providing protection to migrant women. In particular, Article 59 that ensures independent legal status for the victims of violence in the home, has received many reservations including from some of the States covered in this report.

In the context of this report, the Council of Europe has recently adopted a recommendation on protecting the rights of migrant, refugee and asylum-seeking women and girls. The recommendation, adopted in May 2022, provides a comprehensive roadmap for the Council of Europe states to ensure that they comply with Council of Europe obligations and standards on fundamental rights of migrant women, including the women in irregular and undocumented situations.



REUTERS/ Elias Marcou

COUNCIL OF EUROPE LAW

The Member States of the Council of Europe are under the obligation to respect and protect the human rights of everyone residing in their territory. These rights are enshrined in two main documents, with a distinction among civil and political rights, on the one hand, and social and economic rights, on the other hand. Under the European Convention on Human Rights, Member States are obligated to respect and protect fundamental rights (of a civil and political nature) of everyone, regardless of their nationality and legal status. Notably, the European Court of Human Rights (ECHR), in *Amuur v. France*, held that States have an “undeniable sovereign right to control aliens’ entry into [...] their territory”. This decision also emphasised that States must exercise this right in line with the provisions of the ECHR. Hence, a range of rights protected under the ECHR protects UMW as well, e.g., the right to life (Article 2), the right not to be subject to

2. COUNTRY-SPECIFIC PROTECTION

Each European State also provides specific protection for migrants’ rights, particularly Undocumented Migrant Women’s (UNW’S) rights. The rights and entitlements for undocumented migrants under national fundamental rights systems range from the provision of basic human rights, e.g., access to food, shelter, healthcare and education, to specific measures strengthening their legal status, such as granting of a residence permit to the victims of exploitation in prostitution and automatic regularization of undocumented migrants during the COVID-19 pandemic.

BELGIUM

An UMW under the Belgian legal system enjoys some fundamental rights that are protected for everyone residing in the Belgian territory; including inter alia, access to education (for minors), access to urgent medical care,

including abortion and birth control medication, access to psychological, social and legal assistance.

However, migrant women with a vulnerable status are not protected from being pushed into undocumented status. The plethora of laws regulating domestic work and workers’ access to the social security system have, in general, a negative effect in terms of the rights of the workers and their awareness of these rights. Women migrant workers suffer even more due to a lack of protection against intersectional discrimination. Due to non-compliance with the provisions of the Istanbul Convention, migrant victims of male violence in the home, although entitled to access to shelter and legal assistance, are more likely to lose their status if their relationship with the family member on whom their status depends on ends. Moreover, in March 2022 Belgium experienced a major set-back in the area of protection of migrant women and girls exploited in prostitution, due to the changes introduced in its Penal Code that decriminalised pimping and brothel keeping

and unburdened the third parties in the sex trade from the legal responsibility in cases of exploitation of 16 – 18 year old minors.

Within the context of the COVID-19 crisis, the Belgian government, apart from the distribution of sanitation equipment and provision of emergency healthcare for everyone including UMW, did not undertake any socio-economic measures to protect risk groups such as women in prostitution and domestic workers.

The Belgium government must take necessary legislative and other measures, in accordance with its obligations under international and European human rights law, to:

- ensure the rights of victims of male violence in the home to independent legal status in accordance with Article 59 of the Istanbul Convention;
- prohibit multiple discrimination resulting from the intersection of different grounds of discrimination including sex, national or social origin, and migrant or refugee status which affect migrant women disproportionately; and
- adopt the Equality Model, guaranteeing support and exit programs for women in prostitution, and criminalizing all forms of pimping and buying of sexual acts.



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FRANCE

The French fundamental rights system provides UMW with protection for their basic human rights. This includes the right to access healthcare, maternal and child protection, shelter and postal or administrative domicile, access to justice, some labour rights and social benefits, education for minors, banking services and marriage.

It also provides protection for at-risk groups by granting temporary residence permits for severely ill migrants and victims of human trafficking and sexual exploitation in exchange for cooperation with French authorities to apprehend those responsible. Migrant women exploited in prostitution are offered a two-year programme with a renewable residence permit. The French law also offers an independent legal status to the victims of certain forms of male violence under specific circumstances. However, in practice, several procedural and administrative barriers hinder the exercise of this right; hence the risk of being pushed into an undocumented situation remains persistent for victims of domestic and sexual violence.

The French government must take necessary legislative and other measures, in accordance with its obligations under international and European human rights law, to ensure that:

- the right to access healthcare as a basic human right is not limited and hampered by extensive requirements of proof of residency and a history of financial contribution;
- undocumented victims of male violence in the home enjoy a right to be informed of their rights and entitlements arising from the victim's status; and
- victims of male violence in the home are entitled to a suspension of an expulsion order in order to be able to apply for independent status in accordance with Article 59 of the Istanbul Convention.

GERMANY

In principle, a UMW benefits as they use enjoy more than once all the fundamental rights protected under the German Constitution except for those reserved for German citizens. These include, inter alia, the right to medical treatment, shelter, access to justice and effective remedy, education for minors, and some labour rights. However, to enjoy certain social benefits such as health insurance, a valid residence permit is required. In addition to a special confidentiality provision in the case of non-emergency treatments, this requirement puts UMW in a vulnerable situation. Moreover, as a general principle, undocumented migrants who lack a valid work permit are not protected by German labour law beyond their entitlement to their wage and illegal work may lead to a fine of up to 5,000 Euros. Undocumented women in prostitution do not enjoy the protection of labour laws as such protection requires a valid resident/work permit and an employment contract, yet treating them as victims of sexual exploitation and trafficking is often superseded by their "illegal" status.

The German State must take necessary legislative and other measures, in accordance with its obligations under international and European human rights law, to ensure that:

- access to healthcare as a basic human right is not limited to emergency treatment for undocumented migrants and is not hampered in other situations by the obligation on treatment staff to report the irregular status of patients, including those accessing sexual and reproductive health services, to the migration authorities;
- the right to independent legal status for victims of male violence in the home, in conformity with Article 59 of the Istanbul Convention, is granted irrespective of the length of the marriage and the existence of a prior investigation or criminal proceeding; and
- the federal Prostitutes' Protection Act is reviewed and/or repealed with new legislation introduced that recognises the entitlement of persons exploited in prostitution - including UMW - to protection, support and legal status, and criminalises buyers of sexual acts and all third parties profiting from exploitation of prostitution.

ITALY

Italian law guarantees the fundamental rights of UMW to some extent by ensuring their access to emergency healthcare services, education for minors, shelter, access to justice and effective legal remediation. Moreover, some level of protection is provided for those at risk of being pushed into an undocumented status. Domestic and care workers are entitled to apply for a residence permit for the matter of employment. Victims of human trafficking, sexual exploitation and abuse, intimate partner and domestic violence may also be granted legal status and a residence permit. However, as reported by the GREVIO committee, under Italian law only non-occasional acts of violence are considered to be domestic violence.

Beyond the situation created by the pandemic, the main problems that a migrant woman encounters in Italy are obtaining a residence permit due to the very long administration times and accessing medical care in the absence of a residence permit. There are also difficulties with reporting if they are victims of trafficking, with the police having limited skills or training to receive reports of sexual exploitation and in certain instances have been reported as dissuading victims from reporting.

The Italian State must take necessary legislative and other measures, in accordance with its obligations under international and European human rights law, to ensure that:

- the protection for victims of male violence in the home is not hindered by the limitation of the definition of domestic violence to non-occasional acts of violence;
- the design and implementation of regularisation plans take a human rights-based approach rather than a mere economic strategy and, hence, is extended beyond workers in the agri-food, health and domestic work sector; and
- the Merlin Law on prostitution is amended to criminalise buyers of sexual acts and ensure all persons in prostitution, including UMW, are entitled to protection, support and regular legal status as victims of sexual exploitation.




PORTUGAL

As a general principle, the fundamental rights of all residing in Portugal are protected under the Portuguese Constitution without any distinction on the basis of sex, race, language, origin, religion or other characteristics. In addition, discrimination on the basis of sex is prohibited by the Portuguese Constitution as well as international treaties to which the Portuguese State is a party, in particular CEDAW. Moreover, specific action plans and legislations adopted by the Portuguese government establish a legal obligation to consider equality between men and women in all priority aspects, particularly for the protection of migrant women's labour rights and in work-related matters.

Domestic legislation permits domestic workers, victims of human trafficking, and victims of male violence in the home to obtain a resident permit and avoid undocumented status. Nevertheless, in practice, there are statutory requirements such as employment contracts for domestic workers, or the verification of certain criteria for one to be considered a victim which, in turn, may limit the access to fundamental rights and a higher risk of violence and discrimination. Women in prostitution are not criminalised, and there are no specific legal provisions at the national

level to offer protection from discrimination and abuse or their support to exit prostitution.

The Portuguese State must take necessary legislative and other measures, in accordance with its obligations under international and European human rights law, to ensure that:

- domestic and care workers' labour rights and access to social security is protected through a monitoring system for the obligation to conclude an employment contract which enables access to unemployment benefit and reduces the risk of migrant workers being pushed into an undocumented status;
- victims of human trafficking for sexual exploitation are adequately protected so as to enjoy their right to residency as a victim and avoid being pushed into prostitution as undocumented migrants; and
- all persons exploited in prostitution, regardless of their legal status, are provided support and a regularised status, and the buyers of sexual acts are criminalised.


HUNGARY

Generally speaking, UMW are the least protected group of migrants in terms of fundamental rights, considering the Hungarian states' recent anti-migration policies. In principle, the right to life and human dignity, health, and assistance in the case of becoming a victim of a crime are protected for everyone irrespective of their legal status. However, in practice, within the context of COVID-19, access to vaccines for undocumented migrants was hindered by the requirement of a residence address and social security number.

Among the risk groups, domestic and care workers may be granted a residence permit for employment through an existing employment relationship which also enables them to access social protection. Victims of human trafficking are also entitled to a temporary residence permit in case of cooperation in criminal proceedings. Undocumented victims of male violence in the home or those whose legal status depends on their abusive partner have the most precarious situation considering statutory exclusions from protection and non-ratification of the Istanbul Convention, which was rejected partly in reference to migration: the clauses on protecting asylum-seeker, refugee and migrant women from violence as well as protecting Hungarian nationals were interpreted as tools to "facilitate illegal

migration into Hungary". As long as the Convention is not ratified references to other, older, and more general conventions and directives that Hungary has adopted that also enshrine the rights of migrant women and girls (regardless of status), for example, the EU Victims Rights Directive, could be relied upon more.

The Hungarian State must take necessary legislative and other measures, in accordance with its obligations under international and European human rights law:

- ratify the Istanbul Convention, signed in 2014, to provide adequate protection for the victim of violence against women and domestic violence, in particular, migrant victims with precarious legal status;
- protect women exploited in prostitution, including those in precarious situations, from arbitrary arrests and fines, and penalise all parties engaged in sexual exploitation of women, beyond procuring and brothel keeping only; and
- facilitate UMW access to the healthcare system and shelter by eliminating statutory and policy barriers such as the requirement of a social security number.




SPAIN

Under the Spanish Constitution, migrants regardless of their legal status, must enjoy the same fundamental rights as Spanish citizens, except for the right to work and adequate housing which is reserved for Spanish citizens. However, since the way these rights are exercised is conferred by regional legislation, there are several disparities in migrants' access to fundamental rights, in particular access to healthcare and maternity services. Due to these disparities, there are several judicial cases in which migrant women were denied and deprived of access to abortion services due to their migrant legal status.

Among the risk groups, documented migrant domestic workers enjoy a wide range of rights. However, to enjoy these rights, undocumented migrant workers can only regularise their status under the notion of "Special Circumstances" conditioned to at least 3 years of residence and 6 months of work, which in practice makes the enjoyment of the rights difficult to access.

For victims of domestic violence, although protected by a right to an autonomous residence permit, the requirement to initiate a police investigation makes the law ineffective and the majority of the women in such a situation instead receive an expulsion order.

The Spanish State must take necessary legislative and other measures, in accordance with its obligations under international and European human rights law, to ensure that:

- access to basic social services, in particular access to healthcare, is inclusive by a harmonised definition and no one, including UMW, is left behind due to the Spanish multi-layered system of fundamental rights protection;
- the statutory requirements of the length of residency and contribution for access to the social protection system are limited through a human rights-based approach in favour of migrant workers, in particular domestic workers;
- the ordinary procedural laws regarding the beneficiaries of the international protection are harmonized and in conformity with the Spanish Constitution and obligations of the Spanish state under international law;

- the enjoyment of the right to an autonomous residence permit for the victims of male violence in the home is not restricted by the requirement of a police investigation or other disproportionate requirements; and
- women exploited in prostitution, regardless of their legal status, are guaranteed the full set of protections as victims of male violence and sexual exploitation by the legislative means that also criminalise the buyers of acts of sexual exploitation.


SWEDEN

Although laws protecting migrants are generally gender-neutral in Sweden, some considerations specific to women are taken into account, among which the deliverance of independent legal status for women victims of male violence in the home or victims of human trafficking (provided a legal proceeding is launched). Apart from the applicable principle of individuality of asylum application, gender-based persecution under the Swedish Aliens Act is considered a ground for asylum and women with a pending asylum application are legally granted a wide range of fundamental rights including right to shelter, access to healthcare, education, legal assistance, access to justice, and financial support from the migration agency in case of economic difficulties.

The Swedish State must take necessary legislative and other measures, in accordance with its obligations under international and European human rights law, to ensure that:

- the human right to seek asylum is not disproportionately restricted by limiting laws and policies;
- discrimination on the basis of sex is prohibited in the area of domestic and care work, similar to other employment types;
- statutory barriers impeding the victims of male violence in the home right to an independent legal status are eliminated; and
- migrant women in prostitution, including those in undocumented situations, are granted a regular legal status and equal protections afforded to other persons exploited in prostitution.


GREECE

In general, the rights and freedoms of migrants in Greece are subject to national laws in the area of migration and asylum, as well as regional and international treaties to which Greece is a party, including, for example, the Istanbul Convention and CEDAW. Under these legal frameworks, migrants (including women) have access to certain fundamental rights including public healthcare, psychological counselling, education, certain types of labour, right to legal representation, shelter and justice. Nevertheless, since the exercise of these rights in the majority of cases is subject to the validity of a residence permit, undocumented migrants cannot benefit from them unless they possess provisional social security and healthcare numbers. Furthermore, unemployment and other labour rights are severely restricted for domestic workers.

At the same time, asylum-seekers whose application is under review are considerably more protected in terms of their fundamental rights in comparison to other groups of migrants. However, in practice, the Greek state has been exercising the extra-judicial detention of asylum seekers and deprivation of their basic human rights in practice. Additionally, victims of male violence in the home, while being entitled to an independent residence permit in case of legal dependency on a spouse are rarely informed of such right. Women exploited in prostitution are not protected from the harms inherent to sexual exploitation unless they report grave violations such as severe bodily harm.

The Greek State must comply with its obligations under international and European human rights law, and undertake legislative and other measures, to ensure that:

- the right to seek asylum is not restricted through arbitrary detentions and unlawful expulsion orders;
- migrant women victims of male violence are informed about their rights and available protection under the law;
- the legislation regulating prostitution is reviewed in view of adopting model-respecting fundamental human rights, providing comprehensive protection and support to all exploited in prostitution, including undocumented women, and penalising all parties profiting from and committing acts of sexual exploitation; and
- the statutory requirements for the residency and access to unemployment benefit of migrant domestic and care workers as a group at risk are facilitated, and women-specific considerations are being properly taken into account in employment and social security matters.





ABOUT THE EUROPEAN NETWORK OF MIGRANT WOMEN (ENOMW):

The [European Network of Migrant Women \(ENOMW\)](#) was formalized in 2012 with the aim to support, visibilise and promote the specific concerns and rights of migrant women at the European level. Since then, ENOMW has developed its political presence, advocacy, and membership to become a Europe-wide platform present in 23 countries, representing a unique cultural richness of women's global struggle for economic, political, and physical freedom. ENOMW is a space led by and for migrant, refugee and ethnic minority women and girls with the feminist vision to come together and find ground for collaborative work across their differences. The organization's missions are to build the capacity of its members and advocate to help shape social policies and design action programs addressing migrant women's specific needs. ENOMW also conducts projects with the aim to fight for migrant women's human rights, economic empowerment, anti-discrimination, co-governance, access to health, access to justice, and freedom from male Violence against Women and Girls (VAWG).

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