Gender Action Plan

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Executive Summary

Today, women migrate as much as men and there is an increase in the numbers of LGBTQI+ persons on the move. The individual migration experiences are substantially shaped by gender, sex, gender identity and/or sexual orientation, as well as class, race and age, amongst other factors. Indeed, gender and sexuality influence reasons for migration –voluntarily or forced– and contribute to the support networks available to migrants. Similarly, they influence the level of violence migrants might be exposed to in their country of origin, during transit and upon arrival. It is widely recognised that women and girls are more at risk to become victims of gender-based violence (GVB), including trafficking. It is further recognised that while highly skilled women have a high rate of migration, many tend to end up in low-skilled or informal economy jobs, and most domestic workers are women and girls. Moreover, there is evidence that LGBTQI+ persons are facing mounting discrimination worldwide and are increasingly fleeing violence and imprisonment.

The ITFLOWS project is deeply committed to accounting for gender and sexuality in research management, design, implementation, and monitoring. Indeed, gender equality sits at the core of ITFLOWS and runs through its ethics and human rights research framework of which this Gender Action Plan (GAP) forms part. This GAP is designed as a tool and guidebook to support and urge ITFLOWS researchers and project partners to realise ITFLOWS' commitment to the Horizon 2020 'Promoting Gender Equality in Research and Innovation' policy and ensure gender equality and balance in research teams and content.

The GAP is a living document which clearly establishes how the project's gender commitment will be implemented, monitored, and fulfilled. It emphasises why this strategy is crucial in achieving the project's aim of providing the most accurate and effective solutions and policy recommendations for managing migration flows to the EU from a human rights perspective. To this end, the GAP stipulates the actions to be taken in order to ensure the mainstreaming of gender and sexuality throughout the project and sets forth the monitoring process over the 3-year course of the project.

In the name of the ITFLOWS Gender Committee and the Independent Gender Committee, we are truly grateful for the researchers' and project partners' firm commitment to gender and sexuality equality and would like to extend our gratitude for upholding the highest ethics and human rights standards in their research and dissemination activities.

Dr. Colleen Boland and Dr. Mengia Tschalaer

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Abbreviations

AIDA: Asylum Information Database

CEAR: Spanish Commission for Refugee Aid

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women

CJEU: Court of Justice of the European Union

CoE: Council of Europe

COVID-19: Coronavirus Disease

EC: European Commission

ECOWAS: Economic Community of West African States

ECRE: European Council on Refugees and Exiles

EMT: EUMigraTool

EP: European Parliament

EU: European Union

EU-27: The 27 member countries of the European Union

Eurodac: European Asylum Dactlyloscopy Database

EUROSTAT: European Statistical Office

FGM: Female Genital Mutilation

GAP: Gender Action Plan

IC: Istanbul Convention

IGC: Independent Gender Committee

IOM: International Organization for Migration

ITFLOWS: IT tools and methods for managing migration

GBV: Gender-based violence

GC: Gender Committee

LGBTQI+: Lesbian, Gay, Bisexual, Transgender, Queer, Intersexed and ally community.

OECD: Organisation for Economic Co-operation and Development

OHCHR: Office of the United Nations High Commissioner for Human Rights

UAB: Universitat Autònoma de Barcelona

UB: Users Board

UNHCR: United Nations High Commissioner for Refugees

UNODOC: United Nations Office on Drug and Crime

WEF: World Economic Forum

WHO: World Health Organisation

WP: Work Package

Introduction

The ITFLOWS project acknowledges that all migration flows are gendered and sexualised. In so doing, ITFLOWS considers gender and sexuality as central to any discussion and research on the drivers, trajectories, and integration of those who leave their countries of origin voluntarily, forced or somewhere in between. ITFLOWS is thus committed to consider gender and sexuality as a major priority in project design, methodology, analysis, and dissemination of outputs. ITFLOWS is further committed to consider gender as an integral part of research team management and monitoring.

This Gender Action Plan (GAP) is designed as a tool to support ITFLOWS researchers and partner organisations to pursue research that is sensitive to gender and sexuality issues and that takes into consideration the intersectionality of gender and sexuality with race, class, ethnicity, and religion, etc. This GAP opens with relevant background information on gender and sexuality in the migration context and a discussion of the most prevalent gender/sexuality-specific migration drivers. The GAP further provides a short overview as to why and how ITFLOWS researchers and partner organisations should think critically about gender and sexuality in the migration/asylum context, taking into consideration colonial legacies, protracted conflicts and ensuing economic and political instability and insecurity, intensification of global inequalities, environmental degradation and current politics of securitisation. The GAP also entails an overview of transnational and EU legal frameworks in regard to migration and asylum, and touches upon the specific challenges women, girls and LGBTQI+ on the move and in settlement might encounter regarding social integration within the EU.

As part of ITFLOWS' firm commitment to consider gender and sexuality as cross-cutting issues mainstreamed in all its activities – as per Horizon 2020 "Promoting Gender Equality in Research and Innovation" guidelines[1] – the GAP offers a **gender and sexuality risk assessment** of methodology, analysis, the use of technology, research team management, and monitoring. Such assessment is accompanied by

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[1] Please note that this is found in the Horizon 2020 Regulation, the Rules for participation, and the Specific Programme implementing Horizon 2020 (European Commission Directorate-General for Research and Innovation, 2016).

specific **Work Package (WP) related recommendations for ITFLOWS researchers and partner organisations**. The ITFLOWS Gender Committee -which includes the Independent Gender Committee- will monitor the implementation of the recommendations at regular intervals as set forth in the GAP's section on Compliance and Monitoring. The expected outcomes of the GAP will align with the ITFLOWS commitment to gender balanced project management, research activities and content as well as policy recommendations.

Goals and Objectives of the GAP

The Gender Action Plan has the **goal to ensure the consistent mainstreaming of gender and sexuality within ITFLOWS' various WPs** by providing a reference guidebook for all project partners to support research design, implementation, analysis and monitoring. In order to accomplish such a goal, the Gender Action Plan envisages the following objectives:

1. To encourage critical thinking about gender, migration and asylum via an intersectional approach;
2. To provide an understanding of the relevance of gender and sexuality in the migration and asylum context;
3. To consider the migration and gender dimensions of legal and policy frameworks from a human rights approach;
4. To outline the ITFLOWS gender and sexuality commitment;
5. To establish guidelines for monitoring and fulfilling that gender commitment.

Gender in the ITFLOWS project WPs

The goal of the ITFLOWS project is to improve both prediction of migration flows to the EU and migration management through the development and implementation of a prediction-based IT tool, the EUMigraTool (EMT) and the analysis of qualitative and quantitative research data. To this end, the project examines the entire life cycle of a migrant's journey to the EU, from reception to relocation, settlement and ultimately integration. It especially focuses on irregular arrivals and asylum systems to provide adequate policy recommendations for migration management and best practices. Gender aspects will be considered

across all the different ITFLOWS WPs as well as in planning, defining and conducting the research project.

A gender dimension is a key component of the ethics and human rights analysis (WP2) of ITFLOWS in two ways. First, the consideration of gender aspects and its intersection with other aspects such as age, religion, class and culture will enable ITFLOWS partners to adopt a more effective human rights approach. Second, awareness of gender aspects will help implement principles of confidentiality and consent in line with research ethics requirements for the collection and use of data and the realisation of the EMT. Gender aspects are also key in the collection and analysis of data for ITFLOWS' investigation (WP3-5): (1) The historical legacy of colonialism and its impact on the gender roles and relations that affect the migration process will be taken into account when defining the drivers of migration from the perspective of countries of origin, and taking into account migrant and asylum seeker agency; (2) a full consideration of gender aspects and intersectional forms of discrimination will also contribute to an accurate mapping of attitudes towards refugees in countries of destination; (3) gender dynamics will also be studied with regard to EU and Member States' integration strategies for migrants and refugees. Moreover, gender biases identified in the study will be considered in the design of the algorithms of models for the EMT (WP6). The idea of gender justice[2] will inspire policy recommendations (WP8) and dissemination and communication of the results (WP9).

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[2] Here gender justice is understood as a transformative process towards more equal gender relations that recognises and respects contextual differences, while addressing multidimensional and intersecting forms of gendered disadvantage.

1. Gendering and Sexualising Migration and Asylum: Migration Drivers

The significance of gender in migration has been increasingly recognised since the 1980s and gained visibility through terms such as 'feminisation of migration' (Castles & Miller, 1993) and the publication by the UN of sex-disaggregated data at the end of the 1990s (Zlotnik, 2003). Today, it is widely recognised that migration and labour policies exacerbate vulnerabilities of women and girls both as migrants and as women (Slany, Kontos, & Liapi, 2010). This is due to the still existing prevalence of gender inequality and violence against women. Indeed, female migrants are at greater risk of exploitation and abuse, including trafficking. Moreover, migrant women (even high-skilled) are more likely to be employed in low-skilled or informal economy jobs in their country of arrival, such as domestic work, which again exposes them to higher risk of economic exploitation, sexual abuse and rape. Gender is often a significant aspect in explaining differences in the drivers of migration and how gender norms directly relate to who is able to migrate and under what conditions. This section of the Gender Action Plan seeks to quantify the gendered aspect of migration to Europe and offers an overview of some of the drivers that cause women, girls and LGBTQI+ people to migrate, as well as the challenges they tend to face during transit to and reception in the arrival country.

A. Women and migration: Some numbers

In 2018, 2.4 million people entered the EU-27 from non-EU-27 countries (European Commission, 2019) and in 2015, 54% of the EU's 508 million lived in western EU countries (European Commission, 2016). **The global share of women in migration flows** has declined from 49.1% in 2000 to 47.9% in 2019. Overall, in 2018, men represented on average more than 56% of new migrants to OECD countries. In three EU countries – France, Ireland and Spain, there were slightly more female than male migrants (51% female). It is important to note that while less women migrate as workers globally (41.6%) (International Labour Organisation, 2018), they constitute a great majority among family migrants (International Labour Organisation, 2018; OECD, 2017). Among permanent migrants in OECD countries in 2019, 35% were family, 6% were family members

accompanying workers, 13% were workers, 28% are migrants under the free movement policy, 11% are humanitarian migrants and 7% are people who migrated for other reasons (OECD, 2020). In the past 30 years, family reunification has been one of the primary drivers of immigration to the EU. Family reunification was one of the greatest categories among first residence permits issued in the EU to non-EU nationals from 2009 to 2016. Whether due to a rise in employment or due to stricter regulations of beneficiary status, employment then became the most significant reason for soliciting residence: 41% work permits were issued as compared with 27% issued family permits in 2019. However, in terms of total stock, family permits remain by far the largest stock, with 38% in 2019 compared to 17% work permits.

Among family migration, 51.4% migrants moving to Europe in 2019 were women. It is thus noteworthy that family reunification as enshrined in the Family Reunification Directive (Council Directive 2003/86/EC) has increasingly been curtailed in the aftermath of the so-called refugee crisis (i.e., in Germany and Sweden) – causing the stranding of family members *en route* (European Union, 2003). Moreover, EU citizens residing in Europe currently face increasing challenges to bring in spouses and parents (Kofman, 2019a).

In terms of displaced populations, the majority of asylum seekers and refugees are men, though **internally displaced populations** are largely female. For example, Syria, which has become the largest refugee producing country, had an estimated 6.5 million Syrian citizens internally displaced, and more than 4.8 million displaced to neighbouring countries by the end of 2016. Women form the majority of the internally displaced in Syria itself, and about half of those in neighbouring countries such as Jordan, Lebanon and Turkey (Freedman et al., 2017). With the 2015 refugee crisis, the number of asylum seekers in Europe rose sharply from 562,580 first time applicants in 2014 to 1,255, 640 in 2015. Currently the three largest nationalities of asylum seekers are Syrians, Afghani and Venezuelans (Eurostat, 2020).

The **distribution of first-time asylum applicants** by sex in 2019 shows that there were more men (61.9 %) than women (38.1 %). Among the youngest age group (0–13 years), males accounted for 51.2 % of the total number of applicants in

2019. Greater differences were observed for asylum applicants who were 14–17 or 18–34 years old, where respectively, 67.9% and 69.0% of first-time applicants were male, with this share dropping back to 58.0% for the age group 35–64. Across the EU-27, female applicants outnumbered male applicants for those aged 65 and over, although this group was relatively small, accounting for just 0.8% (0.5% females and 0.3% males) of the total number of first-time applicants. However, the gender, family and generation breakdown of entry routes is very different, with a higher percentage of women, often accompanied by family members, crossing from Turkey to Greece. This was especially so from the summer of 2015 until the EU-Turkey deal in March 2016. The central Mediterranean route to Italy has tended to have fewer women, most of whom were travelling without children (Kofman, 2019b). The gender breakdown in Spain is likely to be more differentiated, with a greater diversity of asylum seekers from African countries and Latin America (Colombia and Venezuela).

Countries have very different outcomes in terms of recognition rates and levels of security accorded to asylum seekers. So, whilst Greece gave 72% of asylum applicants refugee status, 6% subsidiary protection, 0% humanitarian protection and 22% rejection, Spain only gave 6% refugee, 1% subsidiary protection, 81% humanitarian protection and 12% rejection. Greece's high recognition rates theoretically mean that refugees can bring their families to Greece, yet the length of these procedures can be variable and the recognition of status by other EU states is not guaranteed (ECRE, 2016). Another example includes how specific nationalities face different asylum claim outcomes, with Syrians largely receiving refugee and subsidiary protection statuses, in contrast with Venezuelans (largely in Spain) with humanitarian protection, and most Africans receiving high rates of rejection.

For **unaccompanied minors**, there is little gendered data, although overall it involves an overwhelmingly male population. The main nationalities seeking asylum in Europe in 2015 were from Afghanistan (51%), followed by Syrians (16%), Eritreans (6%) and Somalis (4%) (Eurostat, 2016). In 2018, a majority of unaccompanied minors were males (86%), 75% of whom were aged 16 to 17 years. The largest groups were from Afghanistan (16%), Eritrea (10%), and

Pakistan or Syria (both 7%) (Eurostat, 2019). Whilst in policy terms, they tend to be represented as vulnerable, researchers have argued that this does not mean they do not exercise agency, and for those fleeing protracted conflict, it is an attempt to escape from wasted lives with few opportunities, or to support and provide for families left behind.[3]

Victims of trafficking constitute a particularly gendered group, which increasingly includes minor girls. The UNODOC Global Report on Trafficking in Persons from 2018 states that, **globally,** the great majority of persons trafficked for sexual exploitation are women and girls and 35% of victims of trafficking for labour are also female. There are considerable regional differences to take into account when looking at the age dimension of trafficking. For instance, in West Africa, most victims of trafficking are children – girls and boys – whereas in South Asia, victims are reported to be equally men, women and children. In Central Asia, on the other hand, a larger share of men is reported while the majority of victims in Central America and the Caribbean consist of girls (UNODOC, 2018, 10).

Shares of detected victims of trafficking in persons globally, by age group and sex, 2016 (or most recent)

21%   49%   23%   7%
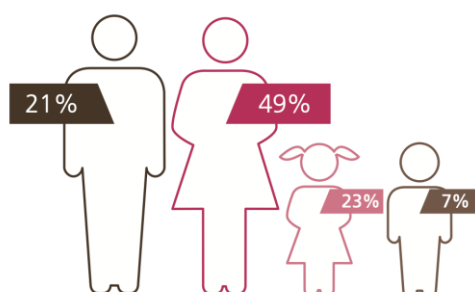
Source: UNODC elaboration of national data.

In Western Europe and the UK, 52% of trafficking victims are women, with the share of men increasing in some areas. For instance, the UK reports a higher share of male trafficking victims in 2016 but Germany, Austria and Norway reported a decrease in male victims. Of trafficking victims, 66% were trafficked for sexual exploitation and they are 90% female (72% women and 18% girls). While there is a recorded increase in the trafficking of Western European nationals, those victims who have been trafficked cross-borders are mostly from Central and Eastern

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[3] See Belloni 2020 on Eritrean boys and girls.

Europe and Sub-Saharan Africa. Victims from East Asia and the Pacific account for less than 10% of victims (UNODOC 2018, 51-54).

Share of trafficking detected in Western and Southern Europe, by major areas of origin, from 2016 onwards.
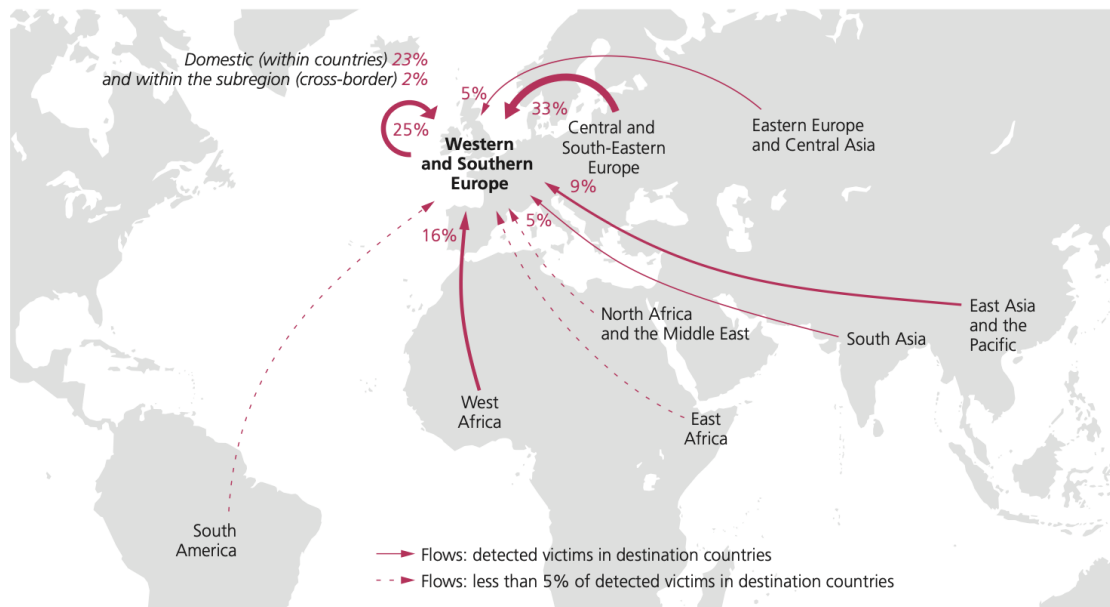
Source: UNODC elaboration of national data.
Based on information on the citizenship of 3225 detected victims detected in 18 countries in Western and Southern Europe.
Note: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

B. Gender stereotyping and gender-based violence

ITFLOWS recognises that the possibility to migrate and the choice of destination as well as the access to networks and resources facilitating migration is highly gendered. Moreover, ITFLOWS is sensitive to the manner in which migration is experienced and the opportunities that open up in the country of arrival which often depend on gender, gender identity and sexual orientation as well as class, ethnicity, religion, etc. Consequently, ITFLOWS acknowledges that risks, vulnerabilities and needs are shaped by one's gender, sexuality and/or gender identity and often vary between different groups. For instance, the roles, relationship and power dynamics associated with being a man or a woman, heterosexual, homosexual or gender non-binary, intersex or trans*, affect all aspects of migration and contribute to a large extent to the reasons why someone decides to migrate, how, and where to.

Moreover, ITFLOWS is sensitive to the manner in which **societal and political gender norms and expectations directly affect whether or not someone can and/or decides to migrate**. Most women and girls that are in the focus of the ITFLOWS project are from countries that are ranked at the very bottom of the World Economic Forum's Global Gender Gap Index 2020 (i.e., Morocco, Libya, Syria, Iraq, Mali, Nigeria, Burundi, Sudan, Niger and Turkey) (World Economic Forum, 2020).[4] These countries were rated in regard to the relative gap between women and men on health, education, economy and politics. For instance, in Niger, more than three in four girls marry before age 18. In Chad, the proportion is more than two in three. In Mali and Guinea, it is above half. These countries also have some of the lowest secondary school completion rates in the world for girls, with only one in ten completing secondary education, although they have made significant progress in primary education, with a 22.4% increase in the completion rate (World Bank, 2018). In many cases, existing gender discrepancies can often be ascribed to harmful gender stereotypes that relegate women and girls to the home, which increases the likelihood of being subjected to forced marriages and young motherhood.

In what follows, the Gender Action Plan briefly outlines how gender stereotyping and gender-based violence structures can affect the experiences of women and girls on the move:

According to the OHCHR, **gender stereotyping** refers to the practice of ascribing specific attributes, characteristics, or roles to a biological woman or a man within society. For instance, women are more like to be seen as nurturing and caring and men as breadwinners – resulting in gendered power dynamics that are rooted in the private/public and the personal/political divide. In this context, gender stereotyping contributes to women's human rights violations, such as the right to health, adequate standard of living, education, marriage and family relations, work, freedom of expression, freedom of movement, political participation and representation, and freedom from gender-based violence. In this context, women are also more likely to suffer stigmatisation due to widowhood, single motherhood,

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[4] Albeit, as this index only assesses citizens, those countries that perhaps perform better on this index do so without taking into account the rights or access of migrants.

divorce, or for being a survivor of sexual violence. In light of gender stereotyping, women often have less control over the decision to migrate than men as the decision to migrate is often taken by the family (Yeoh *et al.,* 2002). Women may often be encouraged to migrate due to the ease of securing domestic work in many countries. In addition, women are more likely to be expected to send back remittances to support the family in their country of origin (Kanaiaupuni, 2000).

Gender stereotyping is a frequent cause of **discrimination against women** and **gender-based violence.** The latter includes domestic violence, rape, forced marriages and pregnancies, female genital mutilation, trafficking and sexual exploitation, as well as lack of freedom of expression and movement and forced labour. Each year, countless women flee violence caused by war and conflicts on the one hand, as well as more intimate forms of violence as occurring within their own families and communities on the other. Moreover, there is a global level of discrimination in the family. For example, girl child marriage remains legal in certain circumstances in all but 22 countries, 45 countries allow men to repudiate their spouse without statutory legal proceedings (women in turn are required to initiate legal proceedings), and women allocate two to ten more times of their energies to unpaid care and domestic work than men (OECD, 2019). Refugee and internally displaced women and girls are particularly prone to gender-based violence and conflict-related sexual violence. For instance, in Sudan, one of the ITFLOWS countries of study, between May and June 2020 alone, the Humanitarian Aid Commission in Central Darfur reported that 125 women were allegedly raped as a result of the intensification of political conflict (Office of the Special Representative, 2020). Girls are 14 times more at risk to die during conflicts than boys. Women and girls are further extremely vulnerable to sexual violence during the time of their journeys. Extreme accounts of sexual violence, killings, torture and religious persecution collected by Amnesty International reveal the profound range of abuses along the smuggling routes to and through Libya – another country of study of the ITFLOWS project. Amnesty International spoke to at least 90 refugees and migrants at reception centres in Puglia and Sicily, who had made the journey across the Mediterranean from Libya to southern Italy, and who were abused by people smugglers, traffickers, organised criminal gangs and armed

groups; lack of access to alternative or safe routes and the relationship with migration policy restrictions is something that must be considered (Amnesty International, 2020). Gender-based violence is furthermore exacerbated for single women and unaccompanied girls who are also more likely to disappear on their migration journey. Women roughly account for 49% of victims of human trafficking, and girls another 23%, and it is thus likely that there exists a link between disappearance and trafficking (United Nations Office on Drugs and Crime, 2018).

Consequently, ITFLOWS acknowledges that gender stereotyping and gender-based violence are an important dimension of migration in the destination country, during transit and the country of arrival, and that this needs to be accounted for in terms of methodology (i.e., being sensitive to trauma etc.), data gathering, and analysis. ITFLOWS further acknowledges that gender stereotyping and gender-based violence also extends to LGBTQI+ persons who do not fit within the narrow parameters of assigned societal gender roles, as well as to men. Reasons for this include sexist and patriarchal perceptions of gender roles and appearances, toxic masculinity as well as other factors. Gender stereotyping and the resulting violence, societal ostracization and archaic laws prompt many LGBTQI+ persons to flee, as outlined below.

C. Political persecution and social stigmatisation of LGBTQI+ persons

According to the UNHCR, the number of persons who flee their country due to their sexual orientation and/or gender identity and who qualify for protection as 'members of a particular social group' under the 1951 Refugee Convention has significantly increased (2020). To live a life in fear of violence, incarceration, torture, excommunication and isolation is a reality for about 175 million lesbian, gay, trans*, bi, intersex and non-binary persons worldwide. They experience persecution at the hands of the state and/or society simply because of whom they love and who they are. Worldwide, homosexuality is criminalised in 77 countries out of which seven apply the death penalty (Iran, Saudi Arabia, Afghanistan, Brunei, Nigeria, Qatar, Yemen) and 70 stipulate a prison sentence from three up to ten years. While the criminalisation of homosexuality has generally decreased over

the last two decades, the increase of populist and authoritarian politics in large parts of Europe, the Middle East, Africa, Russia, and Southeast Asia currently fuels anti-LGBTQI+ attitudes and politics. In addition, many of the colonial anti-LGBTQI+ penal laws that up to this day populate constitutional and criminal law legislation in South Asia, the MENA region (Middle East & North Africa), the Caribbean, and Southeast Asia are currently experiencing a revival in the context of the rise of religious fundamentalism and authoritarianism.

This also applies to the countries of origin and transit countries included in the ITFLOWS project such as Morocco, Libya, Syria, Iraq, Mali, Nigeria, Burundi, Sudan, Niger and Turkey. In all of these countries, draconian sodomy laws combined with an increase in negative societal attitudes contribute to LGBTQI+ persons being particularly prone to violence in their countries of origin and during transit. For instance, lesbian-identifying women in Sub-Saharan Africa often experience forced marriages and pregnancies, sexual violence, unemployment, harassment and mob-violence because of their sexual orientation (Tschalaer, 2020). Moreover, lesbian-identifying women are particularly vulnerable to sex trafficking during transit. Similarly, gay men and transwomen are vulnerable to social marginalisation, physical, sexual violence and incarceration in their country of origin and during transit. Queer migration research has shown that LGBTQI+ persons on the move are very likely to experience extreme forms of physical, sexual, and psychological violence during transit as well as after having arrived in the EU (Held & Tschalaer, 2019).

Europe, a world region that has so far been associated with 'progressive' views on LGBTQI+ issues, seems to be backtracking by issuing restrictive case laws, exerting violence, and expressing fierce opposition to LGBTQI+ anti-discrimination laws. For instance, one third of Poland – 16 government districts, 37 counties and 55 municipalities – have declared themselves as a "LGBTI ideology-free" or "pro family'" zone. The rise in anti-LGBTQI+ politics and policies, particularly in Eastern Europe, but also in pockets of Western Europe, has an immediate effect on the safety of LGBTQI+ migrants who risk facing continued stigma and abuse, not only before and during migration but also upon their arrival within the EU. For instance, as mentioned above, one third of Poland has declared themselves as a 'LGBTI

ideology-free'. In Hungary, anti LGBTQI+ sentiments have risen, and in May 2020 the right-wing Hungarian government amended the Civil Rights Registry banning gender recognition for transgender and intersex persons, affirming that a person's sex will be determined by their sex at birth. Moreover, the number of attacks against LGBTQI+ persons in Russia has increased in 2019 and 2020. As a consequence, LGBTQI+ people seeking asylum remain often unrecognised and invisible within the EU asylum system because they are reluctant to come out due to their specific life situations (i.e., family, marriage, community), feelings of shame and fear to talk about their sexuality/gender identity and/or a lack of safe accommodation and other spaces that would allow for a 'coming out' (Held & Tschalaer, 2019). LGBTQI+ refugees and persons seeking asylum are likely to suffer from a sense of extreme loneliness, trauma, depression, substance abuse and suicidal thoughts. Recent research has collected evidence on the difficulties of making claims by LGBTQI individuals, further elaborated upon in Section 3 (Danisi et al., 2020).

D. Globalisation and the broader context: Increased inequalities and diversity

Any discussion of gendered migration drivers necessitates the context of the dynamics of globalisation, as international migration forms an important, visible dimension of this globalisation. Neoliberal regimes and the modern capitalist system were facilitated precisely by the feminisation of labour strategically initiated by the Global North and directed towards postcolonial countries: first, largely foreign firms from developed countries outsourced cash crops and subsistence production to men, while women contributed to this 'modernised' sector through invisible work and household production, which allowed for maintaining extremely low wages on export plantations and mines. Secondly, with internationalisation of manufacturing, firms in developed countries could prevent unions by creating offshore jobs in low wage countries, where women were overrepresented in an "off-shore, largely female proletariat" (Sassen, 2008).

Today, we arrive at a global labour market composed of transnational, highly skilled labourers in the economic sectors, versus lower labour circuits, including

feminised global care chains that assist Global South countries in generating money flows to survive an oppressive international debt-financing system. European host countries and the origin countries of migrants they receive face urgent crises generated by this neoliberal globalisation. As part of this, companies as well as states and their citizens rely on emigration and people trafficking (Sassen, 2008). The intensifying inequalities, instability and insecurity alongside the post-9/11 context have led to increased securitisation discourse and efforts in European migration policy (Lazaridis & Wadia, 2015). While European states attempt to facilitate global economies, a simultaneous securitisation of migration takes place, as it is framed as a threat to national and societal security.

Irregular migration drivers examined in ITLFOWS further include war, violence, insecurity and persecution, but can also be due to issues of poverty, lack of education, avoiding corruption, poor access to health services or housing. There is also the motivation of family reunification. Many of these factors are interlinked, and it becomes increasingly difficult to distinguish between asylum seeking and forced migration versus economic or voluntary migration flows, although this distinction is key in the global asylum regime constructed almost 70 years ago (Triandafyllidou & Ricard-Guay, 2019). While the era of globalisation allows for unprecedented mobility of capital and goods, the mobility and exchange of information, ideas, technology and resources provides visibility into or even produces unequal levels of development around the world.

An example of diversity and rapid change within the context of ITFLOWS includes the receiving country of Spain, which has risen to one of the top Member States in asylum applications, particularly from Venezuela and Colombia in the wake of political and economic crisis (CEAR, 2020). Meanwhile, the academic literature on asylum is slower to keep up with these dramatic shifts, with little or no data on the gender composition or family networks behind the Venezuela migration. The Spanish example also illustrates how these rapid changes are key for ITFLOWS in terms of examining host country perceptions of migrants: Spanish nationals might have diverging attitudes towards Venezuelan migrants versus migration flows from North Africa, given the unique historical context of many Spanish emigrants

escaping to Venezuela beginning in the 1930s during the Spanish Civil War (Marquès, 2008).

In short, while this Plan offers insight into how colonial legacies impact gender roles and relations in the migration process, it is understood that ITFLOWS researchers are conducting their work as experts in the wider context of migration drivers: the current era of globalisation engenders or is interrelated with economic and political instability, protracted conflicts, intensification of global inequalities, environmental repercussions and securitisation that impact increasing, diversifying, shifting and new migration flows. In particular, Section 1 explained how ITFLOWS researchers will encounter the specific circumstances and drivers for women in migration flows. It also indicated how gender stereotyping and gender-based violence can influence migration decisions and experiences, especially for those identifying as LGBTQI+. These important considerations are couched within heightened global inequalities, as well as unprecedented diversity, which have gendered and sexualised dimensions, as emphasised in this Gender Action Plan.

2. Migration and Asylum Research: An Intersectional Approach

This Section 2 of the Gender Action Plan reflects the ITFLOWS commitment to research that is critical and reflexive in terms of the ways in which migration, immigration, and asylum policies or experiences are racialised, gendered and sexualised. In this sense, ITFLOWS considers an intersectional approach to migration research as essential to understanding the manner in which the EU migration and asylum systems create dynamics of differential inclusions along lines of gender, race, ethnicity, and sexuality (Moira & Held, 2012). In so doing, ITFLOWS regards the asylum and migration experiences of women, girls and LGBTQI+ persons not as singular but as dependent on their positionality in terms of sexuality, race, ethnicity, religion, class, and gender and as intertwined with histories around colonialism and imperialism. In what follows, this Section offers firstly, a short overview of the relevance of intersectionality in migration research. Secondly, it sketches the importance of the colonial legacies for migration research in Europe, as one of several important factors implicated in the myriad of drivers shaping migration trajectories. The examination of migration drivers as linked to colonial legacies can contextualise our understanding of today's various economic social, and political developments motivating migration and mass displacement.

A. Intersectionality

The ITFLOWS project integrates intersectionality theory to examine how race, gender, religion, ethnicity, class, and ableism, etc., create a unique set of challenges to migrants', asylum seekers' and refugees' access to safety and the law and how they structure immigration and integration politics, policies and practices. There is a great deal of diversity in the ways in which intersectionality is theorised and applied and the metaphors used include: crossroads, intersections, interlockings, assemblages, articulations, connections and translocations, amongst others. However, critical black feminist Kimberlé Crenshaw's (1989) 'intersectionality' is most widely used. As part of the original writings and organising of U.S. black feminists in the 1980s, Crenshaw theorises intersectionality as an analytical and theoretical concept designed to grasp the complexity of peoples' lives within equally complex social and political contexts. For instance, Barbara Smith, Patricia

Bell Scott and Gloria T. Hull in their landmark anthology 'All women are White, all Men are Black but Some of Us are Brave' urge us to pay close attention to the manner in which black women's experiences are shaped by their particular interrelated positionalities as being black *and* women (1982). Intersectionality is thus a way of understanding that people do not lead singular lives; rather, their experiences are simultaneously shaped by their multiple positionalities in terms of gender, race, sexual orientation, gender identity, class, ethnicity, ableism, and religion, etc.

The prime conceptual innovation of intersectional frames lies in the idea of how oppressions are not only multiple but that they are mutually constituted. That means that they cannot just be added onto one another (for a critique of the additive approach see Anthias & Yuval Davis, 1992). Social relations are never lived separately as classed or raced, although subjects can point to the effectivities separately. For example, domestic violence perpetrated by a man may be regarded as gender violence, race violence or a combinatory depending on the dynamics at play, the positionalities involved and the situated gaze. The intersectional framework, from its inception, has critiqued hegemonic knowledge production and sought thereby to give a voice to the complex inequalities faced particularly by black and minority ethnic women (and men), and to intervene in public policies. Using intersectionality as an analytical tool thus allows for dismantling the interrelationship between power relations and the production of inequalities and marginalities. The analytical and theoretical concept of intersectionality moreover facilitates an understanding of the manner in which hierarchies and power dynamics are created in social life, and how these are legitimised by structural racism sexism, classism, queer- and transphobia (Anthias, 2020).

Race and gender

For example, black women and white women are treated differently in employment and they are subjected to different forms of valuation and violence. This is also the case when we focus on refugees, migrants, those subjected to trafficking (for sex or work), and domestic workers, in interplay with their other imputed characteristics. ITFLOWS thus recognises that holding marginal or

subordinate positions in a range of locations often does lead to the amplification of inequality, and that holding more dominant positions in each one may lead to an amplification of dominant positioning and power. However, there may be also contradictory effects (Anthias, 2020). A man may be subordinated in class terms but is positioned advantageously in relation to his female partner and may exercise patriarchal forms of power over her. A migrant woman may be subordinated as a cleaner but has a degree which gives her good life chances in some contexts.

Class, gender and race

Another example of the complexities involved when we use an intersectional lens is that class disadvantage may be mediated by ethnic or race advantage in the experience of everyday life. Whiteness acts relationally to construct feelings of belonging even where there is class exploitation. Co-ethnicity at the level of work can mitigate the experience of subordination or place a gloss over the class relation involved (this is found for example where co-ethnic employer and worker construct ties of mutuality despite class exploitation). However, a different note may be found if one is an ethnic minority employer with a white workforce, or a female employer with a male workforce, or a white male worker working for a minority female employer. Similar processes can occur in different ways when social location shifts over time and space, for example with deskilling and with upward or downward social mobility. Yet another example is that we can find racialised people who have achieved class locations of privilege. Whilst this may not protect them from racialisation in their everyday lives (for example they may still be stopped more often by the police than their white counterparts or subjected to hate crimes) at other times their class or 'celebrity' status may give them social advantages and access to educational and social networks that working class racialised people lack. A further example is that whiteness combined with class and minoritisation, may at times lead to the invisibilisation of the oppressions faced by East European, Jewish or Roma women so that their subordinations remain unrecognised because they are regarded as 'white' (Anthias, 2020).

Gender, race and sexuality

The ITFLOWS project further integrates intersectionality theory with queer migration studies to examine how negative attitudes toward homo- and bisexual, gender non-binary, intersex and transgender persons intersect with race, gender, religion, ethnicity, class, ableism, etc. to create a unique set of challenges to asylum seekers' and refugees' access to safety and the law. While all refugees and persons seeking asylum experience racism and/or xenophobia at some point during transit and in their country of arrival, LGBTQI+ persons of colour further experience homo- and transphobia. For instance, Jamal, a trans* refugee from Syria who came to Germany via Turkey through the UNHCR resettlement programme, found themselves within a small German village where they experienced homo- and transphobia from Germans and people in the refugee camp alike. In addition, Jamal's Middle Eastern features further subjected them to racism in the context of the growing far-right movement in Germany – as elsewhere in Europe. The asylum and migration experiences of LGBTQI+ persons are thus never singular but are dependent on their positionality in terms of sexuality, race, ethnicity, religion, class, and gender (Tschalaer 2019, 2020). In addition, decision-making on LGBTQI+ claims in the EU tend to be inconsistent. This is because there is often inadequate knowledge about the particular situation of LGBTQI+ people in the respective countries and a tendency for stereotyping – using Western ideas around (white) homosexuality as the benchmark to establish credibility in the asylum process, creating dynamics of in- and exclusions (Moira & Held, 2018). Moreover, EU directives to date do not make explicit reference to trans* individuals, leaving this to be approached differently by each Member State (ILGA Europe, 2016).

Intersectionality and securitisation practices within the migration/asylum context

In ITFLOWS, researchers seek to identify whether practices of power can be directed particularly against racialised groups in ways which involve gender and sexuality, and which often play out in terms of ethnicity and/or race. This includes practices of the racialisation of Muslims in Europe through policies and politics around border protectionism, securitisation, and the criminalisation of migrants through racial and gendered profiling (Finney & Simpson, 2009; Joshi & Desai,

2009; Van Walsum, 2009). Moreover, criminalisation of assisting migrants under the EU's Facilitation Direction remains vague to the point of penalising humanitarian assistance and allowing for politicisation of migrant solidarity (Carrera et al., 2018). The increasing racialisation of Muslims in Europe and the US after September 11 and the War on Terror construct Muslims as figures of otherness and as profoundly different from Western society and 'culture'. While Muslim men are increasingly vilified as violent and dangerous in immigration discourse, Muslim women, on the other hand, are victimised as oppressed and silenced. The so-called Muslim-question and the racialised and gendered categories it produces needs to be further understood in its sexualised form. The experiences of queer and gay migrants with Muslim background in Europe often see themselves confronted with an immigration and securitisation system that takes their threatened and harmed sexualised bodies as a legitimising factor to confirm the violence and 'barbarism' of Islam and thus Muslims more generally (Tschalaer, 2019). An intersectional lens thus allows ITFLOWS to recognise the ways in which ethnicities, race, race, religion, gender and sexualities are intertwined in migration and asylum policies, politics, and discourse.

In essence, ITFLOWS is using intersectionality as a conceptual lens – theoretically, analytically, and methodologically – so as to disentangle the simultaneity of oppression created at the intersection of multiple identities.

B. Colonialism and (ir-)regular migration flows

Another aspect that will be considered in ITFLOWS, especially in WP3, is the complex interrelationship between colonialism, migration and gender. ITFLOWS recognises such intricacy in the project planning, defining and conducting. ITFLOWS understands colonialism as a system of power and domination that reflects and re-produces patriarchal and oppressive systems which are, amongst others, rooted in specific representations of racialised notions of masculinity and femininity. Moreover, ITFLOWS notes that the global structures and institutions of empire that were put into place to justify, realise and uphold the colonial project of domination are organised through the representation of gender relations and gender difference. In so doing, ITFLOWS acknowledges that migration and asylum

are deeply embedded within gendered colonial histories and global imperial power relations and that policy efforts geared toward providing solutions for management of migration flows and asylum systems in the EU must take such complexity into consideration.

It is then particularly vital to understand how *firstly*, migration flows are intertwined with colonial histories generally and *secondly*, how such entanglement produces gendered global regimes around humanitarianism which we find in place today. The latter are political and policy regimes that largely rely on ideas of racialised legality and illegality, contributing to the increasing de-humanisation of coloured bodies on the move while at the same time developing (white) saviour paradigms that focus on the vulnerability of women. The following sketches the interrelationship between colonial histories, gendered humanitarianism and the white saviour paradigm so as to shed light on contemporary migration flows as a product of gendered colonial histories.

Research on migration and mobility shows that there is a strong link between irregular migration and colonial legacies. The assumption is that the wars, ethnic conflicts, ineffective political transitions, and rising poverty are closely interlinked with historical processes of colonisation and imperialism. Indeed, most irregular migration flows and trajectories[5] take place in war-torn postcolonial countries in the Middle East, Central Africa, and Central Asia, as well as in postcolonial countries which are currently seeing an increase in extreme violence, as for example in South Asia, and severe economic insecurity, as for example in Central America. An increase in climate change-related irregular migration caused by rising sea levels, drought, and cyclones, *inter alia*, can be expected from postcolonial countries in Central America, Sub-Saharan Africa and South East Asia, and to a lesser extent from North America. Finally, the proliferation of neoliberal regimes in the Global North allows for a contemporary process of globalisation, dependent on cheap and precarious labour sought from these postcolonial countries, further exacerbating inequality and instability; consequently, migration

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[5] According to the International Organisation of Migration, irregular migration designates movements that take place outside the regulatory norms of sending, transit, and receiving countries (2011).

from the Global South to the Global North occurs, with refugees from conflict-ridden areas and/or labour migrants motivated by economic pressures in their countries of origin. The ITFLOWS project covers a broad range of post-colonial countries as origin and transit countries in South America (Venezuela), Sub-Saharan Africa (Mali, Nigeria, Burundi, Sudan and Niger) and the Middle East (Morocco, Libya, Syria and Iraq) currently experiencing one or a combination of the above-mentioned migration causes (i.e., conflicts, changing climate and poverty).

According to the International Organisation of Migration (IOM) 2020 Report, international migrants globally are estimated at almost 272 million (3.5% of the world's population) most of whom follow established migration patterns such as migration corridors (the largest being from so-called developing countries) to larger global economies such as France, the United States, the UK, Germany, as well as the United Arab Emirates and Saudi Arabia. Historically, however, patterns of irregular migration flows were somehow less predictable. Since 1800, the establishment of European empires through colonialism has caused over 60 million people to (irregularly) migrate from Western Europe to the (former) colonies. At the same time, colonialism caused millions of Asians, Africans, and Amerindians to come to Western Europe as slaves, soldiers, and contract labourers. Simultaneously, voluntary migration to Europe from the colonies was limited by strict immigration regulations (Emmer & Lucassen, 2012). Indeed, the question of who has the right to move and in which direction was and still is guided by political strategies around 'protecting' the national borders from the barbaric and backward Other – as postcolonial and decolonial migration scholars point out. In this context, the mythological image of the unruly, uneducated and violent Other from the Global South – locked in a timeframe of underdevelopment – seeking freedom and justice in the Global North, neatly (re-)produces the myth of the developed and advanced Europe and/or the US (Fabian, 2014; Césaire, 2001; Said, 1995). Here it is interesting to add that some Global South movements were informal or not visible, as for instance in the ECOWAS free movement founded in 1975 in fifteen countries located in West Africa. Indeed, the mobility of labour, which was central to ECOWAS, allowed for the free movement of persons for the

C. Gendered migration: humanitarianism and sex trafficking

When developing the different tasks of WP 3, the concept of humanitarianism and sex trafficking will be given special attention. In the popular conception, humanitarianism is an altruistic act of promoting human welfare. Traditionally, humanitarianism is a policy or political practice, as well as individual inclination to help others in need. However, it can obscure the need to create or ensure safe, orderly and legal channels for those viewed as vulnerable. Moreover, in practice, as the anthropologist Miriam Ticktin points out, humanitarianism reinforces colonial power dynamics and cements gender and race hierarchies globally (2011). To illustrate, in light of the endless wars in the Middle East, neo-liberal regimes in the Global North developed immigration politics of care for people that are particularly vulnerable to extreme violence (Ibid.). These humanitarian exceptions are grounded in a moral attitude to relieve suffering and to help those who are harmed by the (barbaric) Other – confirming the moral advancement of the West through a moral-temporal understanding of advancement and backwardness.

In the context of the increasing feminisation of irregular migration, refugee women have gained increasing prevalence in humanitarianism discourse, particularly since 2016 – after the so-called refugee crisis (UNICEF, 2019). Representations of female refugees holding their children in despair and/or crying for their children lost in the Mediterranean Sea, of single mothers trying to provide the bare minimum for their young children in refugee camps in Europe and in the Middle East, and of mothers who are waiting for family reunification in Europe, came to be pervasive in the media, policy making, and humanitarian debates. Indeed, the "Madonna and child" trope depicting a woman's tenderness, grief, and vulnerability that emerges from her motherhood came to increasingly characterise victimhood of women asylum seekers in Europe. And as the author Emily Cousens of a 2015 *Independent* article entitled 'We Need to Stop Telling Ourselves that Women and Children are the only Refugees that Matter' points out, women and children, mediatised and idealised through the 'Madonna with child' trope, were

seen as the most vulnerable and thus most protection worthy subjects during the 'migration-crisis.' Similarly, women who are victims of sex trafficking are represented as particularly vulnerable victims that are in need of saving. At the same time, prostitution among homeless male refugees or asylum seekers is currently on the rise as an important survival strategy in Europe (Labaree, 2016).

A European Commission report from February 2019 points out that among the migrants who currently seek asylum in Europe from war and conflict in Sub-Saharan Africa, North Africa and the Middle East, many of them are victims of trafficking either in their countries of origin or in the EU upon their arrival - constituting a 'particular vulnerable group' in need of extra protection (European Parliament, 2019). The Migration Data Portal shows that 80% of the victims of trafficking for sexual exploitation are female migrants.[6] Moreover, the UNODC Global Report on Trafficking from 2018 indicates that the number of trafficking victims from countries covered on ITFLOWS, such as the Sub-Saharan Africa region, are on the rise (United Nations Office on Drugs and Crime, 2018). While sex trafficking is without a doubt one of the cruellest forms of gender-based violence and needs to be rigorously addressed through law-making and policy, the imagery of female sex-trafficking victims circulating through humanitarianism discourse and practice tends to reinforce the idea of Third World women being the passive and voiceless victims of patriarchal culture and practices.

As critical migration scholars point out (Andrijasevic, 2016; Doezema, 2013; Hua & Nigorizawa, 2010), such simplistic trafficking and slavery representations portraying all migrant sex workers as powerless victims, however, risk ignoring the fact that for many women, men gender non-binary and transgender people, sex work can also constitute an important source of income and an important opportunity to achieve social mobility. Moreover, such representations also hide the reality that not all migrant sex workers have been trafficked. Prostitution is legal in the Netherlands, Germany, Austria, Greece, Hungary and Latvia and sex workers are recognised as workers with rights and benefits. While child

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[6] Out of the 80%, half have been identified as women under the age of 26 and nearly a quarter of them are children. The largest group of sex trafficking victims are between 15 and 17 years old (Migration Data Portal, 2020).

prostitution, trafficking and coerced sex are illegal it remains difficult to establish whether or not women engage in sex work on their own accord (European Parliament 2014, 31).

D.   The white saviour paradigm – Islamophobia and the saving of women

As we expect to hear from the migrant interviews that will be conducted as part of Task 3.4, conceptualisations of victimhood when approaching women on the move, in particular viewing them as vulnerable and passive subjects within humanitarianism discourse, uncomfortably reinforces colonial narratives and practices. The postcolonial scholar Gyatri Spivak has coined the sentence "white men are saving brown women from brown men", to indicate the manner in which victimhood of brown women was deployed as a justification for white men to colonise the Global South and, in so doing, liberate oppressed (mostly brown) women. While such a paradigm nicely captures the relationship between coloniser and colonised from 1800 onwards, it also reflects more recent practices to curb and control migration flows in North America and Europe. Concurrently with the ongoing War on Terror, we witness an increase in terrorist attacks in Europe (including in Madrid in 2004, London in 2005, Paris in 2015, Cologne in 2018, etc.), which in turn led to an increase in polemic surrounding European securitisation and migration policies. Within the asylum context, as critical refugee scholars argue, asylum protection tends be extended to those who most effectively confirm Islam and Muslim countries as barbaric and backwards. This is in a context where people with Muslim background tend to be seen as a threat to Western values and national interests, often highlighting gendered aspects such as honour killings, body covering and genital cutting (Anthias & Yuval Davis 1989, 1992).

For instance, the War on Terror that emerged in the aftermath of September 11 not only had the goal to re-instate national security in the Global North, but also to 'save' Muslim women from religious-patriarchal regimes in the Global South. As the anthropologist Lila Abu-Lughod points out in her seminal study 'Do Muslim women need saving' (2013), the trope of Muslim women as weak and oppressed creates false binaries between Western and Islamic. She argues that while the impetus to save Muslim women from the veil – as for instance done in France by

means of the burqa ban, or from oppression in Afghanistan by means of a military invasion – might come with good intentions, they can cause hardship and harm. This is by further homogenising and racializing the category of gender and Islam and, in doing so, silencing Muslim women and singularly foregrounding their status as victims from religious and cultural patriarchy. On the other hand, the increasing presence globally of women in Islamist terrorist attacks as female suicide bombers, more and more puts Muslim women in the spotlight of securitisation measures (Sjoberg & Gentry, 2011). Portraying these women in exceptional terms, however, leaves the orientalist colonial trope on gender intact.

Finally, gendered and sexualised paradigms and discourse contribute to the increasing de-humanisation of racialised bodies and minds on the move that allow for the drowning of brown/black and 'othered' people in the Mediterranean. This is complemented by the saviour paradigm: this paradigm is designed to rescue and humanise those that can successfully establish the myth of the barbaric "Other" through their asylum stories, and in this way their refugee protection is perceived as merited (Ticktin, 2011; Shakhsari, 2014; Tschalaer, 2019). Today, the same securitisation policies that imply the 'white saviour' and 'humanitarianism' paradigm are increasingly framed as 'pull factor' or migration drivers, which encourage migrants to come to Europe (Gabrielsen Jumbert 2020; Carrera et al., 2019).

Ultimately, ITFLOWS researchers are encouraged to adopt an intersectional lens in their work, remaining sensitive to gendered and sexualised paradigms like that of the colonial saviour, which lie at the very core of immigration and refugee laws and practices.

3. Gender and Sexuality Migration Laws: Origin, Transit and Arrival

On the surface, laws regarding people's social, economic, cultural and political rights are gender and sexuality neutral. The rights access and the application of these laws, however, are often not. This is particularly the case for women, girls and LGBTQI+ persons on the move. ITFLOWS is sensitive to the fact that existing legal and policy frameworks around human rights, migration and asylum, gender-based violence, integration, employment, and health are often designed in a way that does not correspond with the particular experiences of women, girls and LGBTQI+ persons on the move. ITFLOWS acknowledges this in their research design, implementation and analysis that access to human rights guarantees is not universal, but, rather, that particularly marginalised groups often find themselves in a position where the protection offered in theory by law and policy seem unattainable – or only partially accessible. ITFLOWS is sensitive to the manner in which this creates in- and exclusions for migrants within EU immigration and asylum systems.

A. Women's human rights

Formally, the equality of women and men is enshrined in several international and EU legal frameworks and expressed in several global commitments (i.e., Vienna Declaration and Programme of Action, Beijing Platform for Action, Millennium Development Goals and United Conference for Sustainable Development 2030). **Transnationally**, women's equality is enshrined in the Universal Declaration of Human Rights from 1948 which foresees women as equal right-bearers. However, the universality of the human rights framework is criticised as being conceptualised in a manner that does not take into consideration the particularity of women's lives (i.e., care work, lack of access to equal employment opportunities, health care and education etc.). Further, the Universal Declaration of Human Rights omits the fact that women are being routinely subjected to violence, discrimination, and oppression within the private and public sphere. The Convention on the Elimination of All Forms of Violence Against Women (CEDAW) from 1981, described as an international bill of women's rights, brings women's particular positionalities into the focus of human rights concerns.

International and EU laws reflect international women's human rights efforts towards gender equality. For instance, Article 14 of the **European Convention on Human Rights** states that:

> *The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.*

Similarly, chapter 3 of the **EU Charter of Fundamental Rights** stipulates equality between men and women. This right has been expanded in the European Pact of Gender Equality (2011-2020), which emphasises women's potential in the labour market, and the Strategic Engagement for Gender Equality (2016-2019). They stress the EU's commitment to ensure gender equality in the areas of law, education, and labour, through gender mainstreaming and tackling violence against women and gender stereotyping, using an in intersectional approach.

In addition, the Council of Europe Convention on preventing and combating violence against women and domestic violence (**Istanbul Convention**) is very relevant. It was adopted in 2011 and signed by all EU 45 member states as well as the EU, and ratified by 34 states. The Istanbul Convention is to date the most comprehensive legally–binding framework addressing violence against women ratified by some EU member states, entailing monitoring mechanisms for prevention, protection, prosecution, and policy–making. Unfortunately, the tenets of the Istanbul Convention are currently under siege by conservative, Christian-democratic, far-right and Roman Catholic groups and parties in Poland, Slovakia and Hungary, where women's right to abortion are under attack and the Convention's definition of gender, which includes LGBTQI+ persons, is seen as 'gay propaganda'. In the migration transit country of Turkey, conservative elements oppose gender equality in the Istanbul Convention as it applies even to citizens, and criticise it as promoting homosexuality, with the ruling party lobbying to withdraw from the agreement (Butler et al., 2020).

Finally, two further important EU Directives are protecting women's rights in the European Union: the 2011 Anti-Trafficking Directive (Directive 2011/36/EU) and 2012 Victims' Rights Directive (Directive 2012/29/EU). While both are highly relevant to migrant women and girls, they have been criticised in light of their asymmetrical implementation in Member States, as well as for a lack of provisions directly addressing GBV; going forward, clearer regulation of support and protection for victims is necessary (EIGE, 2017).

B. Gender and sexuality within refugee law

The ITFLOWS project will conform to the current international legal framework in the field of gender and migration. In this sense, **the 1951 Convention on the Status of Refugees** indicates the uneasiness in which gender is considered in the asylum context. Indeed, gender is not included in the definition of refugee. Instead, gender-related claims are covered as a result of consensus and subsequent legislation. More recent guidelines, however, spell this out. The UNHCR Guidelines on International Protection No. 2 of 2002 further explains what social group membership within the context of Convention Article 1A(2) entails. It clarifies that women can qualify as a particular social group based on their shared characteristic of sex, thus providing potential asylum recourse for sex or gender-based persecution. The above-mentioned **2011 Istanbul Convention** further strengthens such procurement in Articles 60 and 61, which recognise gender-based violence as a specific form of violence that particularly affects women and confers refugee protection on these grounds. The Istanbul Convention requires state parties to ensure that the grounds for asylum listed in the 1951 Refugee Convention are interpreted in a gender-sensitive manner, requiring the development if gender-sensitive reception and asylum procedures, and aims ensuring that the principle of refoulment applies equally to victims of gender-based violence regardless of their status of residence. At the same time, application or implementation of these provisions in EU Member States can once again vary, with some judges holding restrictive interpretations of what qualifies as gender-based persecution (UN Women, 2017).

Still, in the asylum context, ITFLOWS is aware that policies and laws have become increasingly more sensitive to the particular needs and challenges of LGBTQI+ persons. Indeed, while modern legal precedent clearly states that the persecution of LGBTQI+ persons is grounds for asylum, neither sexual orientation nor gender identity are specifically enumerated as protected grounds under refugee law. Despite these shortcomings, legal practitioners as well as the courts have successfully established that LGBTQI+ persons who face persecution because of their sexual orientation and/or gender identity fall within the category of the 'special Social Group' within the Refugee Convention. Based on the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity, adopted in 2007, the **UNHCR issued the Guidelines on International Protection No. 9 from 2012** (Carpenter, 2020). These UNHCR guidelines complement the UNHCR Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and establishes that the 1951 Convention is 'intended to be inclusive of and relevant to the range of claims relating to sexual orientation and/or gender identity' (2012). The Guidelines further recognise that LGBTQI+ persons do not form a homogenous group but that their experiences differ based on the religious/ethnic/cultural background, gender, class, and race backgrounds.

In Europe, the recognition of LGBTQI+ persons within refugee law and practice has been most notably shaped by the **EU Qualification Directive** (Directive 2011/95/EU), which allows for further consideration of asylum claims due to persecution based on gender identity. While an earlier version of the Directive in 2004 specified, '[g]ender related aspects might be considered," at the European Parliament's request, the 2011 version has been amended to state, "'[g]ender related aspects, including gender identity, shall be given due consideration for the purposes of determining membership of a particular social group or identifying a characteristic of such a group." In addition, the **EU Asylum Procedures Directive** (Directive 2013/32/EU) includes several provisions for gender, sexual orientation and identity, establishing that certain asylum applicants may be in need of special procedural guarantees due to these characteristics, with examination procedures remaining gender-sensitive and the complexity of gender-related claims duly

considered.[7] Since 2011, these instruments have been bolstered and expanded upon by means several rulings from the Court of Justice of the European Union (CJEU) that recognise sexual orientation as a characteristic so fundamental that nobody should be forced to renounce it, and that condemn intrusive questioning and the use of 'gay tests.'[8]

Despite the existence of these international and EU legal frameworks which are increasingly more sensitive to the experiences and needs of women, girls and LGBTQI+ persons on the move, the COVID-19 crisis and the fire in the Moira refugee camp in September 2020 have made clear that women and girls, as well as LGBTQI+ persons, suffer most from the lack of access to food, proper sanitation, water, medicine, and insufficient shelter from gender-based violence. While women and girls have sometimes received targeted attention due to specific vulnerabilies, single men can suffer from limited recourse, or be overlooked, in light of the pressures of such crises (Turner, 2019). In this way, gender-sensitive asylum and migration policies are of great importance for all groups.

C. The New Pact on Migration and Asylum and Gender/Sexuality

ITFLOWS will align with the New Pact on Migration and Asylum. The Pact was introduced by the European Commission on 23 September 2020, promising to provide (a) new management of external borders, including identity, health and security checks; (b) fair and efficient asylum rules, streamlining procedures on asylum and return; (c) a new solidarity mechanism for situations of search and rescue, pressure and crisis; (d) stronger foresight, crisis preparedness and response; (e) an effective return policy and an EU-coordinated approach to returns; (f) comprehensive governance at EU level for better management and

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[7] Article 11 states, "Requirements for a decision by the determining authority" states, "Member States may take a single decision, covering all dependents, unless to do so would lead to the disclosure of particular circumstances of an applicant which could jeopardies his or her interests, in particular in cases involving gender, sexual orientation, gender identity and/or age-based persecution." Article 15, "Requirements for a personal interview," requires that "the person who conducts the interview is competent to take account of the personal and general circumstances surrounding the application, including the applicant's cultural origin, gender, sexual orientation, gender identity or vulnerability."

[8] These are the 2013 CJEU ruling in C-199/12, C 200/12 and C 201/12, X, Y and Z, the 2014 CJEU ruling in the joined cases A (C-148/13), B (C-149/13), C (C-150/13) v Staatssecretaris van Veiligheid en Justitie and the 2018 CJEU ruling in case C-473/6.

implementation of asylum and migration policies; (g) mutually beneficial partnerships with key third countries of origin and transit; (h) development of sustainable legal pathways for those in need of protection and to attract talent to the EU; and (h) support for effective integration policies. For this purpose, the Pact includes new legislative and non-legislative instruments, and proposes a way forward in concluding negotiations on asylum and return reforms proposed by the Commission in 2016 and 2018.

ITFLOWS researchers find that the New Pact on Migration and Asylum unfortunately **lacks a coherent approach to prevent, protect and monitor discrimination based on gender, sex, and sexuality** in the migration and asylum context, and more broadly could detract from migrant and asylum-seeker agency (Carrera, 2020). While the New Pact on Migration and Asylum mentions the vulnerability of women and girls and particularly their increased likelihood to become victim of trafficking, as such, it oversimplifies and prejudges who is most vulnerable, based on the most visible characteristics. There is nowhere in the Pact where a more thorough and nuanced gender-responsive framework is outlined, which would take into account the intersectional challenges women and girls face in reception facilities, registration and identification, the asylum process, and integration. Specifically, the Pact's proposed new procedures to establish status more quickly upon arrival via a pre-entry screening system lack: identification that considers sexual identity or sexual orientation; and health and security checks that approach health areas related to gender. In a similar way, it has yet to establish a gender approach for the three remaining tools: protection for vulnerable groups, the Eurodac database, and working with third countries and international partners.

D. COVID-19 and risks for women, girls and LGBTQI+ persons on the move
The ITFLOWS project began in the middle of a global pandemic. The lingering COVID-19 pandemic affects the safety and well-being of people on the move and particularly that of women, girls, unaccompanied minors and LGBTQI+ persons. According to the IOM, some of the increased risk experienced by women and girls on the move, either as migrants or as refugees, include increased GBV, job

insecurity and exploitation, xenophobia, lack of access to adequate health care and education materials, and an overload of care work (IOM, 2020). Indeed, according to the IOM, mobility and quarantine restrictions force many women to isolate themselves with their abusers or potential abusers. Existing gender-based violence is further exacerbated by labour and migration uncertainty, as well as social distancing. For many migrant women who do not have sufficient support networks in transit and destination countries, isolation with their aggressor is a potential danger.

The COVID-19 pandemic also clearly reveals the vulnerability of LGBTQI+ persons seeking asylum and refuge within the Common European Asylum System. Many EU governments recognise that the call to "stay home and save lives" potentially puts at risk vulnerable groups (i.e., women, children, elderly etc.) and increases isolation. However, people seeking asylum find themselves in cramped accommodation with less access to community and with increased instances of violence and trauma. A particularly vulnerable group within the category of asylum claimants in the EU are lesbian, gay, bi- and transsexual, gender non-binary and intersex people seeking asylum who often experience loneliness and abuse in reception and accommodation camps due to homo/trans-phobia. The continuing pandemic substantially exacerbates the social isolation they were already facing and poses specific challenges in regard to accommodation, healthcare, access to community, trauma and isolation, and (sexual) violence (Tschalaer, 2020).

ITFLOWS recognises that women's and LGBTQI+ access to rights and justice are often hampered by the EU's gender-neutral and heteronormative approach to migration and asylum, and that such a dynamic must inform the design and implementation of the project's research ethics and human rights framework. The regulation and frameworks outlined lack a truly intersectional approach toward gender equality and gender justice, sensitive to the manner in which gender politics and practice intersects with migration politics. Moreover, ITFLOWS is particularly sensitive to the manner in which the COVID-19 pandemic contributes to the intersectional marginalisation of women, girls and LGBTQI+ persons on the move and may restrict their access to the above-discussed legal resources. Insofar

as Consortium partners are seeking more effective EU asylum and migration management system via their research, these points must be considered in ITFLOWS project planning and implementation.

4.   Social Integration from a Gender and Sexuality Perspective

ITFLOWS is attentive to the fact that women, girls and LGBTQI+ persons migrate for different reasons. They may come as labour migrants, family migrants, students, or as asylum claimants/refugees. Research maintains that the right to employment and/or right to education is one of the most effective ways to achieve 'integration,' and to establish a sense of belonging (Schneider & Crul, 2010; Walther 2013; Wrench et al. 2016). Whilst current integration policies might seem to be neutral on the surface, they may in effect target women and men differently, and result in diverging outcomes (Anthias & Pajnik 2014; Kofman et al., 2015).

Indeed, as Floya Anthias (member of the ITFLOWS IGC) maintains, 'belonging' means being included on equal terms and participation (Anthias, 2013). To this end, the European Commission plans on adopting an **Action Plan on Integration and Inclusion for 2021-2024.** The integration of migrants and their families will be a key aspect of this. Integration practices and policies in the EU, however, are all too often a part of the management of the 'other'. Indeed, as Trimikliniotis states, there is an increasing shift away from integration within the EU towards an emphasis on the politics and policies of securitisation. In this sense, the term 'integration in political discourse' is often invoked in connection to specific problems for society posed by migrants and their (in-)ability to integrated into the 'nation state' and not necessarily society – particularly in the aftermath of the 2015-2016 "refugee crisis" (2020, p. 100). Requiring people to integrate assumes the ability to integrate in a context of systemic racism and, in so doing, can recreate the subordination of culturally identified groups (i.e., racism, xenophobia, islamophobia etc.) while at the same time runs the risk of re-establishing colonial hierarchies along lines of race, ethnicity, gender, class, sexuality and religion, among other characteristics (Anthias, 2013; Anthias et al., 2013).

There has been a remarkable shift in EU policies on integration, away from the idea of granting equal rights, full residence rights and equal treatment to third country migrants, towards effective 'assimilation' through country-specific language proficiency, a stable income, health care and, where necessary, the completion of

country-specific integration measures (Anthias et al., 2013). The **EU Long-Term Residence Directive of 2003** (Council Directive 2003/109/EC) states that after a non-EU national has lived legally in the EU for five years or longer, they should receive an EU long-term residence permit, and the status of EU long-term resident. The legal privileges outlined in the Directive, however, are contingent on 'the person having a stable and regular source of income, health insurance and, when required by the EU State, having complied with integration measures. Moreover, the applicant must not constitute a threat to public security or public policy. In 2010, the European Commission extended such policies to beneficiaries of international protection. Poorer third country migrants and women, however, often struggle to satisfy such requirements, due to low rates of participation in the labour market and their potential role as primary caregivers (Anthias et al., 2008; Kofman et al., 2000). They often contribute to society via grey economy and undeclared work. In the EU, integration policy is within the remit of the respective nation states, and there are very few policy efforts that take into consideration the varying challenges faced by women and men from different class, racial, ethnic or religious backgrounds.

The European Commission, however, has recently started pushing for more women-centred integration frameworks that take into consideration social integration, employment, and health. Overall, women-centred integration frameworks in the EU that would recognise the particular positionality of women and girls (not LGBTQI+ persons) and the challenges that arise from such in their integration, are gaining increasing attention in policy making. Where women-centred integration policy frameworks exist, they tend to focus on language learning and social orientation courses mainly for women arriving in the context of family migration, policymakers soon recognised the need for targeted measures that take into account specific needs (i.e., Germany, Austria etc.). Until today, these gender-sensitive policy measures are not streamlined within the EU, often leaving women (and LGBTQI+ persons) in vulnerable and precarious socio-economic positions.

A. Employment and education

In WP4, ITFLOWS will consider the gendered nature of labour migration results in many women entering European countries through family immigration regimes or in sectors such as domestic work, working below their qualifications. Migrant women generally fill particular roles in the labour market, being cheap and flexible labour for the service sectors, and in care and domestic work, and in some countries, for small/light manufacturing industries (i.e., textiles). They have a particularly important presence in performing care work for those with greater means. As a result, many migrant women come in as nurses and doctors (Farahani, 2017; Fathi, 2017). Significantly, they carry the burden of the honing back and hollowing of the welfare state in many European countries. Many women work in the poorly paid care work sector as nannies and maids, doing the work of transnational mothering and constituting a transnational care system or global care chain (Hochschild, 2000). Caring roles also include work in nursing and care homes (increasingly privatised) and working as home helps for the elderly, and in domestic work for families. Majority ethnic women (read: women racialised as white) are less likely to want to perform these generally arduous and poorly paid jobs.

Moreover, more women than men migrate to the EU under family migration policies (i.e., **Directive on the Right to Family Reunification**) where their legal status – and often their right to work – is dependent on their husband who acts as the sponsor. This applies especially to asylum seekers granted subsidiary protection status. Member States may impose some conditions before allowing family reunification, which has become increasingly onerous and restrictive, especially in Northern European countries (Kofman, 2019a). They may require the sponsor to have adequate accommodation, sufficient resources and health insurance, and impose a waiting period of no more than two years. Member States may limit granting an autonomous resident permit, independent of the sponsor, for up to five years, making legal status problematic if victims of domestic violence want to leave a relationship with the sponsor (Grubanov-Boskovic et al., 2020). Moreover, many women entering European countries through family immigration regimes or in sectors such as domestic work, work below their qualifications.

The process of recognition of qualifications of non-EU country nationals is a major obstacle to labour integration, as well as is the lack of support structures (such as professional, affordable and accessible language courses and childcare facilities). Women constituted only 21.5% of persons admitted to the EU through the **EU Blue Card Directive** (Council Directive 2009/50/EC), which allows highly skilled workers to work in the EU and to apply for bringing their family. This is in contrast to the **Seasonal Workers Directive** (Directive 2014/36/EU), which does not allow for bringing family members. Sponsorship requirements can be prohibitive, as applicants may be unable to meet income criteria; this requirement takes on a gendered dimension, in that women earn disproportionately less than men (Kofman et al., 2015). The number of EU Blue Cards awarded to persons from Sub-Saharan Africa, where most of the ITFLOWS countries of origin are located, is insignificant. For instance, in 2016, there were only 455 decisions to grant the Blue Card to individuals from Sub-Saharan Africa out of total 20,979 decisions to grant the Blue Card, totalling only 2.2% of all granted decisions in that year (Carrera et al., 2019). In other words, women racialised as black rarely get to Europe by means of an EU Blue Card as highly skilled workers (European Commission, 2014). In a similar manner, the **EU Single Permit Directive** (Directive 2011/98/EU), adopted in 2011 to set up a common system of rights for third-country workers residing in the Member States, does not include seasonal workers perceived as 'low-skilled' in its scope (Beduschi, 2015).

Women who have experienced domestic violence might find it particularly difficult to be economically dependent on their spouse, with highly qualified migrant women remaining unemployed or in occupations far below their qualifications. It is further important to note that many migrant women are indeed undocumented in Europe, do not have access to fundamental rights and face additional barriers to regularisation because of the informal nature of their work. In addition, Article 15 of the **Seasonal Workers Directive** stipulates the employer can only be changed once within the period of the validity of the permit. This further compounds social and legal inequalities. The **New Pact on Migration and Asylum**, in its discussed aims of developing sustainable legal pathways for those in need of protection and to attract talent to the EU, as well as of supporting effective integration policies,

does not separately mention gender or sexuality in regard to employment in the EU.

B. Health

The **right to the highest attainable standard of health is a fundamental human right**. Adopted by the UN in 1948, the Universal Declaration of Human Rights proclaimed that 'everyone has the right to a standard of living adequate for the health and well-being of oneself and one's family, including food, clothing, housing, and medical care'. Codified and protected by international law, human rights guarantee individual dignity. **Article 12(1) of the International Covenant on Economic, Social and Cultural Rights**, a text ratified by all EU member countries, confirms that state parties recognise: 'the right of everyone to the enjoyment of the highest attainable standard of physical and mental health' (1966).

In EU Member States, however, the scope of healthcare to which a third country national has access to depends on their residence or employment status. While long-term residents have equal access to healthcare as citizens, seasonal workers, stateless persons and asylum seekers and refugees do not. Indeed, undocumented migrant women and men who do not have a residence permit authorising them to regularly stay in the country of destination are particularly reluctant to seek medical help out of fear of being reported to immigration officials. Overall, the lack – or perceived lack – of access to sexual health and reproductive rights has great implications for women and LGBGTQI+ persons on the move. Such situations became additionally exacerbated by the ongoing COVID-19 pandemic.

With regards to sexual health and reproductive rights, **migrant women often face limited awareness and lack of access to sexual health education and services**. As a result, pregnant women from migrant and refugee backgrounds living in the EU are at increased risk of adverse perinatal outcomes compared with women born in the host country. For example, a study on migrant women's access to services for reproductive health in Switzerland maintains that the five main barriers that prevent migrant women from seeking reproductive health services were financial accessibility, language barriers, real or perceived discrimination, lack of information and embarrassment (Schmidt et al., 2018). The study shows

that there is a higher rate in maternal and infant mortality in migrant women compared to non-migrant women. Moreover, new-borns of mothers especially from Sub-Saharan Africa and South East Asia have a lower birth weight. And finally, there is a higher number of unwanted pregnancies amongst undocumented women compared to women with legal status (Schmidt et al., 2018, p. 2).

Further, **LGBTQI+ persons** are often **reluctant to seek medical help** because they lack health insurance and/or they fear being outed. For instance, in Germany, trans* sex workers and LGBTQI+ persons living with HIV were found to be particularly reluctant to access the healthcare system, due to fear of stigmatisation. In Germany, LGBTQI+ asylum seekers additionally reported that the lack of information in different languages, and racial prejudice on the part of health officials, deters them from getting adequate medical help – particularly during the COVID-19 crisis (Tschalaer, 2020). Indeed, the COVID-19 pandemic substantially exacerbated the health precarity of migrant women and LGBTQI+ persons on the move. According to the United Nations Population Fund, already marginalised groups with high vulnerability to HIV infection – commonly known as "key populations" – face significantly increased risks during the COVID-19 pandemic.

In 2019, key populations –including men who have sex with men, transgender people, sex workers and people who inject drugs – and their sexual partners accounted for 62 per cent of all new HIV infections (United Nations Population Fund, 2020). Moreover, the European Centre for Disease Prevention Control acknowledges that the overcrowding in reception and detention centres in the EU during the COVID-19 pandemic heightens the risk of asylum seekers and refugees contracting the virus. In addition, governments call for physical distancing and risk containment measures that contribute to extreme isolation, due the lack of face-to-face interactions with friends, support groups and social workers, as well as limit access to education and employment. Social isolation is further exacerbated by the lack of good WIFI connection in camps and detention centres, which would allow for socially connecting with friends and support staff. This situation may result in retriggering of trauma and depression, and heightens the risk of gender-based violence.

Indeed, the **COVID-19 pandemic blatantly reveals the increased risk of domestic violence for women, girls and LGBTQI+ persons on the move**. According to the WHO, situations of conflict, post conflict and displacement may exacerbate existing violence, such as by intimate partners, as well as non-partner sexual violence, and may also lead to new forms of violence against women (WHO, 2020). In Europe, refugees, asylum seekers and undocumented migrants face a heightened risk for becoming victims/survivors of domestic violence. Studies on domestic violence and migration show that the increased risks for migrant women and girls to experience domestic violence is largely grounded in their socio-economic standing in combination with religious and cultural beliefs and their immigration status (Rizo & Macy 2011; Villalon 2010). At the same time, of course, rape and sexual assaults on the part of partners, the community and staff, as well as isolation in camps and detention centres, has existed pre-COVID-19 (Human Rights Watch, 2019).

Victims/survivors of domestic violence on the move face challenges when seeking care in the arrival country – this is particularly so for undocumented migrant women. According to a European Parliament study from 2013, migrant women (and LGBTQI+ persons) who experience domestic violence are often reluctant to contact the authorities due to lack of knowledge, information and experience, drugs and alcohol, being dependent on a sponsoring spouse, individual socio-economic position, fear of bringing shame to the family, racism, fear of deportation, as well as incompetent health professionals (European Parliament, 2013). Also, in the EU, in the case of those whose marriage to a 'sponsoring spouse' deteriorates during the probation period (in most countries this is 5 years), the sponsored spouse is not entitled to remain in the country unless she/he has been subject to domestic violence. The standards set according to which domestic violence needs to be evidenced, however, makes it difficult for victims/survivors of domestic violence to prove the abuse. Necessary evidence includes police cautions, convictions and medical report (European Parliament, 2013). The impact of domestic and sexual violence, as linked with migration and immigration status, significantly correlates with mental health issues, particularly self-harm, and depression (WHO, 2020).

ITFLOWS is fully aware that migrant women and LGBTQI+ persons often remain marginalised, and thus unrepresented, in both research and policy. Their stigmatisation, or the overall neglect for their social integration, can contribute to the tensions between migrants and host societies that the IFLOWS project seeks to address. The project understands that these individuals remain some of the most vulnerable in EU societies, and will attempt to incorporate their otherwise unvoiced or inaccessible experiences into its research and analyses. Moreover, in light of patchwork gender-sensitive policy measures throughout the EU, the ITFLOWS project will offer streamlined analyses or recommendations in relation to both women and LGBTQI+ persons in its policy document outputs (D8.1).

5. Actioning the ITFLOWS Gender Commitment: Some Recommendations

This section outlines the ITFLOWS gender commitment in regard to the project's infrastructure on the one hand, and research and analysis on the other. It provides specific recommendations on how to take into account gender and sexuality in the project's infrastructure management, methodology, and Big Data research and analysis.

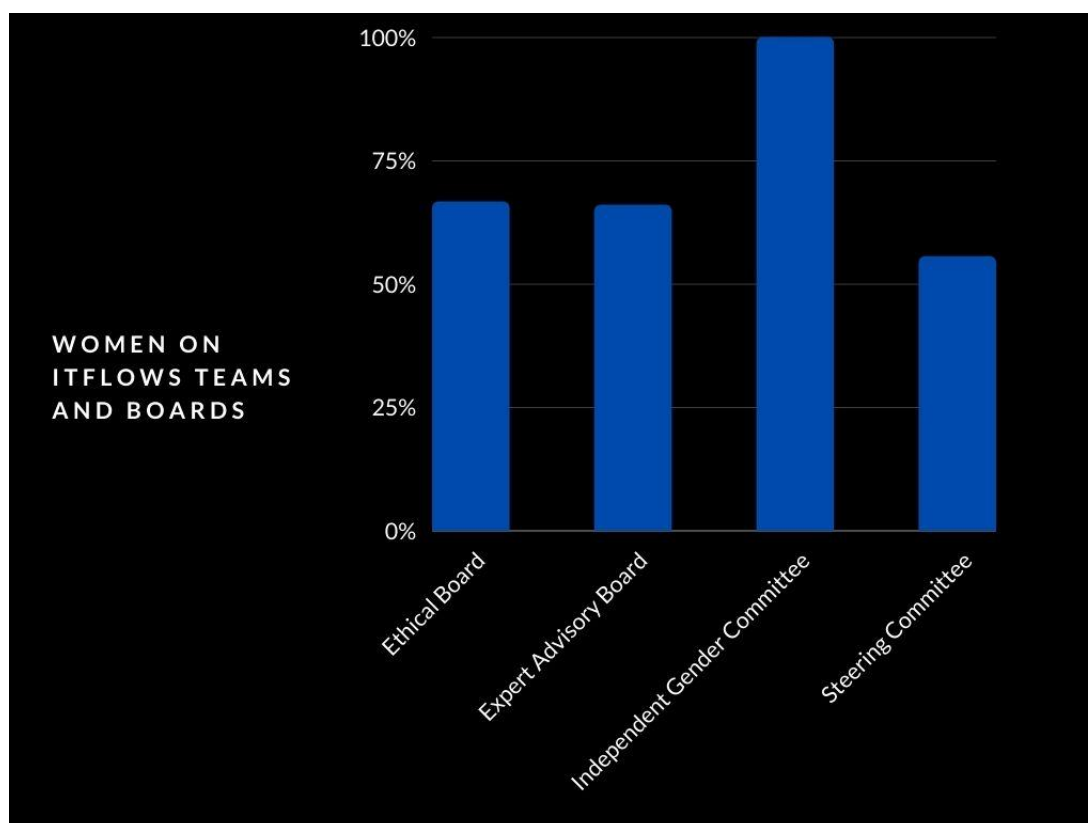### A. Gendering ITFLOWS Team Management

- Relevant for all WPs

ITFLOWS is committed to incorporating at least 50% female-identifying participants and/or speakers in the events it organises as part of EMT tool training and project dissemination. As of 31 January 2021, the ITFLOWS leadership teams and advisory boards[9] reflect the following gender composition:

- Ethical Board: These experts on the social and ethical implications of technology consult with and provide guidance to the ITFLOWS project and is composed of 7 members. Among the internal project board members there are 2 women and 1 man. In addition, all three members of the Independent Ethics Board that forms part of the overall Ethical Board are women, whereas the Data Protection team consists of one man.

- Expert Advisory Board: These migration and data science researchers provide advice and consultation throughout the project. The Board is composed of 3 women and 1 man.

- Independent Gender Committee: The role of this Committee is described below. All members are women.

- Steering Committee: This decision-making body is responsible for the technical management of ITFLOWS; it ensures the project progresses in terms of deliverables, milestones, resources and budget. It is composed of 5 women and 4 men.

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[9] The ITFLOWS Users Board aims at validating the EMT, and is made up of practitioners working in first response and second-level reception of migrants, as well as municipalities and civil society actors focused on integration of the migrants. The Policy Working Group identifies knowledge gaps in migration policies and facilitates exchange between research and policy as part of the ITFLOWS project. They are not listed here, as they are made up of organisations, rather than individuals.

WOMEN ON ITFLOWS TEAMS AND BOARDS

➔ ACTIONS to be taken for future gender balance considerations in ITFLOWS Team Management

The ITFLOWS partners and researchers must ensure that:

- There is a gender balance among researchers and affiliated teams – ideally 50% of the entire team is identifying as female (incl. transgender and intersex individuals);

- An inclusive and gender and sexuality-sensitive staff hiring policy applies in all WPs.

- The Gender Committee oversees activities as provided in further detail in Section 7 on monitoring.

➔ Further Resources:
- The basis for gender equality in the European Research Area

B. Gendering and Actioning Methodology

- Particularly relevant for WPs 3, 4, 5 & 7

Project methodology overview

ITFLOWS employs a multi-sited and multi-mixed methods approach, combining qualitative and quantitative research strategies to identify specific migration intentions. Consequently, predictions of migration flows will be improved, and this information will be incorporated into the EMT. The following types of data are or will be collected:

- Data on drivers of migration;
- Data on public sentiment towards migration;
- Data on the socio-economic situation of EU Member States;
- Data on asylum procedures and integration policies of the EU Member States;
- Macro data on countries of origin and transit (WP3);
- Macro data on EU Member States (WP4);
- Big Data mining on both migration drivers (WP3) and EU sentiment towards migration (WP5).

ITFLOWS collects such data using *qualitative and quantitative data collection methods* in WPs 3,4&5. The qualitative include:

- Semi-structured/structured interviews on drivers of migration with migrants and asylum seekers arriving in Italy, Spain and Greece;
- EMT pilot tests among members of its Users Board in EU Member States.

The quantitative include:

- Surveys on the sentiment of EU citizens (WP5);
- Big Data, in collecting records of Google searches in origin countries and Twitter on public sentiments to analyse the scope and causes of tensions and conflicts between migrants and EU citizens, employing Feature Engineering and Machine/Deep Learning based methods in order to conduct this analysis.

The methodology further includes *archival research* to collect the following data:

- Indexes on economic growth, socio-economic structures and other numeric variables from selected countries of origin, the World Bank's World Development Indicators (WDI) and the OECD (WP3);

- National population statistics for demographic indicators and data on displacements from the International Organisation for Migration (WP3);

- Comparative quantitative surveys and asylum application data from sources including the IGC, EUROSTAT, UNHCR and AIDA (WP4).

METHODOLOGIES FOR ITFLOWS
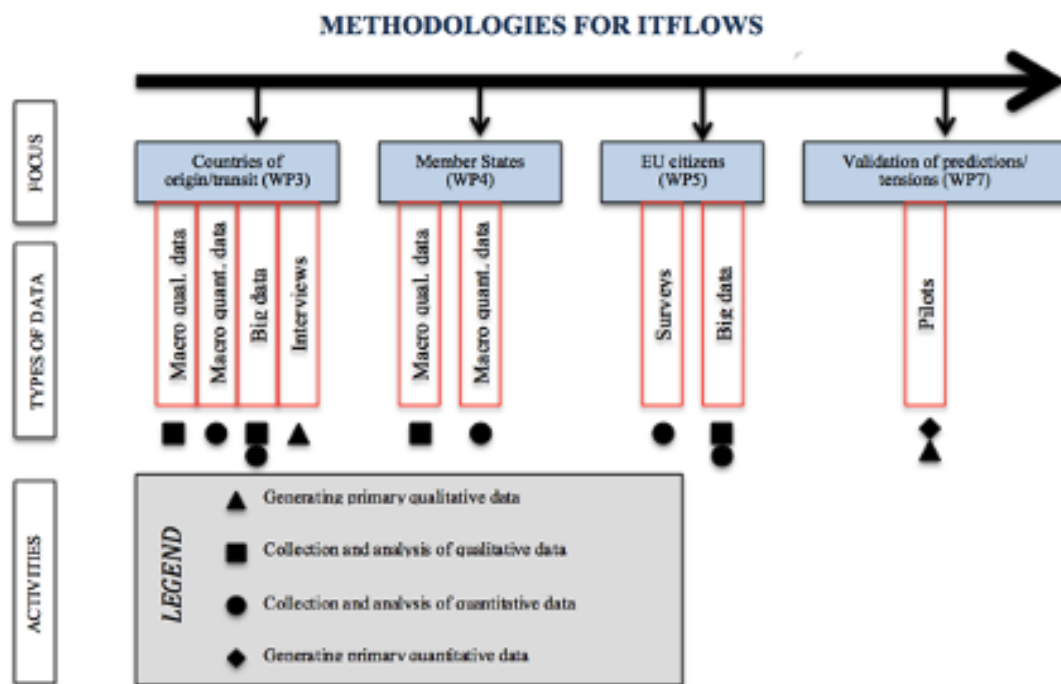
ITFLOWS uses this collected data to train and test models for the EMT, as well as to provide new policy insights and solutions.

Gender and sexuality-sensitive (qualitative) methodologies: A risk assessment

The ITFLOWS project acknowledges that biases on the part of researchers and project partners in regard to gender and sexuality affects data collection and analysis. In order to mitigate such risk, ITFLOWS adopts reflexivity as a central element of its project's methodology. The concept of 'reflexive research,' which 'turns back upon and takes account of itself', is indeed crucial for the knowledge production in academia and it has become indispensable to include an explicit discussion of the researcher's positionality vis-a-vis the research participants

(Alvesson et al. 2004, 480). In this sense, reflexivity is functioning as an evaluation scale which measures the quality and rigor of qualitative research particularly (Ibid.; Charmaz and Mitchell 1996). To adopt an intersectional approach in defining the power dynamics inherent within the research context in terms of race, class, gender, sexuality, ethnicity, ableism, etc., is absolutely necessary to critically evaluate the research agenda, data and analysis. As part of this, in the context of migration, it is important to critically assess eurocentric approaches to migrant agency, acknowledging how individuals identify or not with migrant origin or labels.

However, even while adopting a research approach that embraces reflexivity, ITFLOWS recognises that with its researchers predominantly drawing from European backgrounds and mostly racialised as white, the project is not immune to re-producing the same epistemic shortcomings the project attempts to refute; this includes universalising identity categories that presupposes a white experience when – consciously or unconsciously – reading non-white migration and asylum narratives and histories, or analysing data from interviewees and project participants. This Gender Action Plan, however, is designed to support researchers and project partners to reassess and identify preconceptions in regard to gender and sexuality in research planning, data collection, and analysis.

➔ ACTIONS to be taken for the production of fair and gender-sensitive knowledge

In order to mitigate the above-mentioned risk, the internal and Independent Gender Committees request that the ITFLOWS researchers in WP3, WP4, WP5 and WP7 take the following steps:

In **WP3,** the researchers concerned with examining migrant/asylum experiences in countries of origin and transit through the collection of qualitative data, must make sure to take into consideration how gendered and sexualised forms of marginalisation, oppression and violence influence the determinants and process of migrant journeys. Researchers are asked to:

- Review this Plan's sections 1, 2, 3 and 4 to reflect on personal biases and ensure gender and sexuality-sensitive research planning, implementation and analysis;

- Include sex-disaggregated data in any primary data collection (including qualitative interviews), as well as secondary data collection and analysis when possible;

- Ensure gender and sexuality inclusion when selecting participants for the interviews. Given that the number of male-identifying migrants, refugees and asylum seekers is statistically greater than the number of those who identify as female (incl. transgender and intersex individuals), guarantee unbiased gender and sexuality parity by obtaining a proportionality of 1 female-identifying per every three or four male-identifying individuals (as close as possible to a 1/3 proportionality) in the participant selection;

- Acknowledge that gender stereotyping and gender-based violence are an important dimension of migration policies and practices in the destination country, during transit and the country of arrival, and that this needs to be accounted for in terms of methodology (i.e. being sensitive to trauma), data gathering, and analysis;

- Acknowledge in research design, implementation and analysis that access to human rights guarantees is not universal, but, rather, that particularly marginalised groups often find themselves in a position where the protection offered in theory by law and policy seem unattainable – or only partially accessible;

- Acknowledge that the COVID-19 pandemic contributes to the varying intersectional marginalisation of men, women, girls and LGBTQI+ persons on the move and may restrict their access to legal resources. This must be considered in ITFLOWS project planning and implementation;

- Abide by the Incidental Findings policy developed in conjunction with WP2, and its procedures in the case of human and sexual and victims of sexual and gender-based violence. In the context of migration, it refers to: sexual violence, psychological violence, economic violence, harmful practices, (breast ironing and Female Genital Mutilations (FGM), early/forced marriage, stalking/harassment, domestic/intimate partner violence, social

exclusion based on sexual orientation or gender identity, and honour-based violence. In doing so, remain conscious of distinguishing between survivor and victim (respecting agency);

- In remaining sensitive to gender and sexuality issues, ensure that participants are asked for their choice of female or male-identifying interviewer and give participants the option of interviewers/translators who are not from their origin country/community.

➔ Further Resources:
  - OECD- Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic
  - Key types of sexual and gender violence from UN Women
  - Council of Europe Fact Sheet, Protecting the rights of migrant, refugee and asylum-seeking women and girls

In **WP4**, gender dynamics in the EU migration context are an important consideration. Moreover, gendered stereotypes and discrimination in host societies in relation to migrants' full integration and protection in host societies is key. In this WP, consisting of secondary, qualitative and quantitative data collection and analysis, partners are encouraged to:

- Review this Plan's sections 1, 2, 3 and 4 as information to bear in mind when conducting their research, especially with respect to: social stigmatisation of LGBTQ+ persons; the gendered global labour market; the intersectional nature of discrimination against migrants; the gaps in implementation of or access to rights of equality and non-discrimination; European discourses of the other in Europe; gaps in or lack of gender-sensitive policy measures regarding social integration in the areas of employment, education and health; and migrant agency.
- Include sex-disaggregated data when possible.
- Include gender sensitive and intersectional analysis.

➔ Further Resources:
  - European Commission on Integration of migrant women

- [European Institute for Gender Equality 31 indicators on migration](#)

In **WP5,** which examines European host society attitudes towards migrants via collection and analysis of secondary qualitative and quantitative data, gendered and sexualised forms of discrimination and exclusion must be taken into consideration. The researchers associated with WP5 are asked to:

- Review this Plan's sections 1, 2, 3 and 4 as information to ensure gender and sexuality-sensitive research planning, implementation and analysis.
- Include sex-disaggregated data whenever possible (see Section 5D for more information on Big Data).

➔ Further Resources:
- [Gender and Anti-Immigrant Attitudes in Europe](#)

WP7 generates primary qualitative and quantitative data, and, as the project's pilot, receives feedback on the EMT. A Users Board of practitioners and stakeholders relevant to this project will validate the tool and receive training for its use. The researchers associated with this WP7 are asked to:

- Seek at least 50% female-identifying (incl. transgender and intersex individuals) participants among stakeholders evaluating the EMT;
- Achieve at least 50% female-identifying (incl. transgender and intersex individuals) participants in training events;
- Include feedback from the Users Board as they validate the tool, regarding whether the EMT adequately addresses gendered and sexualised dynamics that Users Board members encounter in their work.

➔ Further Resources:
- [European Commission strategy on Gender Equality](#)

C. Gendering and Actioning the EMT

- Particularly relevant for WPs 3, 4, 5, 6, 7 & 8

The ITFLOWS EMT is mainly oriented towards forecasting migration to the EU and providing policy recommendations for migration management and best practices as informed by the data gathered in WPs 3, 4, 5, 7. Indeed, all of the biases noted in sections 2 to 4 of this Plan can be inadvertently incorporated into technology. In providing characteristics of migrant populations in order to develop the tool, it is key that data is collected, coded, and used to train the tool algorithms in a way that does not insert human biases, regarding gender, sexuality or otherwise, in order to avoid algorithmic discrimination (Zuiderveen, 2020). It is thus absolutely crucial that the EMT is sensitive to gender and sexuality issues and dynamics.

Gender and information technology: A risk assessment
Technology can intensify inequalities; for example, those with scarce socioeconomic resources may not be able to afford technological tools or access. Indeed, it is argued that artificial intelligence can create greater gaps between entire countries and regions, as wealthier countries can more easily afford technological techniques and resources.

As part of the ITFLOWS reflexive approach to gender within critical intersectional analysis, it is important to bear in mind that this tool, developed for relevant European stakeholders, bears certain risks:

- The tool is not immune to producing geopolitical asymmetries and possibly reinforcing the North-South divide (Beduschi, 2020). There is the risk that the **tool could be misused for supporting political agendas** geared towards curbing migration and creating further challenges for asylum claimants in the EU. If this was the case, then the tool could potentially contribute towards curtailing the rights and freedoms of migrants and asylum seekers in the EU. In this context, women and girls, victims of gender-based violence as well as LGBTQI+ persons on the move would be negatively affected. As a result, it is important to incorporate the

perspective and agency of migrants themselves, in order to avoid such EU-centric agendas;

- **An underinvestment in the technological literacy of women and girls** leads to their added disadvantage and lack of voice (Ching et al., 2000). This lack of access can be embedded in the networks, structures and institutions that still allow or perpetuate the gender inequalities noted earlier in this plan. In the case of the migrant populations studied in ITFLOWS, it may be that they possess no access to internet and technology altogether. When Big Data is collected in WP3 and WP5, it is important to note that lack of access could translate to an underrepresentation of women;

- While the body of migration literature has been growing in recent decades, there is still a **lack of gendered data or political will that impacts both research and policy**. Lack of data is most likely due to several reasons, including the dynamic nature of migration, the costs of obtaining representative data on migration and the lag in publishing this data (Böhme et al., 2020). Meanwhile, the status quo and deficient political motivation can translate to inadequate policy measures, even if the evidence or data is available.

- As information technology becomes increasingly accessible globally, demand for this technology results in **geo-referenced online search data** that can be analysed in order to measure human behaviours. While applied economics has already employed Big Data as a resource, the ITFLOWS project recognises that Big Data sources, in combination with the recent advances in machine learning that analyses this data, can fill gaps in migration research in order to better manage migration flows (Ibid.).

➔ ACTIONS to be taken to ensure a gender-sensitive application of information technologies

In order to mitigate the above-mentioned risks, the internal and Independent Gender Committees request that the ITFLOWS researchers and project partners take the following steps:

- Ensure primary data collected in WP3 (qualitative interviews with migrants arriving to Italy, Spain and Greece) and WP6 (pilot tests and workshops relating to validation of and training for the EMT) is sex-disaggregated. While the Gender Committee recognises that the researchers and experts involved in the modelling and creation of the EMT may not be able to procure gender-differentiated information when collecting and analysing secondary data, ITFLOWS researchers who are unable to procure sex-disaggregated data are asked to provide a brief explanation (footnote or otherwise) or note the limitation in dissemination and policy activities and materials. Researchers are asked to conduct intersectional analysis of secondary data if contextual qualitative evidence does in fact allow for it;

- Technical partners will require gender statistics on location populations (including camps), as well as qualitative or personal testimonies as to how male or female-identifying migrants may reach the different selected destination countries. With this information, they will be able to create rulesets that account for gender. Rulesets in agent-based modelling can take the form of 'if X then Y with Z% probability' conditional expression, and together feed into prediction models. An example might include, if the migrant identifies as female, then they are 40% likely to choose location A over location B as their next destination;

- Ensure data collected from the Users Board in WP7 with regards to the EMT will include feedback as to whether the tool itself is developed so as to take into consideration gendered and sexualised dynamics that Users Board members encounter in their work.

➔ Further Resources:
- [UN on Gendered AI and repercussions](#)
- [The Institute for Ethical AI and Machine Learning tips on Bias Evaluation](#)
- [European Commission Fact Sheet on Gender and Intersectional Bias in Artificial Intelligence](#)

D. Gendering and Actioning ITFLOWS Big Data

- Particularly relevant for WPs 3, 4, 5, 6, 7 & 8

ITFLOWS deploys Big Data analysis in WP3 and WP5 through the recording of Google searches to understand drivers of migration, and through gathering information from social-media environments (Twitter/Tweets) in order to analyse the scope and causes of perceived tensons or conflicts in migrant and EU citizen relations. Generally, there is a **lack of sex-disaggregated data in Big Data**. Sex-disaggregated data, however, would allow for examining different situations related to sex and gender and can aid in understanding how differences in gender roles, customs and responsibilities contribute to varying inclusions and exclusions (Huyer & Westholm, 2007).

➔ ACTIONS to be taken to ensure gender-sensitive Big Data

In order to mitigate the above-mentioned risk, the internal and Independent Gender Committees request that the ITFLOWS researchers in WP3, WP5 and WP6 take the following steps:

- That researchers working with Big Data consider how the keywords selected can reveal or indicate gendered differences in migration flows. As grammatically English does not indicate gender, other languages that will be analysed, including Arabic, can reveal this. Consequently, researchers are encouraged to signal any observations as to gendered flows in their analyses.

➔ Further Resources:
- UN Women: Gender equality and big data: Making gender data visible
- World Bank Gender Data Portal

E. Actioning gender-sensitive indicators to policy

- Relevant for all WPs

ITFLOWS WP8 translates project findings into policy analysis and recommendations, for dissemination to all relevant stakeholders at both the EU and national level. This requires the use of gender-sensitive indicators that take into account the realities of various groups, including migrant women or LGBTQI+ persons. There are various models of indicators provided by international agencies. The most prominent indices of gender equality include UNDP's Gender-related Development Index (GDI) and the Gender Empowerment Measure (GEM), introduced in 1995. More recent measures include the Gender Equity Index (GEI) introduced by Social Watch in 2004, the Global Gender Gap Index (GGGI) developed by the World Economic Forum in 2006, and the Social Institutions and Gender Index of the OECD Development Centre from 2007.

Gender-sensitive indicators can be used to evaluate the outcomes of gender-focused and mainstream interventions and policies and help reveal barriers to achieving equality or integration, or even to define integration. Gender indicators are important within an overall critical intersectional analysis, because they can raise visibility and priority regarding gender-related issues and, in so doing, provide vital information for adjusting programmes and activities so that they better achieve gender equality goals.

However, the following risks need to be considered:

- **Indicators are not neutral tools**. While gender-sensitive indicators are meant to measure gender-related changes over the course of a period of time, they are indeed influenced by the context and any accompanying values (Moser, 2007).

➔ ACTIONS to be taken to ensure gender-sensitive indicators and policy recommendations as part of an intersectional approach to migration and asylum

In order to mitigate the above-mentioned risk, the internal and Independent Gender Committees request that ITFLOWS researchers:

- Include gender indicators where possible from the aforementioned indices. In doing so, the following process is recommended: a) Ensuring indicators cover all aspects of the respective intervention or topic in question, and prevent gaps in the data collection process. It is important to consider the various ways in which these indicators can manifest differences in gender roles, responsibilities and access to resources involved in a programme or area of study; b) Ensuring indicators are collectable, as some may prove to be irrelevant or difficult to collect. For example, the difficulty of obtaining the sex-disaggregated data necessary for gender indicators has been noted in this Plan; c) Ensuring indicators are meaningful as relevant for policymakers, stakeholders, or migrants themselves, as well as for the related intervention and context. In particular, gender indicators should be in line with relevant gender equality commitments and gender-specific policy objectives, and relate to migrant women specifically; d) Considering the timeframe for expected changes of policies, programmes or projects analysed, which may take place over a short, medium or long-term period. This is important in conducting an intersectional critique of the gendered impacts of current and ongoing migration and asylum policies.
- Address gender and sexuality in policy and analysis by dedicating a specific section to these dimensions in each of the five D8.1 policy analyses and recommendations.

➔ Further resources
- [OECD indicators for gender equality and women's empowerment](#)
- [UN Women Policies and Practice: A guide for gender-responsive implementation of the Global Compact for Migration](#)
- [OECD Toolkit for Mainstreaming and Implementing Gender Equality](#)

6. Compliance and Monitoring

In order to ensure that the project remains fully committed to addressing gender and sexuality within all WPs, an ITFLOWS Gender Committee, including the Independent Gender Committee (IGC), has been appointed for advisory and monitoring purposes.

A. Gender monitoring oversight

Internal members of the Gender Committee
The internal members of the Gender Committee are tasked with monitoring the ITFLOWS Gender Action Plan both internally and externally. They are responsible for setting the guidelines and monitoring the mainstreaming of gender-sensitive research, analysis and policy in all ITFLOWS work packages. The internal Gender Committee includes members from Consortium partners at Brunel University London (BUL), the Autonomous University of Barcelona (UAB) and Italian Red Cross (CRI). These are: Colleen Boland (University of Barcelona), Mengia Tschalaer (Brunel University), Esther Zapater Duque (University of Barcelona), and Paola Maieli (Italian Red Cross).

Independent Gender Committee
The Independent Gender Committee is part of the ITFLOWS Gender Committee and is currently comprised of two leading scholars on gender and migration, namely Eleonore Kofman (Middlesex University) and Floya Anthias (Emeritus, University of Roehampton). The Independent Gender Committee is responsible for the external consulting, advising and monitoring of ITFLOWS gender issues, and agree to a series of responsibilities and tasks upon joining the project.

Responsibilities of the ITFLOWS Gender Committee
The ITFLOWS Gender Committee is responsible for:
- Reviewing, reporting and advising the ITFLOWS Consortium concerning gender matters in accordance with the nature and aims of the project.

- Providing independent advice and guidance to the Consortium about how to identify, understand and tackle gender issues that may arise during the research process.

- Monitoring the design, development and implementation of the EMT for ethical concerns from a gender perspective.

These responsibilities entail the following concrete tasks:

- To contribute to this Gender Action Plan.

- To provide mid-term (every 6 months) updates, as well as annual reports, on the gender aspects and issues emerging from the project (this will be incorporated into the WP2 Annual Ethics Report).

- To review project deliverables posing ethics issues in relation to gender (this will be incorporated into the WP2 Annual Ethics Report).

- To communicate/consult with the Consortium if they raise gender concerns.

- To attend the project's plenary meetings (virtually, with a minimum of one member attending in person).

B. Gender monitoring timeline

As outlined in Part 6 on actioning the ITFLOWS gender commitment, the Gender Committee's reviewing and reporting is the mechanism by which the ITFLOWS project will be monitored for meeting its gender commitment.

Mid-term reports and annual reports will function as internal Committee documents that will later contribute to the greater WP2 annual reports. These reports will also serve as a record of Gender Committee activities.

Mid-term reports will include:

- Relevant ethics considerations for gender and sexuality in any project deliverable that was reviewed in the previous 6-month time frame.

- Relevant recommendations or record of gender recommendations/discussions as to gender considerations for the EMT, as

per the technical meetings attended by the Gender Committee, in the previous 6-month time frame.
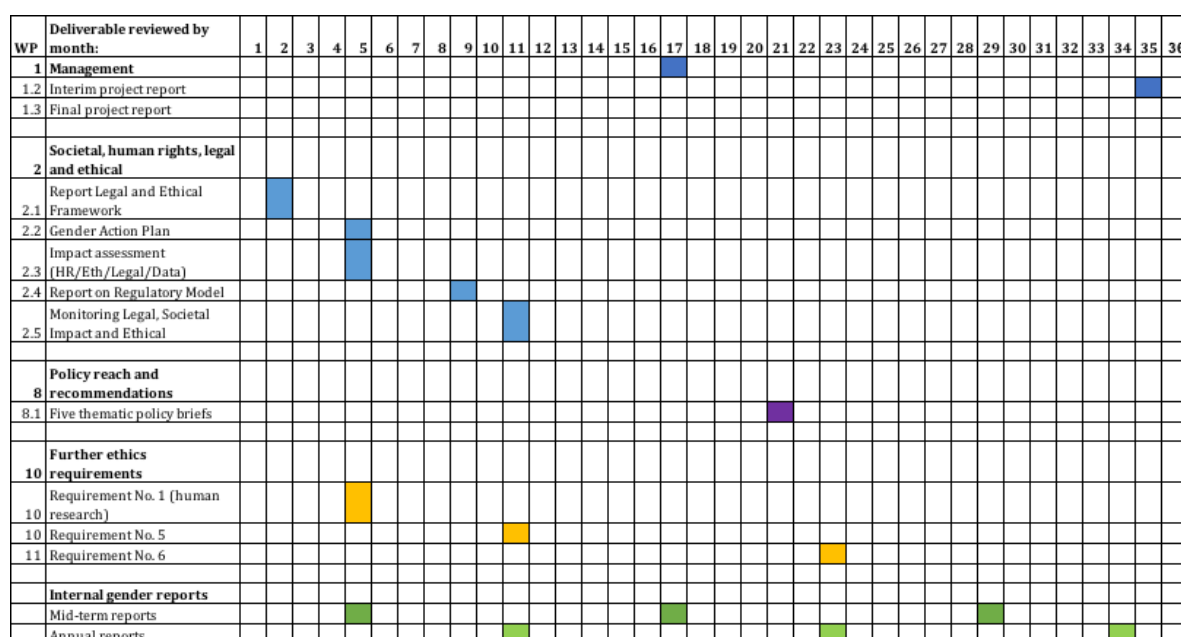
- A record of any relevant intersectional analysis or research related to gender and sexuality, as found in project deliverables reviewed in the previous 6-month time frame. This includes monitoring for a dedicated gender section in each of the D8.1 policy briefs.

- A note of any request to the Committee for consultation on gender in the previous 6-month time frame, and the response.

Annual reports will be differentiated in that they consider the previous 12-month period, and they should include the relevant reporting from the corresponding 6-month period. As they will serve as the material from which the WP2 constructs their annual ethics monitoring report, *annual reports will require that the Independent Gender Committee, specifically, provide the input as to any ethical considerations regarding gender.*

Please find the deadlines for mid-term and annual gender reports, as well as deliverable reviews, in the chart below. Deliverables must be reviewed 10 calendar days before the month of the deliverable's submission deadline. For this reason, the month previous to the deliverable deadline is indicated.

For reference, project Month 1 is September 2020, Month 13 is September 2021, and Month 25 is September 2022.

Reporting and Monitoring Gantt-Chart

WP	Deliverable reviewed by month:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
1	Management																	■																			
1.2	Interim project report																																			■	
1.3	Final project report																																				
2	Societal, human rights, legal and ethical																																				
2.1	Report Legal and Ethical Framework		■																																		
2.2	Gender Action Plan					■																															
2.3	Impact assessment (HR/Eth/Legal/Data)					■																															
2.4	Report on Regulatory Model									■																											
2.5	Monitoring Legal, Societal Impact and Ethical											■																									
8	Policy reach and recommendations																																				
8.1	Five thematic policy briefs																					■															
10	Further ethics requirements																																				
10	Requirement No. 1 (human research)					■																															
10	Requirement No. 5											■																									
11	Requirement No. 6																							■													
	Internal gender reports																																				
	Mid-term reports					■												■												■							
	Annual reports											■												■												■	

Gantt Colour Key

■	WP1 Management
■	WP2 Societal impact, human rights, legal and ethical framework
■	WP8 Policy reach and recommendations
■	WP10 Further ethical requirements
■	Mid-term Gender Committee reports
■	Annual Gender Committee reports

* The monitoring timeline does not include WP3, WP5 and WP6 technical meetings relating to the EMT, as they have not yet been scheduled. However, at least one member of the committee will attend these meetings to monitor for gender as relates to the EMT, as indicated in Part 6.

In sum, in working together to ensure gender balance and incorporate intersectional analysis into the project, the ITFLOWS Gender Committee will meet its responsibility to monitor and advise, while the partners are requested to comply with the above guidelines, working together in a dynamic and interactive process.

7. Partner Compliance Guidelines

This Gender Action Plan serves as a tool and reference for adequately addressing gender and sexuality in the ITFLOWS project. This requires cooperation from the partners. In order to accomplish this, the partners are requested to:

1. Review this Gender Action Plan to consider gender issues and their intersectionality, which are relevant to the project, in particular those highlighted in sections 3-5.

2. Comply with the legal and ethics requirements as stipulated in the Human Rights and Ethics Report and this Gender Action Plan produced by WP2.

   - Include gender as a separate item in reporting to the Ethics and Human Rights Committee.

3. Include a gender approach in ITFLOWS data and analysis.

   - Provide sex-disaggregated data whenever possible, or note this as a limitation if it is not feasible;

   - Collect data using methods that take into account gender and sexuality biases;

   - Ensure that data and analysis reflect gender and sexuality issues and their intersectionality. Where possible, incorporate gender indicators so as to better inform ITFLOWS policy recommendations.

4. In organising events and trainings, ensure that at least 50% of participants identify as female.

5. Members of the ITFLOWS General Assembly are asked to review and sign the ITFLOWS Gender Policy (see Annex) on behalf of the ITFLOWS partners.

Glossary of Terms

The study of international migration involves varying languages and cultures conveying different meanings. These terms are included as a reference in approaching gender and sexuality in research, but the project recognises the autonomy of individuals in how they identify, as well as the normative Western frameworks that have given these terms meaning.

These terms are from the [International Organisation on Migration's 2017 LGBTI training package](#) unless otherwise noted.

Asexual: A person who may experience romantic or emotional attraction, but generally does not experience sexual attraction to anyone.

Asylum seeker: Someone whose request for sanctuary has yet to be processed. Every year, around one million people seek asylum. National asylum systems are in place to determine who qualifies for international protection.[10]

Bisexual: An adjective that describes people who have the capacity for romantic, emotional and/or physical attraction to person(s) of the same sex or gender, as well to person(s) of a different sex or gender. Note the term "pansexual" describes individuals who have the capacity for attraction to persons of all gender identities.

Cisgender: Describes a person whose gender identity, gender expression and sex align.

Gender Expression/Presentation: The external manifestation of one's gender identity expressed through one's name, pronouns, "masculine," "feminine" or gender-variant behaviour, clothing, haircut, voice or bodily characteristics. Society identifies these cues as masculine and feminine, although what is considered masculine and feminine changes over time and varies by culture. Transgender

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[10] This definition is taken from: UNHCR. (2021). Asylum-seekers. *About Us – Who We Help*. Accessible at: https://www.unhcr.org/asylum-seekers.html.

people may seek to make their gender expression match their gender identity rather than the sex they were assigned birth.

Gender Identity/Gender: Whereas "sex" refers to biological and physiological characteristics, "gender" refers to the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for individuals based on the sex they were assigned at birth.

Genderqueer/Third Gender/Non-binary: A blanket term used to describe people whose gender identity falls outside the male-female binary; can also describe persons who identify as both male and female (bigender), don't identify with any gender (agender) or identify as a mix of different genders (e.g., male, female and agender on different days).

Heteronormativity: What makes heterosexuality seem coherent, natural and privileged. It involves the assumption that everyone is 'naturally' heterosexual, and that heterosexuality is an ideal, superior to homosexuality or bisexuality.[11]

Heterosexism: Promoting heterosexuality as superior or assuming that all people are heterosexual.

Heterosexual: An adjective that describes persons whose enduring romantic, emotional and/or physical attraction is to person(s) of a different sex or gender (also referred to as "straight").

Homophobia, Biphobia or Transphobia: Fear or hatred of gay or lesbian people, of homosexuality, of bisexuality or of transgender individuals. May manifest in exclusion, discrimination or violence.

Homosexual: An adjective that describes persons whose enduring romantic, emotional and/or physical attraction is to person(s) of the same sex or gender

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[11] This definition is taken from: European Insitute for Gender Equality. (2021). Heteronormativity – Additional notes and information. Accessible at: https://eige.europa.eu/thesaurus/terms/1237.

(also referred to as "gay"). Note that, in English, many people consider homosexual an out-dated clinical term that should be avoided.

Intersectionality: The interaction between gender, race, and other categories of difference in individual lives, social practices, institutional arrangements, and cultural ideologies, and the outcomes of these interactions in terms of power.[12]   To pursue an intersectional approach to migration research and analysis means understanding the manner in which the EU migration and asylum systems create dynamics of inclusions and exclusions along lines of gender, race, ethnicity, and sexuality (taking into consideration colonial legacies as part of this).

Intersex: A person with bodily variations in relation to culturally established standards of maleness and femaleness, including variations at the level of chromosomes, genitalia or secondary sex characteristics. Intersex is sometimes termed "differences in sex development." "Intersex" is preferred over the out-dated term "hermaphrodite." Intersex persons are likely to be assigned a sex of male or female at birth. Intersex people may grow to identify themselves with the gender corresponding to the sex they were assigned at birth, or with a different gender. Intersex children may undergo surgery to make their bodies conform to expectations of a male or female body. Surgical interventions carried out on children by definition cannot be premised upon informed consent. In the majority of cases, there is not a medical need for the surgery beyond the perceived need to bring the child's body into line with expectations of a typical male or female body. Such surgeries are generally irreversible and cause a wide range of severe, negative physical and psychological health effects. For these reasons, surgery is increasingly controversial and viewed by many as a violation of human rights. In addition to intersex advocacy organisations, a number of other bodies have called for an end to the practice, including the Committee on the Rights of the Child, the

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[12] This definition is taken from: Davis, K. (2008). Intersectionality as Buzzword: A Sociology of Science Perspective on What Makes a Feminist Theory Successful. *Feminist Theory 9(19),* 67-85, p. 68. It is of note that intersectionality is contested concept/field. For further reading as relates to Europe and this project, see also: Anthias, F. (2020). *Translocational Belongings: intersectional dilemmas and social inequalities.* Routledge.; Morondo Taramundi, D. (2015). Between Islamophobia and post-feminist agency: intersectional trouble in the European face-veil bans. *Feminist Review 110,* 55–67. https://doi.org/10.1057/fr.2015.13

Committee Against Torture and the special procedures mandate holders on the right to health and on torture.

Lesbian: A woman whose enduring romantic, emotional and/or physical attraction is to other women.

LGBTQI+: An acronym for lesbian, gay, bisexual, transgender and intersex persons that is also used as shorthand for "persons of diverse sex, sexual orientation and gender identity." Sometimes intersex is not included and the acronym is LGBT. Sometimes "queer" or "questioning" is included and the acronym is LGBTQ or LGBTIQ. Sometimes "aromantic" or "asexual" is included, and the acronym is "LGBTQA" or "LGBTIQA."

Masculinity/Femininity: Possession of the qualities associated with men and women, or maleness and femaleness, in a particular society at a particular time.

Migrant: An umbrella term, not defined under international law, reflecting the common lay understanding of a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. The term includes a number of well-defined legal categories of people, such as migrant workers; persons whose particular types of movements are legally-defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law, such as international students.[13]

Persons of diverse sex, sexual orientation and gender identity: Umbrella term for all people whose sex characteristics, sexual orientation or gender identity places them outside the mainstream, and people whose gender identity does not correspond with the sex they were assigned at birth.

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[13] This definition is taken from: International Organization for Migration. (2019). *Glossary on Migration*. International Migration Law. Accessible at: https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf.

Queer: Traditionally a negative term, queer has been re-appropriated by some LGBTQI+ people to describe themselves. It is considered inclusive of a wide range of sexual orientations and gender identities.

Refugee: A person who has fled war, violence, conflict or persecution and has crossed an international border to find safety in another country.[14]

Sex: The classification of a person as having female, male and/or intersex characteristics. Infants are usually assigned the sex of male or female at birth based on the appearance of their external anatomy. A person's sex is a combination of bodily characteristics, including chromosomes (typically XY chromosome = male, XX chromosome = female), reproductive organs and secondary sex characteristics.

Sexual and Gender-Based Violence: Any act of violence targeting individuals or groups on the basis of their sex and/or gender. It includes acts that inflict physical, sexual or psychological harm or suffering, the threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Gender-based violence encompasses violence directed against people because of how they experience and express their gender and sexual orientation.

Sexual Behaviour: What we do sexually, and with whom; not always an accurate indicator of sexual orientation.

Sexual Identity: How one thinks of oneself in terms of attraction to the same sex or members of the other sex, based on one's own experiences, thoughts and reactions, rather than defining oneself based on the gender or sex of one's sexual partner(s).[15]

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[14] This definition is taken from: UNHCR. (2021). What is a refugee? Accessible at: https://www.unhcr.org/what-is-a-refugee.html.

[15] This definition is taken from: European Insitute for Gender Equality. (2021). Sexual Idenitty. Accessible at: https://eige.europa.eu/thesaurus/terms/1378.

Sexual Orientation: Each person's enduring capacity for profound romantic, emotional and/or physical feelings for, or attraction to, person(s) of a particular sex and/or gender. Encompasses hetero-, homo-and bisexuality and a wide range of other expressions of sexual orientation.

Sexuality: Central aspect of being human throughout life and encompasses sex, gender identities and roles, sexual orientation, eroticism, pleasure, intimacy and reproduction.[16]

Sodomy Laws: Laws that prohibit adult, consensual, private, non-commercial anal sex. While sodomy laws may also prohibit anal sex between a man and a woman, they are typically disproportionately applied against persons of diverse sexual orientations and gender identities who engage in same-sex sexual acts.

Trafficking in persons: Trafficking in persons is a serious crime and a grave violation of human rights. Every year, thousands of men, women and children fall into the hands of traffickers, in their own countries and abroad. Almost every country in the world is affected by trafficking, whether as a country of origin, transit or destination for victims. UNODC, as guardian of the United Nations Convention against Transnational Organised Crime (UNTOC) and the Protocols thereto, assists States in their efforts to implement the Protocol to Prevent, Suppress and Punish Trafficking in Persons (Trafficking in Persons Protocol).[17]

Transgender: Umbrella term used by people whose gender identity and, in some cases, gender expression, differs from what is typically associated with the sex they were assigned at birth, including those whose assigned sex is different from their gender identity and people whose gender identity is neither male nor female as traditionally defined. "Transgender" is preferred over "transsexual," as it encompasses transsexual and other gender identities.

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[16] The definition is taken from: European Insitute for Gender Equality. (2021). Sexuality. Accessible at: https://eige.europa.eu/thesaurus/terms/1379.

[17] This definition is taken from: United Nations Office on Drugs and Crime. (2021). Human Trafficking. Accessible at: https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html.

Trans*: An umbrella term that refers to a bunch of the identities within the gender identity spectrum.[18]

Transsexual: An older term that is still preferred by some people whose gender identity differs from their assigned sex. Transsexual persons may take measures to physically alter their bodies through medical interventions, including through hormones, implants and surgery.

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[18] This definition is taken from Killermann, S. (2020). What does the asterisk in trans* stand for. Accessed January 19, 2021 at https://www.itspronouncedmetrosexual.com/2012/05/what-does-the-asterisk-in-trans-stand-for/.

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ITFLOWS Gender Policy

Today, women migrate as much as men and there is an increase in the numbers of LGBTQI+ persons on the move. Their individual migration experiences are substantially shaped by gender, sex, gender identity and/or sexual orientation. ITFLOWS thus recognises the importance of developing an EUMigraTool (EMT) that is sensitive to gender and sexuality issues from an intersectional perspective. ITFLOWS understands gender and sexuality as inherent and key in project management, design, implementation, and monitoring. Gender balance among project leadership and participants forms part of this approach.

Statement

ITFLOWS is committed to considering gender and sexuality as a major priority in project design, methodology, analysis, and dissemination of outputs, acknowledging that gender and sexuality are central to an intersectional analysis of migration flows. This strategy is crucial in achieving the project's aim of providing the most accurate and effective solutions and policy recommendations for managing migration flows to the EU from a human rights perspective. The project also seeks gender equality and balance among its participants as part of its Horizon 2020 commitment.

ITFLOWS Gender Policy Monitoring

This gender policy is devised and monitored by the ITFLOWS Gender Committee. The ITFLOWS Gender Committee is made up of both an internal and external body. The *Internal Gender Committee* is tasked with setting the guidelines for ITFLOWS Gender Policy and monitoring compliance with the project's Gender Action Plan, including the mainstreaming of gender-sensitive research, analysis and policy in all ITFLOWS work packages. The ITFLOWS *Independent Gender Committee* (IGC) of experts provides external consulting, advising and monitoring of ITFLOWS gender issues. It includes the monitoring of the design, development and implementation of the EMT, considering ethics concerns from a gender perspective.

ITFLOWS General Assembly Gender Policy Actions

ITFLOWS General Assembly must take all necessary actions to ensure gender and sexuality equality and sensitivity from an intersectional approach in the project's technological development, implementation and policy solutions or recommendations. The ITFLOWS General Assembly is expected to undertake the steps as outlined below in order to assure gender sensitive research, methodology and analysis:

- *Intersectionality:* Pursue an intersectional approach to migration research and analysis in order to understand the manner in which the EU migration and asylum systems create dynamics of in- and exclusions along lines of gender, race, ethnicity, social group, or sexuality – taking into consideration colonial legacies.
- *Gender-based violence and gender stereotyping:* Remain sensitive to migrants' experiences with gender-based and sexual violence (trafficking, female genital mutilation (FGM), rape or sexual assault, forced marriages etc.) and how gender stereotyping contributes to the marginalisation and stigmatising of women, girls as well as men, boys and LGBTQI+ persons.

- *Gender discrimination within the EU:* Be aware of gender and sexuality discrimination within the EU in the area of migration policies, laws, employment, education, health and with respect to COVID-19.
- *Gender and Technology:* Recognise that technology can intensify gender inequalities because women and girls may have less access to technological literacy due to socioeconomic disadvantages. The development of the EMT must be taken to actively mitigate bias, ensuring that (a) gender equality is considered a key principle in the research, (b) gender is included as a variable in the study design, and (c) data are presented in disaggregated fashion at all levels of intersectional analysis.

General Assembly Monitoring Commitment regarding Gender and Sexuality
In recognizing this, the members of the General Assembly commit to overseeing that their institutions will engage in the following goals, as pertains to their role in the project:

1. *In General:* Review the Gender Action Plan to ensure gender and sexuality are considered from an intersectional perspective in each of the Work Packages.
2. *Ethics:* Comply with the ethical guidelines for qualitative research as stipulated in the Human Rights and Ethics Report and Gender Action Plan.
3. *Law*: Abide by the Incidental Findings Policy developed in conjunction with WP3. Adhere to the procedures outlined in this policy in the case of human and sexual trafficking for sex or labour exploitation, in the case of victims of sexual and gender-based violence such as breast ironing and Female Genital Mutilations or FGM), early/forced marriage, stalking/harassment, domestic/intimate partner violence, social exclusion based on sexual orientation or gender identity, and honour-based violence.
4. *Research:* Collect data using methods that take into account gender and sexuality biases from an intersectional perspective.
5. *Methodology:* Guarantee gender representation via gender parity, with a proportionality of 1 as female-identifying individual per every three or four men (as close as possible to a 1/3 proportionality) in the research participant selection. In remaining sensitive to gender and sexuality issues ensure that participants are asked for their choice of female or male-identifying interviewer and give participants the option of interviewers/translators not from the origin community.
6. *Analysis:* Providing sex-disaggregated data whenever possible, recognizing this is a limited gender mainstreaming tool requiring complementary analysis of gender roles and relations. Ensure that data and analysis reflect gender and sexuality issues and their intersectionality. Where possible, incorporate gender indicators so as to better inform ITFLOWS policy recommendations.
7. *Team Management:* At least 50% of participants among stakeholders evaluating the tool and at least 50% participants in training events must be female.

In my capacity as Member of the General Assembly of the ITFLOWS Project, I hereby approve and support the content of such policy and its implementation in ITFLOWS.

Signature: