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Gender Stereotypes in Human Mobility: Reflections and Challenges from Argentina

Panel Session IV- Stream 2

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Table of contents

1. Introduction to the topic
 2. Migration policy in Argentina: Limitations & the regional and global migration management agenda implications
 3. Refugee policy in Argentina: Limitations & the regional and global migration management agenda implications
 4. Reflection on narrow categories (voluntary vs forced & gender stereotypes): Perpetuating social inequality
 5. Study Case: Senegalese women in Argentina at the intersection between the migrant and refugee legal frameworks
 6. Concluding remarks
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Women in the context of human mobility

Global → 48.1% women out of 281 million people who migrate (UNDESA, 2020)

Latin America & the Caribbean → 49.5% women out of the 14.8 million people who migrate (UNDESA, 2020)

→ Similar proportion between migrant women workers (2.5%) and men (2.9%) (ILO, 2018)

Argentina → Significant and continuous presence of migrant women since the late XIXth century

→ In the 2010 national census, migrant women represented 54% of the population born in another country, mostly from Latin America (INDEC, 2012)

Global → 48% women and girls out of 89.3 million people left their countries due to persecution and conflicts (UNHCR, 2021)

Latin America & the Caribbean → 5,145,200 people in need of international protection (UNHCR, 2021)

Argentina → 47 women recognized as refugees out of 99 individuals (CONARE, 2021)

→ 1018 women submitted application forms out of 2229 (CONARE, 2021)

Argentina's Migration Law

National Immigration Law No. 25871 of 2004 ⇒ A regional and international benchmark for its human rights standards equalising nationals and foreigners

Limitations ⇒ Extra-Mercosur migrants' exclusion

⇒ Absence of a gender-based approach

Catch-22

Senegalese migrants in Argentina face an **impossible situation under the law**: as irregular migrants, they need formal work in order to be regularized, but they cannot access formal work due to their irregular status. (Espiro and Zubrzycki, 2022: 97)

The current Argentine migration policy is based on the concept of the migrant man while **ignoring** the **trajectory and dynamics** of female migration and the **specific social conditions** that surround migrant women. [...] By failing to account for the gender dimension, these **migration policies** become yet another factor in the **exclusion of migrant women** and condition their social, political, and economic incorporation. (Magliano & Domenech, 2009: 12)

Key points about the asylum regulation

Religious influence ⇒ notion about “providing protection to the other”, to the “foreigner”, as a consequence of religious persecution, wars, family disputes, among others (Judaism, Christianity and Islam)

Western attempt of codification ⇒ **After the First World War:** Adoption of a Convention on Refugees (1933 - did not enter into force)

⇒ **After the Second World War:** - Creation of the United Nations and the International Organization for Refugees (OIR) predecessor of UNHCR.

- 1951 Convention on the Status of Refugees. Definition of refugee status. Temporary extension by the 1967 Protocol. Recognition of the humanitarian and declarative nature of asylum.

- Armed conflicts are not included. Extended definitions (OAU - 1969- and Declaration of Cartagena -1984-)

Argentina's asylum regulation

Ratification of the 1951 Convention and its Additional Protocol of 1967 (under Law No. 15,869, Law No.17,468 and Law No. 23,160.)

Adoption of Decree No. 464/85 ⇒ **Creation of CEPARE** (Committee for the Eligibility of Refugees), No internal procedures rules.

General Law of Recognition and Protection of Refugees, Law No. 26,165 (2006) ⇒ **Creation of the National Commission for Refugees (CONARE)** and introduction of

- ⇒ Proceedings rules
 - ⇒ Definitions of refugee status
 - ⇒ Special mention to the situation of women in context of forced displacement.
 - ⇒ Recognition and validation of the Gender documents of the UNHCR (The problem of the stereotypes and the 'hegemonic feminism of the North')
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Gender and human mobility's: intersection of vulnerabilities

Voluntary vs. forced displacement ⇒ UNHCR and the introduction of “mixed migratory flows”:

⇒ *Migration* is based on voluntary movement

⇒ *Asylum* is based on forced displacement

There is not always a single motivation for migration [...]
Rather, in many migrant trajectories, the effects of armed or political conflicts, economic necessity and other personal, social and cultural considerations add up, one or the other being the greatest motivation to stay or to continue the journey at certain times. Thus, a **clear distinction between 'migrants' and 'refugees', or between 'voluntary' and 'forced' migration, as demanded by political actors and migration laws, is not possible and should not be adapted for the social sciences, without investigating its meaning and use.** (Reiffen, 2019)

Gender stereotypes in human mobility



A call from the margins

⇒ The application of **colonial matrix of power/gender** (Quijano, 2000; Segato, 2003; Lugones, 2008) in human mobility:

Arises to question the standards applicable to the analysis of population displacements, particularly the case of women, **unmasking the apparent neutrality and objectivity of human mobility in international and national frameworks.**

Out of these 5000 people, fewer than 100 are women (the Association of Senegalese Residents in Argentina & Karambernor, the Association of Women from Casamance)



'The biggest problem of the African sisters is the regularisation of their immigration status. The first question they ask you when they see you is "how do I get the document?" We all know the consequences of not having papers, work, decent housing.' (Seynabou, president of Karambernor).



Low rate of refugee status recognition

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- The CONARE reported 10,734 asylum requests by women out of 31,453 people between 1985 and 2021.
- The largest number of applications was filed by Venezuelans and Senegalese, followed by Cubans (8%), Haitians (11%), and Dominicans (6%).
- Only 12 out of 91 Senegalese women who applied for asylum between 1985 and 2022 were recognized as refugees.
- The CONARE's officers usually applied the 'economic migrant' category to women from Senegal, Dominican Republic, Haiti and Cuba, assuming this population does not have international protection needs.

(CONARE, 2022)

Low rate of refugee status recognition 2

- In contrast, between 1985 and 2022:
 - 19 Nigerian women out of 36 who applied for asylum were recognized as refugees
 - 14 Congolese women out of 35 who applied for asylum were recognized as refugees
 - 10 Ghanaian women out of 45 who applied for asylum were recognized as refugees

(CONARE, 2022)

- Pattern ⇒ UNHCR guidelines protection standards' stereotype + Argentinian public officers stereotypes associated with the nationality of the asylum requester = Reproduction of power imbalances, perpetuation of social inequalities and precarity among women on the move
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Food for thought

What we see now:

- Androcentric and paternalistic agenda based on gender stereotypes
- Reinforcement of certain social representations of a *migrant* vs. a *refugee* and the consequences on Senegalese population in Argentina.
- The presence of gender standards from the hegemonic feminism's of the North in the asylum procedure cause migrant women to try to fit in 'vulnerability moulds' to escape from migratory irregularity.

What we can change:

- Acknowledge that the complex and diverse phenomenon of human mobility has the potential to impact the design and implementation of regulations and public policies.
 - Asume our responsibility as researchers, policymakers, and academics.
 - Apply the intersectional lens involving the perspectives developed by epistemologies from the South
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Food for thought

And the most important:

- Listen to the people in human mobility
 - Listen to the migrant women
 - Listen to the women in need of international protection
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Thank you for your attention!
