

International Law against Gender-Based Discrimination and Trafficking

CEDAW General Recommendation No. 26 on Women Migrant Workers: India is a signatory of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and ratified the convention in 1993. However, in practice CEDAW General Recommendation No. 26 on Women Migrant Workers (2008) remains largely unimplemented. CEDAW General Recommendation No. 26 especially outlines recommendations that respect, protect and fulfill the human rights of women migrant workers, against sex- and gender-based discrimination.

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (UNTOC): India is a signatory to the United Nations Convention against Transnational Organized Crime (UNTOC), which has as one of its Protocols as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The Protocol obligates State Parties to undertake measures for prevention of trafficking as also for providing physical, psychological and social recovery of victims of trafficking.

SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution: The Government of India has also signed and ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution. The Convention deals with the various aspects of prevention and suppression of trafficking in women and children; repatriation and rehabilitation of victims of trafficking and prevention of use of women and children in international prostitution networks, particularly where countries of the SAARC region are the countries of origin, transit and destination.

Though all these protocols and instruments pertain to the international migration of women workers, there is an urgent need to create awareness of their provisions and broaden their implementation, and to adapt roles and responsibilities for relevant stakeholders to similarly promote and facilitate internal migration of women migrant workers.

Source: <http://saarc-sec.org>; <https://www.unodc.org/unodc/en/treaties/CTOC/>;
<http://www.un.org/womenwatch/daw/Cedaw>
Social Inclusion of Internal Migrants in India, UNESCO, 2013