



CHAPTER 8

Exploring xenophobia and sexual and gender-based violence against migrant women in South Africa

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Introduction

There has been an increase in global migration as people move in search of better economic opportunities and to join their loved ones. UN Women (2017) estimates that between 2000 and 2015, the number of international migrants increased by 41% to 244 million, with almost half of them being women. According to the *World Migration Report* (International Organization for Migration [IOM], 2020), the number of international migrants was 272 million, with labour migrants making up about two-thirds. Based on the above, women are increasingly migrating for labour purposes. Migrant women take up various forms of employment in their host communities, including domestic work (IOM, 2020). According to UN Women (2017), approximately one in six domestic workers is an international migrant, with women comprising 73.4% of international migrant domestic workers. For example, young Ethiopian women have migrated to Gulf countries through illegal brokers to work as domestic workers (UN Women, 2017).

There is consensus in both academic and practitioner circles that not much has changed in preventing or reducing violence against women globally. This

endemic problem continues to persist and is a daily reality for many women despite numerous efforts by governments, non-governmental organisations, the private sector and the United Nations to prevent its occurrence and protect women. Global statistics published by the World Health Organization (2017) show that one in three women (35%) has experienced either sexual or physical violence from their partners or non-partners in their lifetime. The abuse and violence women experience are two reasons for their migration. Migration, therefore, becomes a healthy option for the following groups of women: single mothers, wives, LGBTQIA+ and widows (IOM, 2013).

The main argument of this chapter is that while women generally are victims of sexual and gender-based violence, migrant women, including refugees and asylum seekers, particularly face a different dimension of this violence because of their status in their host countries. Their exposure to these threats makes them highly vulnerable not only as women in unequal societies but also as foreigners, thus putting them at a further disadvantage. Studies by Bhardwaj and Sawhney (2025) and IOM (2013) conclude that while violence occurs in all societies, some of its causes are more prevalent in immigrant households. In the absence of data from the African continent, studies in Europe show that a large percentage of women who report intimate partner violence are migrant women (IOM, 2013). IOM (2013) notes that intimate partner violence tends to increase after migration compared to before. This chapter attempts to situate migrant women in discourses on SGBV within African states using the context of xenophobia and xenophobic violence in South Africa.

To support this argument, this chapter presents a desktop study of relevant research on women migrants. This involves the review of scholarly literature, including books, book chapters, and journals, as well as relevant reports from organisations, such as the IOM, UN, WHO, ILO, AU, and Human Rights Watch. The study sits within the human rights-based approach and ethical territoriality, which serve as theoretical and conceptual frameworks. As a conceptual framework, the human-rights-based approach (HRBA) shapes and guides this study on women migrants and sexual violence. The United Nations Sustainable Development Group (n.d.) defines the HRBA as “a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights”. This framework seeks to “analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress and often result in groups of people being left behind”

(UNSDG, n.d.). In this case, it is helpful to understand and contextualise the experiences of migrant women within the human rights framework by critically examining the inequalities that exist in efforts to protect and safeguard their human rights and dignity.

With that in mind, the human rights of migrant women are impeded and diminished by a host of challenges they encounter in transit and once they settle in their host countries. Sexual abuse and violence are common along migration routes and in the final destination. For example, there has been an estimated 600% increase in sex trafficking victims arriving in Italy, and this is due to the increasing demand for paid sexual services (United Nations, 2017). International mafia, with their networks, are involved in trafficking women into Europe for sex. Traffickers have utilised traditional practices and beliefs like voodoo rituals and gender stereotypes to manipulate their victims into engaging in exploitative labour. According to the IOM (2013), violence and discrimination against women start at the beginning of the migration process. Women face violence from actors, including “police officers, customs officers and workers in detention centres” (IOM, 2013, p. 3). In addition to these, migrant women face forced prostitution, which results in trauma, physical injury or even death. In transit, women sometimes must exchange sex for food, accommodation and transportation (IOM, 2013).

Ethical territoriality, as the chosen theoretical framework for this study, raises ideas about territoriality and ownership and control thereof. This term, posited by Bosniak (2007, pp. 389-390), presents the notion that “rights and recognition should extend to all persons who are territorially present within the geographical space of a national state by that presence”, as opposed to rights only accorded to citizens or permanent residents of a country because of their permanent status. In line with this idea, what has emerged is that in addition to sexual and gender-based violence, migrant women face discriminatory practices, which increase their vulnerability and risk of experiencing violence. According to the IOM (2013), migrant women face discrimination when entering the workforce, accessing public services and obtaining legal assistance, social security, healthcare, employment, housing, education and other opportunities. Structurally, migrant women are disadvantaged in trying to access necessities which are integral to their human rights, like healthcare.

Migrant women experience violence and exploitation in the following sectors: “domestic, caregiving, factory, agriculture, entertainment and sex work” (IOM, 2013, p. 4). In these unregulated sectors, migrant women work in poor conditions, including long working hours, no protection in the workplace, little or no

payment of wages and no protection while being exposed to sexual violence. With poor labour conditions, migrant women are exploited, especially in these informal economies where they are predominantly employed. Other challenges include language barriers, social isolation, racism and a lack of awareness about services as experienced by South Asian women migrants in the United Kingdom (Anitha, 2011).

This chapter is divided into five sections. The current section introduced the topic, the study's chosen theoretical and conceptual frameworks and its methodology. Next is section two, which explores the experiences of migrant women at a global and continental level. Section three critically reflects on the chosen conceptual and theoretical frameworks, namely, the human-rights-based approach (HRBA) and ethical territoriality. Section four explores and analyses the existing evidence and experiences of violence faced by migrant women in South Africa. The chapter concludes with recommendations on how to address the challenges faced by migrant women in efforts to counter sexual and gender-based violence.

Background: A global and continental synopsis of the migrant woman experience

As established in the previous section, women comprise a significant portion of migrants worldwide. Statistics presented by UN Women indicate the contributions of these women migrants to the host community. For example, women make up 74% of migrant domestic workers globally, at 8.5 million out of 11.5 million (UN Women, 2020). While they are employed as cleaners, nannies, caretakers, and housekeepers, 40% of national labour laws do not offer protection for them (UN Women, 2020).

Women migrate across the African continent for various reasons. These include seeking asylum from violence and war, marriage (to join their spouses), better employment opportunities and joining other family members. According to a survey of migrant women (between 33 and 37 per cent) from Libya, East Africa and West Africa, a major reason for their migrating was the insufficient earnings in their countries of origin (UN Women, 2020). In contrast, others are trafficked for sexual labour. According to a recent report by Statistics South Africa (2020), African migration patterns are increasingly feminised as more African women move within and outside their home countries for many reasons, including education, professional advancement, marriage, economic factors and protection. One can attribute this shift in migration patterns to the change in the nature and

demand for skills across the continent in sectors such as education, domestic work, healthcare, service industries, hospitality, and other female-dominated sectors (Statistics South Africa, 2020). While this is the case, responses and views on migration tend to take a male-centric approach, further disguising the experiences and opinions of migrant women. One can, therefore, concur with Mbiyozo (2019, p. 1) that “African migration is typically viewed through a male lens.” This male-centricity is evident in South Africa, where migrants usually allude to men coming into the country illegally to take the jobs of South Africans, engage in criminal activity and steal their local women (Mbiyozo, 2019).

The forms of violence or exclusion experienced by migrant women in host communities or the country of asylum include intimate partner violence from their migrant partners or partners from the local population. Intimate partner violence occurs when partners want to assert their role as head of the family or have failed as breadwinners, and when women are more successful in integrating into their new communities (IOM, 2013). Cultural practices are a source of violence for migrant women. These harmful cultural practices include female genital mutilation, honour crimes, forced marriage and female infanticide (IOM, 2013), exposing them to health and safety risks.

Beyond their family contexts, migrant women encounter violence in the workplace. Migrant women could experience starvation, forced confinement, beatings, rape and sexual abuse and exploitation at work (IOM, 2013). What makes this highly challenging is the fact that migrant women have minimal incentive to leave their abusers because of limited language skills, uncertain legal statuses, and little knowledge of their rights. Reporting attacks could lead to more shaming and stigma within their communities. Migrant women’s broad experience with accessing legal systems is often fraught with impediments ranging from a lack of knowledge, awareness or available resources; in other instances, they must contend with the biases of officials in government institutions.

At the international level, the issues of migrant women have received significant attention, as evidenced by various policy frameworks that recognise them as vulnerable a group and highlight their critical roles as wives, mothers, workers, and essential contributors to society. Some of these include: the gender policy of the International Organization of Migration (IOM), published in 1995, which emphasised the need to protect all women from forms of violence, including migrant women. The policy emphasises that all its projects and services will continue to identify, consider, and address the needs of all migrant women (IOM, 2013). The IOM maintains a global human trafficking database, which is the largest source of primary data on trafficking (IOM, 2013).

The Global Compact for Safe, Orderly and Regular Migration, established by the International Labour Organization (ILO), ensures the protection of all migrant workers against exploitation and abuse (ILO, 2019). The Convention on the Elimination of All Forms of Discrimination against Women (1979) is supported by additional guidance, including General Recommendation No. 26 on Women Migrant Workers and General Comment No. 1 on Migrant Domestic Workers, alongside the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Sustainable Development Goal 5 also emphasises the achievement of gender equality and the empowerment of all women and girls.

At the level of the United Nations, the Office of the Special Rapporteur on the Human Rights of Migrants is significant in improving accountability mechanisms against perpetrators of violence against migrant women. The Rapporteur is responsible for receiving, requesting and providing information on human rights violations from governments and other key stakeholders, including non-governmental organisations and migrants' organisations (E/CN.4/RES/1999/44). In this regard, the Special Rapporteur can receive information from individuals about violations of migrant human rights and from general situations where the abuse of migrant's rights exists in a specific country. The African Union Migration Policy Framework outlines key thematic considerations on migration, development, and the human rights of migrants (African Union, 2018). Also, the African Charter of Human and Peoples' Rights outlines fundamental rights that protect women, including the right to protection of the family and vulnerable groups (Article 18) and the prohibition of torture and cruel, inhuman and degrading treatment (Article 5) (African Union, 2018).

Women's narratives of migration are essential not only because they contribute to societal understanding but also because women experience various forms of violence related to their migration. These forms of violence include female genital mutilation, forced marriage, marital rape, sexual harassment and abuse, dowry-related violence, intimidation at work and in educational institutions, forced pregnancy, intimate partner violence, forced abortions, and forced sterilisation. Migrant women live in communities with pre-existing violent trends and activities, and examples abound of their negative experiences. There are reports of abuse and exploitation against female migrant domestic workers by their employers in countries like Egypt, Tunisia and Morocco (IOM, 2013). Female migrants are known to work over 12-hour days in Tunisia for very little pay and are expected to do physically straining jobs (IOM, 2020). The number of young women trafficked from the

Ivory Coast continues to rise, with documented experiences of sexual violence (Sanderson, 2019). Examples like this hint at a Pandora's box of human rights abuses, discrimination and violence against migrant women, which include challenges with integration into host communities.

It is essential to understand the experience of African women migrants in transit and in their final destination. According to the IOM (2013), violence and discrimination against women start at the beginning of the migration process. There have been reports of brutal and regular sexual violence against women in detention centres in Libya. The forms of sexual assault reported include rape (anal, oral, and forced rape of others, including corpses), castration and forced incest, sometimes carried out in front of others. Migrants have disappeared, and others remain in detention centres.

Once in the host countries, employers can also threaten their female migrant employees with deportation to ensure their compliance (IOM, 2013). Uncertain immigration status and the fear of deportation are reasons migrant women remain with their abusers and refrain from seeking help and protection. Beyond this, the health and other impacts of sexual and gender-based violence range from the transmission of sexually transmitted diseases, including HIV/AIDS, physical injuries and psychosocial and mental trauma. These physical and psychological effects could lead to loss of work, exclusion from their communities and high levels of fear. Refugees already face significant challenges in their host countries, and these include difficulties in accessing services, being denied these services, poor treatment and delays in obtaining paperwork to extend their stay.

Human-rights-based approach, ethical territoriality and migrant women

Migration raises many issues that affect governments, communities and individuals. There are a few crucial points to consider when discussing migration, particularly from a human rights as well as a political and security perspective – these discourses shape governments' responses and how migrants are perceived or treated in their host countries. They are also a starting point in creating mechanisms and programmes for protecting migrant women and ensuring accountability.

Human-rights-based approach and the migrant status

The notion of human rights sheds light on the violations of the fundamental rights of migrant women. It also highlights how the infringement of those

rights puts their well-being at risk. In discussing migrants and their status and rights in a country, Bosniak (2007, p. 390) writes that “the rights and recognition enjoyed by immigrants are usually understood to derive either from their formal status under law or their territorial presence”. Based on the idea of human rights, Voolma (2018) opines that it should not be accorded only to citizens, thus excluding non-citizens and relegating them to second-class status. The author adds that “rights cannot be based on immigration status” (Voolma, 2018, p. 8). Freedman et al. (2020) consider the ‘legal violence’ enacted in South Africa’s asylum system, where women remain undocumented and are not allowed to work, despite receiving no benefits or assistance from the state (Freedman et al., 2020).

Second, violence against migrant women is structural. Developing policies and frameworks will not be sufficient, but a human-rights-embedded approach is integral to these legal instruments. For example, in emphasising the importance of human rights in protecting migrant women, the IOM (2013, p. 3) devised a human-rights-based approach to combating female genital mutilation particularly, which aims to: “empower communities for the collective and sustainable abandonment of FGM, raise awareness among all stakeholders in destination countries and support civil society action, build the capacity of relevant professionals, and build bridges across continents”. In South Africa, migrant women face difficulties in accessing healthcare due to xenophobic attitudes of healthcare staff as well as other challenges, including the risk of sexually transmitted infections and the lack of documentation (Freedman et al., 2020). Also, the xenophobic attacks have affected the vocational and personal lives of refugee women in the country and have hindered their settlement process (Nyabvudzi & Chinyamurindi, 2019).

Ethical territoriality

Bosniak (2007) refers to ethical territoriality as “the conviction that rights and recognition should extend to all persons who are territorially present within the geographical space of a national state simply by virtue of that presence”. This accords importance, value and dignity to migrants as residents of a geographic space, regardless of their identity or nationality. Bosniak (2007), therefore, emphasises the need to look beyond the status of migrants and explore territorial presence as a basis for membership in debates and discussions surrounding immigration. This comprises four core ethical decision-making framework principles, namely (1) autonomy, (2) beneficence, (3) justice and (4) non-maleficence (NTHSSA, 2019, p. 3). These core principles

emphasise the importance of respecting the rights of individuals, acting benevolently towards others, promoting justice and fairness, and ensuring no harm is done to them (Table 1).

Table 1 Core ethical decision-making framework principles (NTHSSA, 2019)

Core principles	Definition
Autonomy	Respect for autonomy (respect people's right to self-determination or self-governance such that their views, decisions and actions are based on their personal values and beliefs; the vehicle for this principle in healthcare and research is generally the free and informed consent process).
Beneficence	Act beneficently toward others (contribute to the welfare of others, which may include preventing harm, removing harm, promoting well-being, or maximising good).
Justice	Promote justice and fairness (treat people and groups fairly by treating morally relevant cases alike, by promoting fair relations among individuals and social groups, and by ensuring fair and equitable access to resources and opportunities, including fair distribution of benefits and burdens).
Non-maleficence	Act so as to do no harm (avoid causing harm to individuals or groups or risking harms of significant magnitude and probability).

Within the context of the experiences of migrant women, these principles speak to the importance of protecting them and upholding their rights. In this instance, these principles should apply to them regardless of their status as migrant women. These include identifying the facts to determine if this is an ethical issue. If it is an ethical issue, then one needs to identify the cultural traditions or beliefs that impact the issue, identify the values and principles involved, consider alternative courses of action, and decide on the next steps (NTHSSA, 2019).

Ideas of ethical territoriality raise questions about realism and national security. Realism applies to discourses and actions surrounding migration, as it emphasises the importance of the state and its sovereignty. Migration is a politically sensitive issue as it relates to “national sovereignty, national security, law and order, and morality” (Voolma, 2018, p. 11). These political sensitivities are why states treat migrants as criminals (Voolma, 2018). Freedman et al. (2020, p. 9) refer to this as the “securitisation of migration.” Political sensitivities emerge because migration is closely linked to a state’s right to sovereignty, a dominant theme in global discourse. This criminalised lens of addressing migrants further contributes to the fear of migrant women, as they are mistreated when reporting cases of abuse or SGBV. Voolma (2018) discusses the tension between human

rights and immigration control, which aligns with Freedman et al.'s (2020) perspective that the UN incorporated human rights into international law while preserving the principle of state of sovereignty.

In finding a balance, the state is another critical factor in ensuring accountability. African governments should protect and uphold the rights of women and children, as outlined in Article 18(3) of the African Charter of Human and Peoples' Rights; these include migrants. Furthermore, the failure of states to protect migrant women creates an environment of impunity and increases the threats against all women. In doing so, migrant women have access to rights to ensure their protection from their abusers. This also means ensuring that they have access to support services from relevant institutions. These institutions should include community police services, women's shelters, and other services that offer protection and investigate these matters.

Violence against migrant women in South Africa

Women increasingly make up a significant percentage of migrants in South Africa. According to Statistics South Africa (2020), the number of migrant women in South Africa increased from 3.1% in 2012 to 4.5 % in 2017. They mainly come as students, economic migrants, asylum seekers and refugees to join relatives or move with family or for marriage. They are largely residents of Gauteng, followed by Mpumalanga, Limpopo, and the North West province (Statistics South Africa, 2020). Mbiyozo (2018) notes that increasingly these women are travelling without their spouses or partners. The most popular jobs for migrant women include clerks and service workers, with one out of four migrant women working as domestic workers (Statistics South Africa, 2020).

What makes the South African case particularly interesting is the national crisis of sexual and gender-based violence. Migrant women who left their countries because of traumatic experiences found that life in South Africa was not as difficult as they had expected (Freedman et al., 2020). Dodson (1998, p. 30) notes that migrant women in South Africa are generally regarded as good migrants, as they are "law-abiding, responsible, entrepreneurial and resourceful," with a primary focus on improving the lives of their families and children. In contrast, their experiences in South Africa are marked by criminality and traumatic experiences.

In their birth countries, migrant women tend to have experienced various forms of sexual and gender-based violence. In data collected from migrant women in Durban by Freedman et al. (2020), women from the DRC and

Burundi experienced rape by soldiers and militia, in addition to physical violence and the murder of close relatives. Migrant women in South Africa have, in some instances, escaped conflict where they have experienced rape and sexual violence (Freedman et al., 2020). Migrant women are vulnerable to attack by border officials and fellow travellers when in transit. For example, women gave their accounts of rape and sexual violence by truck drivers while travelling to South Africa (Freedman et al., 2020). A Zimbabwean woman was separated from her husband at the South African border as border officials pretended to stamp their passports, and one of them tried to rape her in the process (Mbiyozo, 2018).

In South Africa, migrant women experience physical, emotional, or sexual attacks from their partners and their communities. The sexual and gender-based violence they experience comes from partners they migrate with or whom they meet after arriving in the country. Sometimes, their husbands abandon them after arriving in the country (Freedman et al., 2020). Key informants in a study by Freedman et al. (2020) spoke of intimate partner violence for women who migrate with their partners, with an extreme case of a Burundian woman who was publicly humiliated, beaten, and paraded naked by her husband. In other instances, these women live on the street or at building entrances, where they face threats from fellow occupants and intruders, and in other cases, they are forced into sexual relationships where they have sex in exchange for money or accommodation (Freedman et al., 2020). In addition to the threats of violence, these migrant women also have to contend with cultural issues, poverty, immigration laws and government policies of the host country, as well as other factors within the environment they reside (Kiwanuka, 2010).

Xenophobia has become a dominant discourse in the understanding of host and migrant relationships in South Africa. Migrant women have experienced xenophobia, particularly in South Africa's healthcare system. Respondents in the Freedman et al. (2020) study gave horrifying accounts of dislike, anger, name-calling ('kwerekwere') and neglect while in the throes of delivery. Although intra-regional trade brings in about \$17.6 billion for SADC countries, women migrants, who make up about 70% of traders, have been harassed and exploited by border officials who also solicit bribes from them (Crush & Ramachandran, 2014). Xenophobia has limited the career development of refugee women in Port Elizabeth, as they are identified as stealing jobs and threatening the economic security of South Africans (Nyabvudzi & Chinyamurindi, 2019). In some instances, they stated that employers are reluctant to hire refugees due to their documentation

(Nyabvudzi & Chinyamurindi, 2019). Most refugee women, therefore, end up working in the informal economy, but they face numerous challenges; for example, the lack of sufficient documentation limits their ability to rent space for their businesses (Nyabvudzi & Chinyamurindi, 2019). Another example is a Congolese woman who, after being in the country for 13 years, has not received asylum officially and has given up selling second-hand clothing in the neighbourhood markets due to hostile reactions from local vendors (Schwarz, 2020).

Migrant women experience xenophobic attacks. As a result of the attacks on their homes and businesses, migrant women and children have been displaced. Many sought refugee camps, including those set up by the Red Cross after xenophobic violence in Johannesburg in 2019 (Landau, 2019). The impact of the September 2019 riots led to the housing of 200 non-nationals, including four pregnant women, according to a representative of the Tsolo Community Hall (HRW, 2020). Women and children were also sheltered in the homes of community members (HRW, 2020). There have been xenophobic attacks on migrant entrepreneurs. Local traders have attacked foreign traders in Port Elizabeth, looting and destroying their properties (Nyabvudzi & Chinyamurindi, 2019). A female refugee victim of repeated rape in the DRC was also raped in Isipingo, south of Durban, by attackers while they placed her daughters in another room (Mbiyozo, 2019). In 2013, an Ethiopian lady was killed with her 16-month-old child outside her husband's shop in Everest in Springs outside Johannesburg (Crush & Ramachandran, 2014). In Cape Town, a female Congolese Grade 10 student was beaten in a xenophobic attack by classmates and remained hospitalised for nine days (HRW, 2020). This occurred after experiencing verbal abuse and bullying before the incident. Mbiyozo (2019) notes that irregular or undocumented migrant women have low levels of trust in authorities; thus, they are unlikely to report accounts of sexual harassment by civil servants and government representatives. The xenophobic attacks of May 2008, where mobs with makeshift weapons attacked residential areas, resulted in the displacement of 100,000 men, women and children; the destruction of 30,000 residential properties, with 600 people seriously injured, and the murder of 60 individuals (Crush & Ramachandran, 2014).

In addition to the violence experienced by migrants are the verbal threats made which create feelings of insecurity and fears of future attacks. For example, the South African Blacks Association have made graphic threats of violence against foreigners in Mayfair and handed out pamphlets in the area, "declaring war" against refugees and warning foreigners that "we are coming for you." The

leaflets warned that “we will burn your houses, your so-called luxury cars, we will kill your fucken (sic) puppies (children) and burn down your shops” and threatened to rape and kill foreign women” (Crush et al., 2013, p. 13). While the Department of Justice launched the National Action Plan (NAP) to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance on 26 March 2019, Mbiyozo (2019) notes that it fails to consider how migrant women experience threats and discrimination. While the title of the plan included the word ‘xenophobia’, it largely overlooks xenophobic violence, mentioning it very briefly while focusing on other forms of discrimination that non-nationals face when trying to access education, health services, education, and employment (Landau, 2019).

What emerges when examining migrant women and their challenges with xenophobia and SGBV is that both acts enforce their subjugation, normalise violence against them and leave them in a state of inequality and voicelessness. The recurring and prevalent culture of xenophobia and SGBV has made migrant women vulnerable. For refugee women, this has significantly affected their ability to find refuge and safety in the country. The intersectionality model, defined as “the consequence of one burden interacting with the existing vulnerabilities to create a new dimension of disempowerment” by Crenshaw (1995), applies in this case. In applying the model, migrant women have different experiences from male migrants or female non-migrants because of their sex and nationality. In this context, their sex and their national identity not only put them at a disadvantage but further disempower them as these factors limit their access to employment, healthcare, and security. The nexus between both forms of violence is evident through xenophobic attitudes in the healthcare, police and home affairs departments, which makes it hard for these women to seek healthcare, report violence against them, and legally obtain freedom from their spouses, respectively. They are, therefore, exposed to a structural system of oppression which emerges in various forms – not only because they are migrants but also because they are women. According to Mbiyozo (2018, p. 2), they face the “triple threat of xenophobia, racism and misogyny”.

Appropriate responses for migrant women

According to an ISS report (Mbiyozo, 2018) on migrant women, the most cited threat was gender-based or sexual violence. This is an incessant reality for migrant women in South Africa, and the responses proffered below are grounded in the reality that migrant women face structural violence (Freedman

et al., 2020) and that xenophobia is a structural constraint on refugee women (Nyabvudzi & Chinyamurindi, 2019). On that basis, the following responses are essential in protecting migrant women from xenophobia and SGBV and ensuring accountability in South Africa.

Gendered migration approach

It is vital to understand SGBV from the perspectives of migrant women, particularly in transit and even in the host communities where they reside. A gendered migration lens is pertinent in addressing the threats that are specific to migrant women in South Africa. The generalisation of SGBV experiences nullifies the fact that migrant women have specific particularities that further restrict them from getting assistance and help. For example, in accounting for the specific contexts of these women, Freedman et al. (2020) posit that women who have migrated as a result of gender-related persecution should be able to claim asylum for those reasons; however, in South Africa, the large numbers of asylum claims rejected limit the success of these applications.

Strategic engagement with non-state actors

The role of non-state actors is critical in protecting migrant women from SGBV and xenophobic violence. These actors, including civil society organisations and community-based organisations, are pivotal as they provide health and psychosocial support for migrant women, increase awareness and sensitise men and government officials on migrant women and violence. Other support programmes include self-help groups, which can be used to increase men's understanding of violence against women and the use of alternative non-violent methods as used by IOM in Vietnam (IOM, 2013). Psychosocial support and family therapy sessions have been carried out by IOM in Ecuador (IOM, 2013).

According to the accounts from refugee support organisations in South Africa, many women who arrive in the country and are victims of sexual violence find it difficult to access good medical, psychosocial and support services to deal with the violence (Freedman et al., 2020). Their vulnerability is further heightened by the insecurities they experience upon arrival in the country. In response to the xenophobic attacks in Durban in 2015, the civil society Democratic Development Programme (DDP) argued in their report that while the City of Durban responded to the violence, its response could have been relevant and beneficial for migrants if it had strategically engaged with civil society (Naidu et al., 2015).

Sensitisation and education

The xenophobic experiences of migrant women in the health sector rooted in hatred, dislike and neglect, impact their health. According to the IOM (2013), awareness and sensitivity are limited among law enforcement, judicial, and social services, thus limiting their engagement in the matter. This needs to be improved through education and sensitisation programmes on social cohesion. Awareness and sensitisation programmes are essential and central to improving and enhancing the protection of migrant women in South Africa. Gender desks in police stations must be sensitised and aware of the migrant dimensions of sexual and gender-based violence and how to address these issues. Rwanda has gender desks at police stations, and they are responsible for helping victims of sexual and other forms of violence by carrying out investigations and providing evidence (Kimani, 2007). These gender desks have resulted in increased reporting of rape cases and convictions (Kimani, 2007). In the case of migrants, this will require providing information to home affairs officials to arrest intimate partners who carry out violence against migrant women, whether they are foreigners or not. These sensitisation and education programmes are also required in communities (Nyabvudzi & Chinyamurindi, 2019).

Increasing prosecution

Xenophobic violence requires speedy prosecution and strict levels of accountability in prosecuting guilty individuals. This will involve prosecuting those involved in xenophobic violence or SGBV against women (be they foreign or local South Africans). Information sharing and collaboration across the Department of Home Affairs (DHA) and the South African Police Service (SAPS) is vital in tracking down and prosecuting individuals involved in the abuse of migrant women. As with xenophobic violence, there should be no impunity with regard to the abuse of migrant women, and the police should hold these individuals responsible. The challenge, however, is that in many instances, the police are complicit in condoning and promoting xenophobic violence without any prosecution (Schwarz, 2020).

Empowerment and emancipation

Drawing from the experiences of migrant women in transit and their host communities, the level of dependency on the 'male' individual has contributed to increased oppression by their abusers. Freedman et al. (2020)

noted the legal dependency migrant women have on their partners, which makes leaving their partners difficult, as they risk becoming illegal or undocumented. Female migrants face threats as domestic workers, and their vulnerability is heightened by the fact that they depend on their employers for work and can be deported if they attempt to leave (IOM, 2013). Freedman et al. (2020) further note that shelters are over-capacitated and do not take children of a certain age, thus leaving these women with minimal choice in leaving their abusers. Nyabvudzi and Chinyamurindi (2019) also note that the government of South Africa should create an enabling environment which contributes to the prosperity and development of both South Africans and refugees.

Conclusion

Migrants contribute to the socio-economic empowerment of any society, and these contributions must be harnessed and maximised to enrich and develop these host countries. Migrant women are important in this context, as their skills and capacities are valuable in crucial industries, such as domestic work, education, health, service and hospitality.

The challenge is that they have to contend with sexual and gender-based violence, xenophobia and xenophobic violence. While women generally are victims of intimate partner violence and sexual and gender-based violence, migrant women, including refugees and asylum seekers, also face a different dimension of this violence because of their status in their host countries. This leaves them as potentially more vulnerable than citizens. Thus, they are exposed to threats and are highly vulnerable not only as women but also as foreigners. Migrant women tend to have very little political, economic and legal muscle to be independent of their male abusers. As a result, they become easy targets of xenophobia and sexual and gender-based violence.

Empirical evidence, presented from secondary sources in this chapter, showcases the intense hatred and dislike for foreigners amongst some South Africans. While colonial legacies and their manifestations in inequality, marginalisation, insecurity and poor governance have contributed to migration's pull and push factors, migrants are essential and need to be protected. Migrants are victims of structural violence, and migrant women are more victimised than their male counterparts. They, therefore, need to be equally protected in their host communities and countries.

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