



GUIDANCE NOTE

EU GENDER EQUALITY STRATEGY (2020-2025)

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CENTER FOR MIGRATION, GENDER, AND JUSTICE

NEW WOMEN CONNECTORS

Center for Migration, Gender, and Justice
Email: info@migrationgenderjustice.com
Web: www.migrationgenderjustice.com
Facebook: [@migrationgenderjustice](https://www.facebook.com/migrationgenderjustice)
Instagram: [@cmjngo](https://www.instagram.com/cmjngo)
Twitter: [@cmjngo](https://twitter.com/cmjngo)
[#migrationgenderjustice](https://twitter.com/migrationgenderjustice)

New Women Connectors
Email: info@newwomenconnectors.com
Web: www.newwomenconnectors.com
Facebook: [@newwomenconnectors](https://www.facebook.com/newwomenconnectors)
Instagram: [@newwomenconnectors](https://www.instagram.com/newwomenconnectors)
Twitter: [@iwomenconnector](https://twitter.com/iwomenconnector)
[#iwomenconnector](https://twitter.com/iwomenconnector)



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INTRODUCTION



2020 has been a year of unprecedented challenges due to the COVID-19 pandemic. Whilst being a health crisis, the pandemic has also brought into stark contrast the gendered inequalities that exist in our societies with women* being at the front line of care at hospitals, in the home, and in communities.

At the same time, women* have faced increased risk of infection, loss of livelihood, and domestic violence ([UN Women](#)). In addition, women*, girl, LGBTQIA+, and gender diverse migrants, especially refugees and stateless persons, have been further marginalized in pandemic responses. Thus, the call for gender equality is particularly urgent.

Gender equality for all, [Sustainable Development Goal 5](#), has yet to be achieved in the European Union (EU). At the fifth anniversary of Agenda 2030, the [European Commissioner](#) for Economy, Paolo Gentiloni, remarked that the EU has moved away from the sustainable development objectives in areas such as employment, higher education, equal distribution of care responsibilities, and representation in government. This “negative progress” in regards to gender equality is alarming, particularly in the context of migration.

It is due to gaps between and within EU gender and migration policy that we, the Center for Migration, Gender, and Justice, and New Women Connectors, organized a working conference on reimagining the recent EU Gender Equality Strategy (2020-2025).

The [EU Gender Equality Strategy](#) aims to achieve significant progress towards a gender-equal Europe by 2025. The strategy addresses six themes: being free from violence and stereotypes; thriving in a gender-equal economy; leading equally throughout society; gender mainstreaming and intersectional perspectives in EU policies; funding actions to make progress in gender equality in the EU; and, gender equality and women’s empowerment across the world. More specifically, the strategy seeks to end gender-based violence, challenge gender stereotypes, close gender gaps in the labor market, achieve equal participation across different sectors of the economy, address the gender pay and pension gaps, close the gender care gap, as well as achieve gender balance in decision-making and in politics.



INTRODUCTION



While we generally welcome the efforts and objectives outlined in the EU Gender Equality Strategy (2020-2025), we are extremely concerned with the persistent lack of (planned) action at the intersection of gender and migration.

Women*, girl, LGBTQIA+, and gender diverse migrants face heightened rights violations, lack of protections, and endangerment of livelihoods due to their intersecting experiences; they also face severe levels of discrimination, vulnerability, and marginalization while on the move and in host countries.

To ensure that the EU Gender Equality Strategy (2020-2025) is inclusive of migration experiences, this Guidance Note provides an overview of the status on the intersection between gender and migration in EU policy and issues recommendations to the European Commission, the European Parliament, the European Council, and EU Member States as we believe that any efforts made in the context of the EU Gender Equality Strategy (2020-2025) must involve the full commitment of all key stakeholders at the European level.

In this Guidance Note, we employ a working definition of migrant as a person who moves away from their place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons (voluntary and/or forced). The term includes a number of legal categories of persons, such as refugees, stateless and undocumented. We identify the specific legal categories when necessary and/or to amplify particular experiences.

Although the EU defines gender equality as one of its core values and principles, recent data such as the European Institute for Gender Equality (EIGE) [Gender Equality Index 2020](#) suggests that moving at the current pace, gender equality will not be achieved in the next 60 years.

60 Years to
achieve
Gender
Equality!

The various dimensions analyzed by the Index generally point to challenging findings: improvements in certain areas are often accompanied by stagnation or even decline in other areas. These gendered inequalities have particular implications in the context of migration: migrant women* are at a much higher risk of poverty.

33% migrant
women* at
risk of
poverty!

According to a 2015 study by the [European Parliament](#), 33% of migrant women* are at risk of poverty compared to 16% of female EU citizens. In the case of Germany, the [Institute for Employment Research](#) found that in 2019, only 6% of refugee women* in Germany were employed compared to 27% of refugee men. This gender gap is particularly evident in underemployment rates, types of employment, and wage differences.

6% refugee
women
employed in
Germany!

With regards to health and gender-based violence, the [World Health Organization](#) (WHO), found that undocumented migrant women* in Europe face delayed access to medical screening, treatment and care, limited access to gendered health resources, and heightened levels of discrimination and gender-based violence, all of which perpetuate gendered health inequalities in migrant communities.

Limited
access to
health
resources!

2020-2025 EU Gender
Equality Strategy



CONTEXT



The dire health situation and the increased gender-based violence experienced by migrant women* and girls were also reported by Human Rights Watch (HRW) in their research study in Lesbos.

Increased Gender-Based Violence!

Human Rights Watch found that migrant women* and girls in and around Moria camp lack safe access to essential resources and services including shelter, food, water, sanitation, and medical care. According to the organization, migrant women* and girls face a threatening environment in Lesbos with few protections from sexual harassment and gender-based violence in place.

Threatening environment in camps!

Gender inequalities in migration are heightened by degrees of marginality, including LGBTQIA+ and gender diverse migrants, as well as stateless persons. In their report, "The Impact of COVID-19 on LGBTQI Displaced Persons," Rainbow Railroad notes that COVID-19 has disproportionately affected LGBTQI displaced persons, yet LGBTQI displaced persons are often left out of national COVID-19 responses.

LGBTQIA+ and gender diverse migrants left behind!

In addition, the European Network on Statelessness also found increased neglect of stateless persons in the EU's COVID-19 responses, pointing out that stateless persons are particularly vulnerable as they are not afforded rights and protections of host countries. With gender discrimination in nationality laws being a critical factor for statelessness (UNHCR), this further emphasizes the urgency for gender equality in Europe.

Stateless persons left behind!

2020-2025 EU Gender Equality Strategy

The EU Gender Equality Strategy (2020-2025) is situated in a broad gender policy framework:

- Treaty on the Functioning of the EU (TFEU): mainstreams gender equality in EU policy and legitimizes equal pay for equal work (Article 8, Article 157)
- Gender Equality Directive (2006/54/EC): addresses gender-based discrimination in employment
- Women's Charter: synthesizes EU gender policy in the context of the Beijing Declaration and Platform for Action
- Istanbul Convention: protects women* from all forms of violence and creates a framework to end discrimination against women*.

Furthermore, the European Commission's Strategic Engagement for Gender Equality (2016-2019) focuses on economic equality and independence, equal pay for work of equal value, equality in decision-making, dignity, integrity and ending gender-based violence, as well as promoting gender equality beyond the EU.

Also, the EU Gender Action Plan (2016-2020) addresses women*'s physical and psychological integrity, social and economic rights and empowerment of women*, as well as women*'s political participation.

Most recently, the European Commission published "New Visions for Gender Equality" which speak to work-life balance, the gender care gap, the gender pay gap, labor market segmentation, welfare, intersectionality, power relations in the economy and government, as well as sexual harassment and violence against women*.

2020-2025 EU Gender
Equality Strategy





POLICY FRAMEWORK



These varied plans, policies, and laws frame the content and objectives of the EU Gender Equality Strategy (2020-2025). Yet, within gender politics, the experiences of women*, girls, LGBTQIA+, and gender diverse migrants remain largely absent.

Given the myriad complexities brought on by the COVID-19 pandemic, of which migrants bear the brunt, the Center for Migration, Gender, and Justice and New Women Connectors organized the working conference “Reimagine: Centering Migration in EU Gender Equality Strategy (2020-2025)” in order to provide an inclusive platform for gender politics and discourse.

The conference addressed four main themes that correspond to the six themes outlined in the EU Gender Equality Strategy (2020-2025). The identification of the conference themes and working groups was premised on preliminary findings from New Women Connectors ‘Leading Resilience’ program and the work by the Center for Migration, Gender, and Justice at the international level, particularly with the United Nations Commission on the Status of Women, Generation Equality, as well as the Feminist and Women’s Action Plan.

In the following, we provide an overview of the four conference themes - Freedom from Violence and Stereotypes, Education, Decent Work, and Social Protection, Health and Well-Being, Inclusivity, Belonging, and Community - and their relation to the EU Gender Equality Strategy (2020-2025).

Based on this overview, we then outline gaps between lived experiences and the EU Gender Equality Strategy (2020-2025), and propose recommendations as well as share good practices to achieve a truly gender equal Europe that is inclusive of migration experiences.

1. Freedom from Violence and Stereotypes

The EU Gender Equality Strategy (2020-2025) discusses various forms of violence against women that result from structural inequalities and gender inequalities such as domestic violence, female genital mutilation, human trafficking, harassment at work, and digital discrimination against women*.

To address these various forms of gendered violence, the Strategy urges EU Member States to ratify the Istanbul Convention which outlines mechanisms to protect women* and girls from domestic violence, prevent female genital mutilation, and supports survivors of violence in legal and medical processes (p. 3-4). In this context, the Victims' Rights Directive is mentioned. The Victims' Rights Directive establishes obligations for EU Member States to protect survivors' rights (p. 4-5).

Freedom from
Violence and
Stereotypes means ...

The Strategy further highlights the Asylum and Migration Fund as a key mechanism to address various forms of gendered violence by stepping up protection of vulnerable groups, including women victims of gender-based violence in asylum and migration contexts, as well as by “encouraging Member States to target actions that support the specific needs of women in the asylum procedure, as well as actions that support the integration of women in the new society” (p. 16).

The Fund outlines four key strategies in this regard, including the strengthening of the Common European Asylum System, supporting the legal immigration and integration of non-EU nationals, returning irregular migrants, and encouraging solidarity across EU Member States.



STOP

2. Education, Decent Work, and Social Protection

The EU Gender Equality Strategy (2020-2025) seeks to close gender gaps in the economy and in education such as the gender pay/pension gap, and address unequal participation in sectors such as STEM and care fields, hereby closing the gender care gap. The Strategy boldly states that the European Commission “will table binding measures on pay transparency by the end of 2020” (p. 11).

More concretely, the Strategy proposes that equal participation across economic and educational sectors will be promoted through an updated “Skills Agenda for Europe” in order to “address horizontal segregation, stereotyping and gender gaps in education and training” (p. 10). Further economic gaps are to be targeted through the transposition and implementation of the 2019 Work-Life Balance Directive that promotes equal responsibilities in childcare between parents (p. 8).



Education, Decent Work, and Social Protection means ...

Indeed, equal distribution of care responsibilities is noted throughout the Strategy as key in addressing labor market segmentation and the gender care gap. In this context, the Strategy proposes the revision of the “Barcelona Targets” pertaining to early childhood education and care, the establishment of a “Child Guarantee” in 2021 - which is to focus on children’s access to necessary resources-, and the investment in care services for children and dependents from various EU funds (p. 12).

Beyond the expansion and redistribution of care services and resources, the Strategy also recognizes the structural sexism that impacts women’s access to social protections especially in relation to “financial incentives and disincentives for second earners” (p. 9). Implementing social protection systems that do not “perpetuate structural gender inequalities based on traditional gender roles” is vital to achieving gender equality according to the Strategy (p. 8).

3. Health and Well-being

The EU Gender Equality Strategy (2020-2025) acknowledges that “women who have a health problem or disability are more likely to experience various forms of violence” (p.4). Citing a Fundamental Rights Agency [survey](#) (2014), the Strategy notes that 34% of women* with a health problem or disability have experienced physical or sexual partner violence, compared with 19% of women* who do not have a health problem or disability.

To address this intersection between health, well-being, and violence, the European Commission “will develop and finance measures to tackle abuse, violence as well as forced sterilization and forced abortion, such as capacity-building of professionals and awareness-raising campaigns on rights and access to justice” (p.4).



Health and Well-Being
means ...

Additionally, the EU Gender Equality Strategy (2020-2025) commits to integrating a gender dimension into the “[Beating Cancer Plan](#)” to be launched in 2020 and to facilitate “regular exchanges of good practices between Member States and stakeholders on the gender aspects of health” (p. 16). In the context of the latter, sexual and reproductive health and rights are explicitly mentioned.

Overall, the EU Gender Equality Strategy (2020-2025) stresses the EU’s continued support for women*’s reproductive health and rights, but remains silent on other health dimensions such as mental health.

4. Inclusivity, Belonging, and Community

The EU Gender Equality Strategy (2020-2025) states that it will use intersectionality “as a cross-cutting principle” in its implementation (p.3). In the Strategy, intersectionality is defined as the “combination of gender with other personal characteristics or identities, and how these intersections contribute to unique experiences of discrimination” (p. 17).

Relatedly, the EU Gender Equality Strategy (2020-2025) is to be implemented based on a dual approach of targeted measures to achieve gender equality combined with strengthened gender mainstreaming. According to the Strategy, the aim of gender mainstreaming is to “redistribute power, influence and resources in a fair and gender-equal way, tackling inequality, promoting fairness, and creating opportunity” (p.15).



Inclusivity, Belonging,
and Community
means ...

In this context, the European Commission commits to integrating a gender perspective in all major Commission initiatives during the current mandate - facilitated by the appointment of the first Commissioner for Equality - and by creating a Task Force for Equality composed of representatives of all Commission services and of the European External Action Service.

The Task Force will ensure the implementation of equality mainstreaming, including gender equality at the operational and technical level (p. 15).

1. Freedom from Violence and Stereotypes

The EU Gender Equality Strategy (2020-2025) discusses how to create a Europe free from violence and stereotypes by highlighting existing challenges, yet the Strategy does not provide concrete recommendations or accountability measures to prevent said violence.

The Strategy also fails to discuss protections specific to migrants, such as gender-based violence during flight and in refugee camps. Furthermore, although the Strategy gestures to the [Istanbul Convention](#) as a key framework for ending gender-based violence, the language of the Strategy exclusively guarantees protections for women* and girls, not those with other gender identities.

Freedom from
Violence and
Stereotypes includes ...

Additionally, the [Asylum and Migration Fund](#), which the Strategy references as a critical mechanism in protecting women* in the migration process, fails to address any specific protections for LGBTQIA+ or gender diverse migrants. Indeed, the focus lies in the securitization of borders, efficiency of the asylum process, and the reduction of irregular migration.

As such, the severe securitization of migration perpetuates trafficking and unsafe migration routes and thereby contradicts the objectives outlined by the Strategy with regards to freedom from violence. Securitizing women*, girl, LGBTQIA+ and gender diverse migrants at the EU's external borders indeed makes them more vulnerable to violence.



STOP

2. Education, Decent Work, and Social Protection

The EU Gender Equality Strategy (2020-2025) also misses the opportunity to meaningfully recognize the specific challenges and needs of women*, girl, LGBTQIA+, and gender diverse migrants with regards to education, decent work, and social protection.

Within the Strategy, intersectional identities of women* are referred to as “additional conditions” that impede labor market participation without providing any suggestions or plans to address structural discrimination or underrepresentation (p. 7). Migrants’ multifaceted identities within and beyond gender are neither afterthoughts nor additional conditions to their existence, but integral parts of lived experiences that must be protected.



Education, Decent
Work, and Social
Protection includes ...

The absence of a concrete rights-based framework as it pertains to education, decent work, and social protection in relation to migration impedes socio-economic integration in what is known as the “[immigrant entry effect](#)”, which describes underemployment of migrants due to language barriers, lack of domestic references or certification recognition.

In education, for instance, curriculums do not address the needs and challenges of women*, girl, LGBTQIA+, and gender diverse migrants, and universities often fail to ensure that migrant girls and women* attain higher education.

Though the Strategy claims to utilize intersectionality as a guide, the intersection of gender and migration is not explicitly addressed. Of chief concern is the lack of protections for nationality-based discrimination in education, the labor market, and social protections for third country nationals.

3. Health and Well-being

One of the main gaps in the EU Gender Equality Strategy (2020-2025) pertains to adequate access to health resources and services. The Strategy does not address existing structural barriers that affect how and when women* approach the healthcare system, including women*, girl, LGBTQIA+, and gender diverse migrants.

The current system is neither culturally -, nor linguistically -, nor gender - sensitive to the needs of migrants. This is of particular concern for those that are undocumented (WHO).

Health and Well-Being
includes ...

While the Strategy proposes regular exchanges between key stakeholders and governing bodies in order to highlight best practices in health, there is no mention of involvement or planned participation of migrant healthcare professionals.

The engagement of migrant healthcare professionals in these exchanges is critical to address the specific needs of women*, girl, LGBTQIA+, and gender diverse migrants.

Furthermore, the Strategy is characterized by a lack of commitment towards mental health. This is especially alarming as the risk for certain mental health disorders, including post-traumatic stress, depression and psychosis, is higher for refugees, asylum-seekers and irregular migrants due to their experiences before, during, and after flight and migration.



4. Inclusivity, Belonging, and Community

Throughout the EU Gender Equality Strategy (2020-2025), there is a persistent lack of considerations of intersectionality and gender mainstreaming that is inclusive of migrants and gender identities beyond the binary.

For instance, although the Strategy mentions that EU frameworks on LGBTQI persons will be linked to the Strategy, the document still operates around gender binaries of men and women* in theory and rhetoric. More concretely, it is stated that “this strategy is the EU’s contribution to shaping a better world for women and men, girls and boys” (p.3). This gender binary language and trajectory compromises any efforts for inclusivity, belonging, and community.



Inclusivity, Belonging,
and Community
includes ...

Furthermore, the acclaimed commitment by the European Commission to integrate a gender perspective in all major Commission initiatives during the current mandate seems questionable as the new Pact on Migration and Asylum remains largely gender-negligent and operates around gender binaries.

Indeed, the various documents comprising the Pact mention women* once in relation to fundamental rights in crisis situations and once in relation to health data transfer while gender is mentioned once in relation to data collection of Eurodac and once in relation to screening of third country nationals. This gap in acclaimed commitment towards intersectionality and gender mainstreaming in all major Commission initiatives is deeply troubling and points to the continued siloing that occurs across different policy areas.

1. Freedom from Violence and Stereotypes

Women*, girl, LGBTQIA+, and gender-diverse migrants face heightened violence and stereotypes while on the move and in host countries. The lack of commitment in the EU Gender Equality Strategy (2020-2025) to address violence and stereotypes in intersectional ways is concerning.

For the Strategy to be truly inclusive, it must include migration experiences and operate outside of gender binary conceptions. We recommend that efforts made in the context of the Strategy not only urge EU Member States to ratify the Istanbul Convention, but also to take measures that target freedom from violence and stereotypes a funding priority - particularly in reference to the Strategy's call on the Asylum and Migration Fund.

Good Practices:
Istanbul Convention

Furthermore, we recommend that the proposed Victims' Rights Strategy take into consideration the specific forms of violence and stereotypes faced by women*, girl, LGBTQIA+ and gender-diverse migrants. This is especially important in the framework of the Anti-Trafficking Directive where the only mention of gender-specific violence in trafficking addresses men and women*. Human trafficking cannot be effectively prevented nor eradicated if it does not protect all forms of gender-based violence (i.e. based on gender identity).

Additionally, creating data collection on perpetrators of violence in the context of migration is key. We also recommend a robust framework of prevention and protection mechanisms for women*, girl, LGBTQIA+, and gender diverse migrants that experience violence and stereotypes. This includes increased funding and accessibility to shelters, awareness raising through gender-based violence education, and support for legal processes.



2. Education, Decent Work, and Social Protection

Regarding education, we recommend increased efforts on information dissemination on the legal-institutional framework of the EU. In this context, universities may develop specific programs for migrants such as the Open Learning Initiative in Austria and the Refugee Academy in the Netherlands. Moreover, fair and comprehensive accreditation systems across the EU for educational and vocational equivalency are necessary.

We also recommend that the proposed binding measures in pay transparency take into consideration the multiple pay gaps that women*, LGBTQIA+, and gender diverse migrants face due to intersectional discrimination based on migration status, nationality, gender identity, and sexuality. A good practice to follow in this regard are anonymized application procedures.



Good Practices:

Anonymized Application Procedures

We also recommend that the proposed binding measures in pay transparency take into consideration the multiple pay gaps that women*, LGBTQIA+, and gender diverse migrants face due to intersectional discrimination based on migration status, nationality, gender identity, and sexuality. A good practice to follow in this regard are anonymized application procedures.

In terms of social protection, we draw on the European Women's Lobby's recommendations ('Purple Act') to call on the EU to establish a strategy on social protection and create legislation to implement the European Pillar of Social Protection in a gender-responsive and migrant inclusive manner. Though the Strategy charges that "social and economic policies, taxation and social protection systems should not perpetuate structural gender inequalities based on traditional gender roles," it provides no concrete pathways to achieving this beyond investing in social care services (p. 8).

3. Health and Well-being

We recommend that efforts made in the context of the EU Gender Equality Strategy (2020-2025) address adequate data collection on the efficiency of current health coverages, as well implement a gender - and culturally - sensitive framework to address the needs and challenges of women*, LGBTQIA+, and gender diverse migrants.

Our recommendations fall in line with those of the WHO in that the realization of universal healthcare will not happen without ensuring that migrant health is addressed. This is particularly pressing for undocumented migrants for whom safe and trustworthy health services need to be established.



Good Practices:

Gender-Responsive Health Services and Resources

Furthermore, an emphasis needs to be put on analyzing and addressing mental health of women*, girl, LGBTQIA+, and gender diverse migrants. The specific discrimination faced by migrants lead to increased vulnerability to mental health problems. Lack of trust in existing health systems, not just concerning mental health but all health dimensions, as well as cultural factors, affect how and when migrants approach health services and resources.

Therefore, we recommend that efforts made in the context of the EU Equality Strategy (2020-2025) facilitate safe access to health services and resources such as sharing multilingual and culturally sensitive information. This can take the form of cultural mediation in healthcare facilities, using and involving community health systems. Initiatives such as the Transcultural Mental Health Center in New South Wales, Australia might serve as a point of reference.

4. Inclusivity, Belonging, and Community

We recommend that efforts made in the context of the EU Gender Equality Strategy (2020-2025) reconfigure its operating language that conceive of gender as binary. Only when gender justice goes beyond binaries and borders can inclusivity, belonging, and community be achieved.

Furthermore, we recommend that the proposed Task Force for Equality facilitates the mainstreaming of equality relating to discrimination on the basis of nationality, migration status, and gender identity in addition to the established six grounds of discrimination: sex, race or ethnic origin, religion or belief, disability, age and sexual orientation.



Good Practices:

Multi-Stakeholder Approaches

The relationship between inclusivity, belonging, and community as lived experiences, and intersectionality and gender-mainstreaming as policy and analytical tools point to the necessity of ensuring shared agency, representation, and accountability at the nexus of gender and migration.

We thus further recommend EU institutions to support and participate in collaborative spaces and long-term commitments that are curated by migrants, migrant communities, and migrant-led organizations such as exemplified by our co-organized conference “Reimagine: Centering Migration in EU Gender Equality Strategy (2020-2025).”



CONCLUSION



The Center for Migration, Gender, and Justice and New Women Connectors, through our combined experiences and work with women*, girl, LGBTQIA+, and gender diverse migrants in Europe, propose the following actionable steps moving forward:

Women*, girl, LGBTQIA+, and gender diverse migrants must be treated as equal partners in the planning, implementation, and evaluation of programs, policies, and laws that affect them.

Women*, girl, LGBTQIA+, and gender diverse migrants must be seen as agents in programs, policies, and laws that affect them, not just as beneficiaries.

Funding for efforts and measures regarding gender must facilitate opportunities for migrants, migrant communities, and migrant-led organizations.

Multi-stakeholder engagements in regards to gender must facilitate opportunities for migrants, migrant communities, and migrant-led organizations

A gender equal Europe is possible and we believe that the linchpin to achieving this goal is the inclusion of women*, girl, LGBTQIA+, and gender diverse migrants

Whilst the EU Gender Equality Strategy (2020-2025) is an important step, gaps at the intersection of gender and migration remain. It is our hope that through our analysis and recommendations in this Guidance Note, stakeholders can begin to take seriously the experiences of women*, girl, LGBTQIA+, and gender diverse migrants.

At this critical point in time, closing gaps across intersecting inequalities is imperative!



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