

# Care, Migration and Human Rights

Law and Practice

Edited by  
Siobhán Mullally

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# Care Migration And Human Rights Care Migration And Human Rights

**Elizabeth Hill, Marian Baird, Sydney Colussi**



## Care Migration And Human Rights Care Migration And Human Rights:

**Care, Migration and Human Rights** Siobhán Mullally, 2015-02-11 The continuum of exploitation that has historically defined the everyday of domestic work exclusion from employment and social security standards and precarious migration status has frequently been neglected It is primarily the moments of crisis incidents of human trafficking slavery or forced labour that have captured the attention of human rights law Only recently has human rights law begun to address the structured inequalities and exclusions that define the domain of domestic work This book addresses the specific position of domestic workers in the context of evolving human rights norms Drawing upon a broad range of case studies this book presents a thorough examination of key issues such as the commodification of care the impact of the jurisprudence of the Court of Justice of the European Union and the European Court of Human Rights on primary care providers as well as the effect that trends in migration law have on migrant domestic workers This volume will be of interest to lawyers academics and policy makers in the fields of human rights migration and gender studies Poverty, Agency, and Human Rights Diana Tietjens Meyers, 2014-07-22 Poverty Agency and Human Rights collects thirteen new essays that analyze how human agency relates to poverty and human rights respectively as well as how agency mediates issues concerning poverty and social and economic human rights No other collection of philosophical papers focuses on the diverse ways poverty impacts the agency of the poor the reasons why poverty alleviation schemes should also promote the agency of beneficiaries and the fitness of the human rights regime to secure both economic development and free agency The book is divided into four parts Part 1 considers the diverse meanings of poverty both from the standpoint of the poor and from that of the relatively well off Part 2 examines morally appropriate responses to poverty on the part of persons who are better off and powerful institutions Part 3 identifies economic development strategies that secure the agency of the beneficiaries Part 4 addresses the constraints poverty imposes on agency in the context of biomedical research migration for work and trafficking in persons Migration and Care Labour B. Anderson, I. Shutes, 2014-03-18 The provision of care has been widely referred to as facing a crisis International migrants are increasingly relied upon to provide care as domestic workers nannies care assistants and nurses This international volume examines the global construction of migrant care labour and how it manifests itself in different contexts The European Union Returns Directive and its Compatibility with International Human Rights Law Izabella Majcher, 2019-11-26 The book undertakes a thorough human rights assessment of the EU Returns Directive The overarching human rights framework which circumscribes states prerogatives in the context of expulsion builds upon obligations derived from the principle of non refoulement the right to life respect for family and private life effective remedy basic social rights the prohibition of torture and ill treatment and protection against arbitrary detention and collective expulsion Based on this assessment Majcher explores several protection gaps in the EU return policy which may result in violations of migrants rights and highlights how the provisions of the Directive should be implemented in line with member states human rights

obligations Informed by this assessment the book discusses amendments to the Directive proposed by the European Commission in September 2018 By examining the European Union EU Returns Directive in the light of international and European human rights law Izabella Majcher thoroughly explores and analyses the requirements the EU member states authorities must guarantee migrants in an irregular situation when they adopt and implement return decisions entry bans pre removal detention and removal Marie Laure Basilien Gainche Professor of public international law University Jean Moulin Lyon 3 Honorary member of the Institut universitaire de France

**Migration, Gender and Care Economy** S. Irudaya Rajan,N. Neetha,2018-09-24 This volume closely analyses women s role and experiences in migration internal and international and its interlinkages with the care economy in their functions as nurses and paid domestic workers as well as unpaid carers Bringing together case studies from across India and other parts of the world the essays in the volume capture the characteristics and specificities of female migration in different settings be it for economic or associational reasons or as left behind members The book also looks at gender specific discriminations and vulnerabilities along with the empowering aspects of migration This volume will be of great interest to scholars and researchers of migration gender studies sociology and social anthropology as well as development studies demography and economics Migrants and Rights Mary Crock,2017-05-15 The concept of the migrant as rights bearer at law is surprisingly recent and under developed Migrants have traditionally been seen as outsiders persons who are in society but not yet of society Migrants are at best invitees guests for whom presence in a country is a privilege This is the first of two volumes which bring together writings which trace the evolution in thinking about migrants as legal subjects and rights holders The articles cover issues around state sovereignty and migrants as subjects of international law the articulation of rights different categories of migrants issues around health and disability The volume also features an extended article on the proposal for an International Migrants Bill of Rights IMBR put forward by an international consortium of academics and students A related volume Refugees and Rights is also published as part of the series Beyond Law and Development Sam Adelman,Abdul Paliwala,2022-04-27 The book highlights new imaginaries required to transcend traditional approaches to law and development The authors focus on injustices and harms to people and the environment and confront global injustices involving impoverishment patriarchy forced migration global pandemics and intellectual rights in traditional medicine resulting from maldevelopment bad governance and aftermaths of colonialism New imaginaries emphasise deconstruction of fashionable myths of law development human rights governance and post coloniality to focus on communal and feminist relationality non western legal systems personal responsibility for justice and forms of resistance to injustices The book will be of interest to students and scholars of development law and development feminism international law environmental law governance politics international relations social justice and activism

**Economic Migrants in International Law and Policy. Selected Issues and Challenges** Bogumil Terminski,2018 In recent years international labour migrations and its social consequences

have become one of the key issues on the international agenda Changing image of the economic mobility strongly affected domestic policies activities of international organizations and international law The growing dynamic of economic migration and the transformation of this process becoming a source of challenges for the various areas of international law including international labour law international humanitarian law and international human rights law The book discusses the most important documents concerning regulation of migration and international protection of migrant workers The author devotes attention to the practical activities of all intergovernmental organizations UN ILO UNHCR EU COE OSCE OAS dealing with the issue of international migration A significant part of the book is focused on the legal context of currently observed problems such as undocumented migration human trafficking socio economic rights of migrants deportation employment of migrants access to health care institutions the issue of asylum and the rights of specific categories of economic migrants Considerations presented in this book are based on in depth analysis of more than hundred international treaties and documents focused on international migrations The book presents the most important international initiatives concerning protection of economic migrants between 1919 and 2018 Irregular Migrants and the Right to Health Stefano Angeleri, 2022-08-04 Analyses how human rights law can overcome constraining approaches to the right to health of irregular migrants **The Globalization of Health Care** I. Glenn Cohen, 2013-04-11 The Globalization of Health Care is the first book to offer a comprehensive legal and ethical analysis of the most interesting and broadest reaching development in health care of the last twenty years its globalization It ties together the manifestation of this globalization in four related subject areas medical tourism medical migration the physician brain drain telemedicine and pharmaceutical research and development and integrates them in a philosophical discussion of issues of justice and equity relating to the globalization of health care The time for such an examination is right Medical tourism and telemedicine are growing multi billion dollar industries affecting large numbers of patients The U S heavily depends on foreign trained doctors to staff its health care system and nearly forty percent of clinical trials are now run in the developing world with indications of as much of a 10 fold increase in the past 20 years NGOs across the world are agitating for increased access to necessary pharmaceuticals in the developing world claiming that better access to medicine would save millions from early death at a relatively low cost Coming on the heels of the most expansive reform to U S health care in fifty years this book plots the ways in which this globalization will develop as the reform is implemented Universal Health Care Kristina Lyn Heitkamp, 2018-07-15 With the Affordable Care Act signed into law in 2010 the United States seemed closer than ever to achieving universal health care However repealing the act has been a key goal for the Trump administration and the Republican controlled Congress with the main arguments against it including the higher premiums for middle class Americans and the abuse of government power through its control of the insurance industry This volume helps define universal health care explains the arguments for and against it and discusses attempts to implement it on an international scale *At a Turning Point* Elizabeth Hill, Marian

Baird, Sydney Colussi, 2024-02-01 Australia is at a much needed turning point in work care and family policy Australian women families and communities are struggling to manage the complex demands of work and care Rapid social and demographic change alongside new workplace labour market trends and the aftermath of the COVID 19 pandemic requires a policy revamp that will allow all Australians to work care and be cared for In seven chapters authored by leading scholars in the field At a Turning Point Work care and family policies in Australia provides a comprehensive account of key policy areas that shape the experience of work and care across the life course These include reproductive wellbeing paid parental leave early childhood education and care flexible work elder and disability care and equitable systems of tax and transfer payments At a Turning Point argues that a new social contract that puts gender equality economic security and the well being of carers and those they care for at the centre of policy design is essential to national productivity and prosperity It is the foundation of a good society

**Routledge Handbook of Immigration and Refugee Studies** Anna Triandafyllidou, 2015-10-05 The Routledge Handbook of Immigration and Refugee Studies offers a comprehensive and unique study of the multi disciplinary field of international migration and asylum studies Utilising contemporary information and analysis this innovative Handbook provides an in depth examination of legal migration management in the labour market and its affect upon families in relation to wider issues of migrant integration and citizenship With a comprehensive collection of essays written by leading contributors from a broad range of disciplines including sociology of migration human geography legal studies political sciences and economics the Handbook is a truly multi disciplinary book approaching the critical questions of Migration and the labour market Integration and citizenship Migration families and welfare Irregular migration smuggling and trafficking in human beings asylum and forced migration Organised into short thematic and geographical chapters the Routledge Handbook of Immigration and Refugee Studies provides a concise overview on the different topics and world regions as well as useful guidance for both the starting and the more experienced reader The Handbook s expansive content and illustrative style will appeal to both students and professionals studying in the field of migration and international organisations

**Children, Human Rights and Temporary Labour Migration** Rasika Jayasuriya, 2021-06-22 This book focuses on the neglected yet critical issue of how the global migration of millions of parents as low waged migrant workers impacts the rights of their children under international human rights law The work provides a systematic analysis and critique of how the restrictive features of policies governing temporary labour migration interfere with provisions of the Convention on the Rights of the Child that protect the child parent relationship and parental role in children s lives Combining social and legal research it identifies both potential harms to children s well being caused by prolonged child parent separation and State duties to protect this relationship which is deliberately disrupted by temporary labour migration policies The book boldly argues that States benefitting from the labour of migrant workers share responsibility under international human rights law to mitigate harms to the children of these workers including by supporting effective measures to maintain transnational child

parent relationships It identifies measures to incorporate children s best interests into temporary labour migration policies offering ways to reduce interferences with children s family rights This book fills a gap that emerges at the intersection of child rights studies migration research and existing literature on the purported nexus between labour migration and international development It will be a valuable resource for academics researchers and policymakers working in these areas The Open Access version of this book available at <http://www.taylorfrancis.com/books/e/9781003028000> has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license

**Children's Rights in Health Care** Jozef H.H.M. Dorscheidt, Jaap E. Doek, 2018-11-26 While coordinating the University of Groningen s Honours College Winterschool Atelier entitled Children s Rights in Health Care the need to publish the contributions to this program was generally expressed and confirmed by its participants The Winterschool Atelier successfully organized in recent years has dealt with many issues concerning the legal position of minor persons born and unborn in the context of health care especially pediatric care These issues involve matters concerning pediatric treatment preventive care and predictive medicine medical research involving children incompetence and child autonomy a child s psychological development parental responsibility and representation protective judicial measures child migration issues children s health rights enforcement as well as children s health interest monitoring and promotion During the program leading experts in the fields of law ethics medicine biology psychology and institutions such as the Dutch Child Hospital Foundation the Child Protection Board Save the Children and UNICEF shared their views on normative standards practical experiences significant developments challenging ideas silent dreams and inevitable realities As a result the Children s Rights in Health Care program provided opportunities for a profound dialogue between Honours College students and lecturing scholars on a wide range of topics involving children s health care interests This volume contains several analyses of health rights issues related to children The various chapters provide an overview of this captivating area and may be of special interest to lawyers health care professionals ethicists psychologists judicial institutions policy makers interest groups students and all others who are concerned with the children s rights perspective on health care

**Migration and Health** Sandro Galea, Catherine K. Ettman, Muhammad H. Zaman, 2022-11-25 A new introduction to a timeless dynamic how the movement of humans affects health everywhere International migrants compose more than three percent of the world s population and internal migrants those migrating within countries are more than triple that number Population migration has long been and remains today one of the central demographic shifts shaping the world around us The world s history and its health is shaped and colored by stories of migration patterns the policies and political events that drive these movements and narratives of individual migrants Migration and Health offers the most expansive framework to date for understanding and reckoning with human migration s implications for public health and its determinants It interrogates this complex relationship by considering not only the welfare of migrants but also that of the source destination and ensuing generation populations The result is an

elevated interdisciplinary resource for understanding what is known and the considerable territory of what is not known at an intersection that promises to grow in importance and influence as the century unfolds

**Long-term Care, Globalization, and Justice** Lisa A. Eckenwiler, 2012-06-04 Long term care can be vexing on a personal as well as social level and it will only grow more so as individuals continue to live longer and the population of aged persons increases in the United States and around the world This volume explores the ethical issues surrounding elder care from an ecological perspective to propose a new theory of global justice for long term care Care work is organized not just nationally as much current debate suggests but also transnationally through economic labor immigration and health policies established by governments international lending bodies and for profit entities Taking an epistemological approach termed ecological knowing Lisa A Eckenwiler examines this organizational structure to show how it creates and sustains injustice against the dependent elderly and those who care for them including a growing number of migrant care workers and how it weakens the capacities of so called source countries and their health care systems By focusing on the fact that a range of policies people and places are interrelated and mutually dependent Eckenwiler is able not only to provide a holistic understanding of the way long term care works to generate injustice but also to find ethical and practicable policy solutions for caring for aging populations in the United States and in less well off parts of the world Deeply considered and empirically informed this examination of the troubles in transnational long term care is the first to probe the issue from a perspective that reckons with the interdependence of policies people and places and the first to recommend ways policymakers planners and families can together develop cohesive coherent long term care policies around the ideal of justice

*The Integration and Protection of Immigrants* Paul Van Aerschot, Patricia Daenzer, 2016-02-24 In Scandinavian countries immigration is a sensitive issue and legislators approach to the questions it has raised has varied over the years Whatever immigrant and integration policies are adopted in a democratic society it is clear that the legislation and the authorities have to ensure that the individual rights of the immigrants residing in its territory are respected With Canada as a point of reference this book draws attention to weaknesses in the regulation and implementation of integration provisions threatening the immigrants individual rights in the EU member states of Denmark Finland and Sweden The study challenges readers to critically review the meaning of rights and the notion of global caring It takes a critical look at how vulnerable immigrants fare in a largely immigrant nation with a welfare capitalism legacy when compared to three European nations which claim to embrace institutional welfare models This book will be of great interest to scholars and decision makers interested in Scandinavian or Canadian immigration and integration policies

[African Migration, Human Rights and Literature](#) Fareda Banda, 2020-12-24 This innovative book looks at the topic of migration through the prism of law and literature The author uses a rich mix of novels short stories literary realism human rights and comparative literature to explore the experiences of African migrants and asylum seekers The book is divided into two Part one is conceptual and focuses on art activism and the myriad ways in which

people have sought to write justice Using Mazrui's diasporas of slavery and colonialism it then considers histories of migration across the centuries before honing in on the recent anti migration policies of western states Achiume is used to show how these histories of imposition and exploitation create a bond which bestows on Africans a status as co sovereigns of the First World through citizenship The many fictional examples of the schemes used to gain entry are set against the formal legal processes Attention is paid to life post arrival which for asylum seekers may include periods in detention The impact of the increased hostility of receiving states is examined in light of their human rights obligations Consideration is paid to how Africans navigate their post migration lives which includes reconciling themselves to status fracture taking on jobs for which they are over qualified while simultaneously dealing with the resentment borne of status threat on the part of the citizenry Part two moves from the general to consider the intersections of gender and status focusing on women LGBTI individuals and children Focusing on their human rights and the fictional literature chapter four looks at women who have been trafficked as well as domestic workers and hotel maids while chapter five is on LGBTI people whose legal and literary stories are only now being told The final substantive chapter considers the experiences of children who may arrive as unaccompanied minors Using a mixture of poetry and first person accounts the chapter examines the post arrival lives of children some of whom may be citizens but who are continually made to feel like outsiders The conclusion follows starting with two stories about walls by Hadero and Lanchester which are used to illustrate the themes discussed in the book Few African lawyers write about literature and few books and articles in Western law and literature look at books by or about Africans so a book that engages with both is long overdue This book provides fascinating reading for academics students of law literature gender and migration studies and indeed the general public

The Routledge Handbook of Feminist Economics Günseli Berik, Ebru Kongar, 2021-05-23 The Routledge Handbook of Feminist Economics presents a comprehensive overview of the contributions of feminist economics to the discipline of economics and beyond Each chapter situates the topic within the history of the field reflects upon current debates and looks forward to identify cutting edge research Consistent with feminist economics goal of strong objectivity this Handbook compiles contributions from different traditions in feminist economics including but not limited to Marxian political economy institutionalist economics ecological economics and neoclassical economics and from different disciplines such as economics philosophy and political science The Handbook delineates the social provisioning methodology and highlights its insights for the development of feminist economics The contributors are a diverse mix of established and rising scholars of feminist economics from around the globe who skilfully frame the current state and future direction of feminist economic scholarship This carefully crafted volume will be an essential resource for researchers and instructors of feminist economics

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