



I-CLAIM

Improving the Living
and Labour Conditions
of Irregularised Migrant
Households in Europe

Gender and family dimensions of irregularised migrants' experiences and rights

Sector report

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Executive Summary

This report examines how gender and family relations shape migrants' experiences of irregularity and how legal, labour and welfare systems across Europe reproduce gendered and generational inequalities. Drawing on comparative findings from the I-CLAIM project across Finland, Germany, Italy, the Netherlands, Poland and the United Kingdom, the report analyses the intersections of migration status, gender, work and household life. It shows that irregularity is produced at the intersection of migration control, labour exploitation and social welfare exclusions.

Irregularisation affects men and women differently because migration, labour markets and family life are all structured by gendered divisions of labour. Women are overrepresented in domestic and care work, sectors undervalued, underregulated and often excluded from basic labour protections, while men are more prevalent in physically demanding sectors, such as food delivery work, and in certain agricultural jobs. In both cases, migrants' dependence on employers, sponsors and intermediaries creates a condition of 'unfreedom' in which changing jobs risks loss of status. The gender pay gap and occupational segregation exacerbate these vulnerabilities by making it harder for women to meet the economic thresholds attached to residence permits, permit renewals and family reunification.

The report highlights how economic and bureaucratic barriers embedded in residence permits linked to family relationships produce structural discrimination. Across I-CLAIM countries, conditions such as minimum income, suitable housing and secure employment contracts function as de facto mechanisms of exclusion. For instance, in Finland, the income required for family reunification is so high that it is unattainable for migrants working in low-wage sectors, such as cleaning or agriculture. In Italy, the housing requirement for family-based residence permits is often hard to satisfy due to widespread discrimination in the rental market. These thresholds disproportionately disadvantage women, low-paid workers and families with children, transforming the right to family life – formally guaranteed in EU and international law – into a privilege accessible mainly to the well-off.

The empirical evidence further shows that precarious work and temporary status directly affect family and household life. Migrant workers in the agriculture, domestic work and food delivery sectors report long hours, unstable income and limited access to childcare or housing, which strain relationships and limit the possibility of family formation or reunification. Women often migrate to provide for their children but are forced into situations that separate them from them for prolonged periods. Men in delivery work described instability and exhaustion that make it difficult to establish long-term relationships. For both, care responsibilities – whether local or transnational – are a major source of stress and vulnerability.

Gender-based violence and harassment are recurring features of irregularised and feminised work. Women employed in private homes or remote agricultural settings face high risks of sexual harassment, abuse and coercion, compounded by isolation and dependence on employers for income and housing. Even workers in public-facing jobs, such as delivery riders in Germany and the Netherlands, report racist and sexist harassment in public spaces. These findings underline how the intersection of gender, race and legal status shapes unequal exposure to exploitation and violence.

The report also analyses how rights to family life and children's protection, formally enshrined in international and European Union (EU) law, are undermined by national migration regimes. The Family Reunification Directive and other EU frameworks adopt a restrictive and conditional approach, making rights contingent on income, housing and integration criteria. In practice, this creates hierarchies of deservingness: some groups – such as Ukrainian beneficiaries of temporary protection – gain swift access to family reunification, while others face years of separation. In all I-CLAIM countries, restrictive policies and bureaucratic delays result in prolonged insecurity for parents and children, with irregularised families living in fear of deportation or loss of status.

Public and political narratives about irregular migration further reinforce gendered and racialised hierarchies. Across the six countries, women and children are framed as vulnerable and deserving of care, while men – particularly racialised young men – are depicted as dangerous or criminal. Media and political discourses thus legitimise restrictive policies in the name of security and protection. Civil society actors tend to mobilise human rights and family-based arguments, but their impact is limited in the face of securitisation and deterrence narratives.

In conclusion, the report demonstrates that the production of irregularity in Europe is deeply gendered and familial. Migration and labour regimes intertwine to generate administrative and economic precarity that reverberates through households and across generations. Addressing these inequalities requires policies that:

- recognise care and reproduction as integral to migration and labour governance;
- decouple residence rights from income thresholds and employer dependency;
- ensure equal access to family reunification and protection irrespective of residence status; and
- extend labour protections and complaint mechanisms to domestic, care and seasonal workers.

Only by confronting the gender and family dimensions of irregularity can Europe begin to uphold its commitments to equality, dignity and the right to family life for all.

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Introduction

This I-CLAIM report examines how gender and family relations shape migrants' experiences of irregularity and how legal, labour and welfare systems across Europe reproduce gendered and generational inequalities. It draws on empirical research conducted in 2024–2025 across six European countries: Finland, Germany, Italy, the Netherlands, Poland and the United Kingdom. In addition, we draw on analyses at the European Union (EU) level. Conceptually, the starting point in this report is that irregularity is not a fixed status but rather a dynamic position vis-à-vis the state co-constructed at the intersection of different regulatory frameworks and at multiple levels of governance, referring to *irregularity assemblage* (Sigona & van Liempt 2025; Gonzales et al. 2019). Irregularity is thus produced by administrative processes and is a situation characterised by the lack of and precarity of legal status, which we term *administrative precarity* (Näre et al. 2024). Irregularity concerns not only those without a residence permit but also those who are at risk of irregularisation due to structural features of the migration and asylum regimes, policies and practices, as well as broader labour market and welfare regimes. Hence, *irregularised persons* refers to any individuals, mobile EU citizens and third-country nationals (TCNs), who are present or reside within the territory of an EU Member State, of which they are not nationals, without satisfying the conditions for stay, residence and/or employment (Carrera & Colombi 2025). The *irregularity assemblage* approach highlights that irregularity impacts individuals unevenly depending on the intersections of nationality, gender, age, generation, social class and membership of racialised communities. This report focuses specifically on the gendered, generational and household dimensions of migrant irregularity.²

The report is structured as follows. We first discuss the production of precarity for irregularised migrant workers and their families from a gender perspective, including residence permit-related issues and labour market dynamics. We focus on the vulnerabilities in three labour market sectors across six countries: agricultural food production, food delivery and domestic work and house cleaning from a gender perspective. We then discuss how irregularised migrants can access the *right to family life*, which is enshrined in EU- and state-level legislations, but in practice it can be unattainable. This is followed by an examination of gendered narratives of migration in the domains of media, politics and civil society in the six I-CLAIM countries as well as public perceptions regarding irregular migration. The report ends with conclusions and policy implications

Methodological note

Methodologically, the report draws on previous comparative and national publications of the I-CLAIM project, including those covering the legal and policy infrastructures of irregularity (e.g. Näre et al. 2024), and on the narratives and public perceptions of irregular migration (e.g. Rheindorf & Vollmer 2025a). It also draws on the findings from ethnographic work conducted in six countries on the experiences of irregular migrants in agriculture, domestic work and food delivery, for which a total of 357 workers and stakeholders were interviewed. Work on the legal and policy infrastructures was informed by a desk-based literature

¹ We wish to thank very much for their generous support during fieldwork in the West Midlands the Refugee and Migrant Centre, Migrant Voice and Manoel Botelho. We also wish to thank for her comments and feedback on an earlier draft of the report Sabrina Marchetti.

² We would like to thank Nando Sigona, Stefano Piemontese and Sergio Carrera for their excellent comments on the previous versions of this report.

review and an in-depth qualitative interview with 65 experts. The analysis of media, political and civil society narratives in six countries and the EU covered over 40,000 texts, which were analysed using corpus-based discourse analysis. Furthermore, a statistically representative survey involving 6,322 respondents was conducted in all I-CLAIM countries to grasp public perceptions, attitudes and knowledge on irregular migration.

1. Migrant precarity from a gender perspective

European and national migration legislations and labour markets are more widely structured around a distinction between **productive work**, typically paid employment contributing directly to the economy, and **reproductive work**, which encompasses the paid, unpaid or underpaid activities that sustain and reproduce the labour force, such as caregiving, domestic tasks and emotional support. The latter is often carried out unpaid by women within the household sphere or paid by migrant domestic workers who are also mainly women (Palumbo & Marchetti 2024; Rigo 2022; Wide & Näre 2024). This distinction is visible in the gendered divisions in the labour markets in the ways in which migration and welfare policies devalue migrants' right to care and family reunification. In this section, we discuss how this distinction and devalorisation are visible in the research we have conducted.

1.1. Economic thresholds in residence permits from a gender/household perspective

The gender pay gap is not just a matter of unequal wages; it has far-reaching consequences for migrants' access to legal status and rights. Labour markets, work and employment are gendered. The gender pay gap in the labour markets persists in all EU countries and was approximately 12% in 2023, meaning that across EU countries, women earn, on average, 12% less than men. They are also less commonly employed than men – less than 70% of women work compared to 80% of men in the EU (European Commission 2025a). The reasons behind the gender pay gap are various, including labour sector segregation (with women overrepresented in relatively low-paying sectors that are systematically undervalued because they are feminised), the unequal division of unpaid care and domestic work, and pay discrimination that persists even though the principle of equal pay is part of the European Treaties (article 157 TFEU) since 1957. (European Commission 2025a). As residence permits have become increasingly conditional and include various economic barriers, the gender pay gap translates into unequal access to accessing and maintaining legal status, as well as unequal access to the right to family life.

Residence permits in all I-CLAIM countries have various economic thresholds: processing fees, proof of sufficient funds, salary and income levels, quality of employment contract and hours, proof of housing, proof of existing health care insurance and proof of identity or travel documents that may be difficult to obtain. These permits link work status to the right to family life and create vulnerability to labour exploitation. For instance, non-EU migrant workers who attempt to meet economic thresholds become vulnerable to labour exploitation, as their right to reunite and live with their families hinges on the continuation of their wages. In Italy, an important threshold is the requirement for suitable housing that is needed for residence permits based on work, family reunification, or long-term EU residence – a requirement that is difficult to meet due to wide-spread discrimination faced by migrants in the housing market (Palumbo & Marchetti 2024). In Finland, similar structural discrimination is found in the very high-income limits for family reunification; if the same income limits were applied to Finnish citizens, sponsors with median salaries would not have the right to unite with a spouse and three or more children (Merikoski et al. 2024). Moreover, reaching a median income level is often impossible for migrants working in low-wage sectors, such as domestic work, delivery or agricultural food production. In addition, the Netherlands has high income limits for family reunification, and Germany has requirements for language skills that can be difficult to achieve without resources to access training (Hajer et al. 2024; Rheindorf et al. 2024). These **thresholds point to systemic discrimination in I-CLAIM countries.**

Economic thresholds for maintaining residence permits mean that **periods of economic inactivity and low wage levels carry high risks for workers and their family members**. For women, pregnancy carries the risk of losing a residence permit, and ill health poses a risk for all genders. For men and women, unpaid care for children and families locally and transnationally, especially when excluded from affordable childcare, is also a risk if and when it impacts work and income possibilities.

Restrictive immigration policies combined with precarious working conditions and exclusions from welfare and unemployment protections are part and parcel in forming precarious, exploitable labour force and precarious labour relationships. Our research demonstrates an increasing trend towards diminishing possibilities for secure residence through bureaucratic requirements for residence permits that are increasingly difficult to meet (Anderson 2010; Bendixsen & Näre 2024; Näre et al. 2024). This is visible through the various mechanisms of the residence permit and visa systems that create **dependency on employers or sponsors**. In the United Kingdom, the sponsorship system inherent in the skilled worker visa creates dependency on the employer and facilitates labour exploitation (Sigona et al. 2025a). In Finland, tying the work-based permit to a specific labour sector combined with short-term residence permits and labour market testing that makes changing jobs difficult creates a similar dependency on employers (Merikoski & Näre 2025a). Indeed, irregularised and precarious migrants' position in the labour markets is one of 'unfreedom' because they are not free to change jobs and employers. These precarious labour relationships created through migration and visa regimes have gendered and generational outcomes. Children of irregularised migrants bear the burden of their parents' irregularity in various ways, including fragmented educational paths, uneven access to health and social care provision and unsettled futures due to poverty, insecurity and disconnected family life.

1.2. Gendered segmentation of work in migrant-reliant labour sectors

The segmentation of labour along gender, 'race' and migrancy in the sectors analysed in I-CLAIM also shapes how skills and tasks become gendered and racialised, often based on specific body characteristics and stereotypes (Näre et al. 2024). **Food delivery** is male-dominated work, which is time-consuming and physically taxing for workers who often struggle to fulfil gendered family obligations. In all the countries where the sector has been studied – Germany, Poland, Netherlands and the United Kingdom – workers reported that the working conditions were physically and mentally excruciating, to the point that one of the undocumented migrant workers in the Netherlands described it as slavery (van Liempt & Hajer 2025). Moreover, workers have a heightened risk of work-related injuries, such as traffic accidents. For women, delivery work was fraught with experiences of unsafety and sexual harassment (see Section 2.3). The German case study highlighted some interesting differences in their experiences that speak of differing cultural expectations for men and women. Many delivery workers are young non-EU citizens who study higher education in Germany. The women reported having support from their families back home, whereas men had stronger pressure in not just making their own income but also succeeding in their migration journey and potentially supporting their families abroad. Thus, the pressure to succeed and not return 'having failed' was strongly experienced by some male riders. (Salamena 2025a).

Agricultural work is mixed in terms of gender composition but heavily segmented internally according to specific jobs and tasks. Across the studied countries – Finland, Germany, Italy and Poland – gender biases and stereotypes regarding workers' reliability and trustworthiness, as well as perceptions of abilities, physical strength and related productivity, contribute to discriminatory practices, including gender disparities in pay (see Giammarino 2022). For example, in Poland, fruit and vegetable picking is mainly

carried out by women, whom interviewed Polish employers describe as highly motivated to ‘work hard’ in physically demanding jobs (Matuszczyk 2025). At the same time, farmers tend to view male workers as those who can be entrusted with more responsible agricultural tasks (e.g. transporting workers to the workplace or spraying crops), leading to higher wages for men. Similarly, in the Finnish agricultural sector, men often hold positions that require knowledge of specific machinery and jobs that are considered ‘skilled’, while women are overrepresented in picking and harvesting that tend to be based on piece work wages and are thus weather-dependant and precarious (Merikoski & Näre 2025b).

Within the different jobs under the umbrella of **domestic work**, studied in Finland, Italy, the Netherlands and the United Kingdom, most jobs are performed by women – although not exclusively. The private and intimate spheres are still considered female spaces, and reproductive work, as well as care for others, is still considered predominantly women’s duties, both paid and unpaid. The devaluation of reproductive labour is particularly visible in the non-recognition of domestic work *as work* at par with other forms of employment in EU policies. In addition to not being recognised as work, domestic workers are unevenly protected. While most of the EU employment legal framework and related policy instruments, such as the European Pillar of Social Rights, are supposed to apply to all workers regardless of factors such as migration or residence status, the EU framework on occupational safety and health standards does not cover domestic workers (Carrera & Colombi 2025). This is because domestic residences are considered inaccessible to labour inspections. With the workforce in this sector mostly made up of women, often TCNs and EU citizens from Central and Eastern Europe (see ELA 2021; ILO 2021; Katona & Zacharenko 2021; Triandafyllidou 2013), this exclusion at the EU level leads to uneven protections across the Member States and exposes women to heightened risks of exploitation, accidents and abuse, with limited access to effective complaint mechanisms or legal redress before competent administrative and judicial authorities.

The recognition of domestic work varies across I-CLAIM countries. In Italy, domestic work is regulated through collective agreements, yet informal work is widespread. In Finland, domestic cleaning is regulated but working as a housekeeper is not. Despite rather high levels of formalisation, it is also one of the easiest sectors through which irregularised migrants find informal work, partly due to a lack of labour inspections in private spaces. In the Netherlands, the policy regulating domestic work in practice deregulates the sector by not requiring employers to declare domestic work when hiring an employee for less than four days per week. In addition, employees should declare the employment relation to the tax and employment authorities, but there are very few incentives to do so, and hence, they are not fully insured for pension, unemployment and sickness (Hajer & Van Liempt 2025). Irregular migrants cannot regularise through their work, and their work is informal. On paper, the Dutch labour law should be applicable to everyone, despite the legal status of the worker or the informality of employment. However, in practice, this is not the case, and irregular migrants who work and migrants who work in the domestic sector are not granted and cannot access the same rights and protections as other workers. The lack of labour inspections in private homes and the fact that the Netherlands and the United Kingdom have not ratified the International Labour Organization’s 2011 Domestic Work Convention further decrease the possibility of protecting workers in the domestic sector. Finally, au pair work remains unrecognised as employment but is categorised as ‘cultural exchange’ and au pairs – commonly non-EU migrants – paid ‘pocket money’.

1.3. Precarious work, precarious families: Migration, care and the struggle for stability

A cross-cutting experience shared by interviewed workers across the three sectors was that working as a non-permanent resident in a low-pay sector has direct or indirect consequences on the workers' ability to support and care for their families and even to establish stable relationships. This is due to a combination of low wages and long working hours. All three labour sectors studied in I-Claim are characterised by long and unsocial working hours that are hard to combine with family life and childcare. However, providing for families locally and/or transnationally was a common reason for migrating in the first place among our research participants.

A large share of the participants we interviewed across I-CLAIM countries were women whose families depended on their incomes, and many were the main breadwinners in their families. Opportunities for women to earn decent wages in their home countries were scarce, which led many of them to seek opportunities in Europe. Those who worked seasonally wished to return with several months' worth of wages, and those who lived permanently in Europe sent much of their already meagre income back home. In addition to economic pressure, separation from family is also a constant source of pain. For example, the female domestic workers interviewed in the United Kingdom highlighted the tension between the work being an opportunity to support their families financially and working and living abroad, which meant long absences and missing milestones in loved ones' lives, with hopes for family reunification feeling distant under current legislation and economic restraints (Sigona et al. 2025a). Certain forms of domestic work, especially live-in domestic work, make it very difficult to combine family and work.

In agriculture, many tasks and types of jobs require starting work at dawn, hours before school or daycare starts. Agricultural regions also have scarce childcare facilities. In Italy, women working who had children with them needed to come up with childcare during the long working day. Sometimes, they had to pay for informal childcare, which accounted for a significant proportion of their daily earnings (Palumbo 2025). The Ukrainian seasonal workers in Finnish open field cultivation worked from early hours in the morning during peak harvest times, and after the workday had finished, they often went into a forest to pick wild berries to sell. The pace was such that it would have been impossible to have small children with them, especially as they typically lived on farms. Thus, women who have caring duties need support networks to be able to travel for seasonal work. For some, that seasonal work was experienced as a respite from reproductive demands, despite the separation being also burdensome (Merikoski & Näre 2025b).

Empirical findings from platform-based delivery work in Poland and the United Kingdom revealed the contradictory effects of low and unstable income and flexible working hours on families and households. In the United Kingdom, most of the interviewed delivery workers were single men, and for them, low and uncertain income combined with intensive work schedules and the temporariness of residence and housing led to difficulties in establishing longer-term relationships and starting a family. However, the possibility of working long hours and taking on many gigs that platform work offers may significantly help with the family's financial situation (Sigona et al. 2025b). Similarly, in Poland, delivery workers brought up flexibility as a helpful feature of otherwise strenuous work; one can simply go offline for a couple of hours to care for family members. However, for those who did not have a family, working for long hours, having temporary housing and being constantly ready to take on work meant it was hard to form relationships in the current place of residence or plan for family life (Homel & Grzymala-Kazłowska 2025).

In many sectors and countries, there is a collective agreement that should cover the rights, wages and working conditions of all workers, including workers with migration backgrounds. However, in practice, many employers disregard these agreements because they can do so without significant penalties. For workers and their families, not respecting collective agreements has serious consequences. In the domestic and agricultural sectors in Italy, the interviewed female workers commonly received lower wages that stipulated in collective agreements or their working conditions did not correspond to what they were paid for (Marchetti & Lashchuk 2025; Palumbo 2025). This led to workers struggling to make ends meet, pay rent, buy food and care for their children (Palumbo 2025).

Not all workers we interviewed experienced severe deprivation of wages and rights in these sectors, which highlights the importance of labour protection, as well as access to other forms of social and welfare protection. Work, however, is only one aspect that determines the sense of security among migrant workers and their families. Access to welfare protections as non-permanent residence is differentiated according to nationality and residence type, as the difference in experiences among the groups interviewed in Finland highlights. For example, many Ukrainian migrant workers in Finland were relatively content with the possibilities their work in cleaning or agriculture provided to them and their children, as they were able to offer them a stable life and good education in Finland. Although the work was often monotonous and pay was barely enough to live on, if the employment conditions were fair, they were willing to stay in the situation for the time being. As beneficiaries of the temporary protection directive, Ukrainian workers had access to municipality residence and a residence permit that was not dependent on their employment or access to social and welfare rights, and they did not need to act as sponsors to their family members' residence permits. Many used their access to welfare support, such as housing allowances, to compensate for low pay. In contrast, many Vietnamese workers in Finland in these same sectors were more affected by low salaries. They struggled to gain enough income to apply for family reunification, which has income limits for non-EU citizens who hold work-based permits, and they often needed to send money back to Vietnam to support family members or to pay for migration debts (Merikoski & Näre 2025b).

1.4. Gendered exploitation and abuse at work

Migrant women often work in sectors in which the risk of abuse and gender-based violence is present. As women's work is often undertaken hidden from public view, such as in rural and remote locations or in private homes, women workers are at risk of abusive behaviour by other workers, work managers and employers. Even female delivery workers, who mainly work in public spaces, reported similar experiences. In Germany, some of the interviewed delivery workers were women, and they reported being afraid of entering apartment buildings or delivering food to men in remote locations or to home parties due to sexual and racist harassment (Salamena 2025a).

In Italy, sexist remarks, harassment and sexual requests unfortunately constitute a daily reality for many women agricultural workers. These dynamics can occur at any time, in all of their workspaces or during transportation to the fields. Often, these women face violence or harassment by multiple abusers; a recurring reason for migrating to Italy was to escape an abusive relationship back home, only to find abuse at the workplace in Italy (Palumbo 2025).

Agricultural seasonal migrant workers in Germany are often men or couples, resulting in a male-dominated working environment. In the male-dominated field, women are underrepresented and, thus, also exposed to gender-specific dangers and exploitation. Coercion into relationships with male workers higher up in the

workplace hierarchy takes place, and some view submitting to it as a survival strategy. An interviewed stakeholder from a non-governmental organisation supporting migrant workers reported several incidents of sexual assault. It is likely that such cases are more prevalent than assumed, as women have little access to privacy or protective spaces in agricultural sites (Salamena 2025b, 10). In contrast, in Poland and Finland, most seasonal workers and a large share of permanent workers are women. However, even when the majority of workers are women, it does not exclude the possibility of abuse or harassment due to the power imbalance between workers and work managers.

In the domestic work sector, the type of work and employment arrangements determine how much contact the workers have with employers or car/service receivers. For example, in the Netherlands and Finland, the most typical domestic work tasks are cleaning when the occupiers of the household are not present. In the Italian domestic work sector, in contrast, live-in arrangements are typical, leading to even further risk, as the women depend on the employers for housing and employers are constantly present. Several women from the Italian case study reported experiences of gender-based violence, including unwanted touching, verbal harassment and control over their behaviour and appearance, such as the clothes they wear. Thus, they had to remain silent for fear of losing both their homes and their incomes. Co-residence eliminates the separation between personal and professional life, leaving women exposed to male employers or elderly care-receivers. Many reported being subject to constant surveillance, restricted movement and fear of being alone with men in the household (Marchetti & Lashchuck 2025).

2. The rights of individuals and households in international and national frameworks

For migrants in an irregularised, precarious or temporary residence situation, the right to family life is heavily conditioned by national and EU legislations and policies. Across all I-CLAIM countries, there are restrictions to family-based residence permits and family reunification procedures – considering one’s need to live their family members is taken into account in permit and deportation decisions to a varying degree. In what follows, we first discuss the EU legislation concerning family rights and then explore the country variations in how the right to family is secured – or not secured – in practice.

2.1. The right to family life in Europe and beyond

The right to family life, the protection of children and gender equality are long-standing principles of international and regional human rights and EU law. The right to family life is enshrined in Article 8 of the European Convention of Human Rights and in the Charter of Fundamental Rights. The protection of children is guaranteed by the 1989 International Convention on the Rights of the Child, as well as additional primary and secondary legislation and policy instruments, for example, in the Treaty on the European Union (Articles 3(3) and (5) TEU) and the EU Strategy on the Rights of the Child. Moreover, equality between women and men is included among the founding values of the EU (Article 2 TEU), as well as Article 8 TFEU, Article 23 of the Charter of Fundamental Rights and dedicated secondary legislation and policy instruments, such as the Equal Treatment Directive 2006/54/EC and the Gender Equality Strategy 2020–2025.³ These principles are

³ Alongside equality between women and men, the rights of LGBTIQ+ people form an integral part of the EU’s commitment to equality and non-discrimination. These are grounded in Article 21 CFREU, which prohibits discrimination based on sexual orientation, and supported by policy instruments such as the LGBTIQ Equality Strategy 2026–2030 and recent case law from the European Court of Human Rights (ECtHR) and the Court of Justice of the EU (CJEU) (see De Groot 2023).

also reflected in the United Nations Global Compact for Migration and the Global Compact on Refugees, which call for gender-responsive, child- and age-sensitive and human rights-based approaches to migration and asylum policies and recognise family unity, the best interests of the child, intergenerational responsibilities and care dynamics as essential to human rights protection, wellbeing and inclusion (United Nations Assembly 2018a, 2018b).

This international and regional framework establishes a clear normative basis for states to ensure the best interest and wellbeing of children, protection of individuals' private and family lives and support for gender equality and non-discrimination irrespective of people's legal, residence or migration status.

Previous I-CLAIM research has shown (Carrera & Colombi 2025) that, in practice, the predominance of a securitising approach to migration policies and cross-border mobilities often undermines the effective implementation of these human rights for irregularised people. Consequently, the right to family life is, in practice, subordinate to the migration status a person holds.

For family members of EU mobile citizens – both EU nationals and TCNs – family reunification is governed by the Citizens' Rights Directive⁴ (2004/38/EC) and recognised as a right deriving from EU citizenship and the exercise of free movement within the EU. This protection is only triggered when an EU citizen has exercised cross-border mobility. In contrast, EU citizens who remain in their own member state and seek to reunite with TCN family members fall under national immigration law, as they are in a 'purely internal situation' and are therefore excluded from the scope of the Citizens' Rights Directive.⁵

Even in the case of EU citizens and their families, discrimination persists on the basis of the nationality or national origin of the EU citizen acting as sponsor, or of the family member concerned (e.g. in the case of Roma EU citizens [see Carrera 2014]), on their economic means or wealth status (Carrera & Colombi 2025, 49–50). Restrictions also remain in the case of same-sex couples, de facto partners and other family members whose recognition remains at the discretion of Member States.⁶

Regarding third-country nationals residing in the EU wishing to reunite with their families, the situation is highly fragmented and, consequently, unequal. The Temporary Protection Directive – which was activated in 2022 for people displaced from Ukraine following the Russian invasion, mostly women and children – foresees ample room and rights for family reunification, albeit *temporarily* (see Carrera et al. 2022; Milios 2023 in Carrera & Ineli-Ciger 2023). This is, however, limited to 'core family members' (i.e. spouses or unmarried partners, minor unmarried children and other close relatives) who lived together as part of the family unit and were dependent on the sponsor prior to the displacement (Carrera et al. 2022). While this definition of the family unit is even narrower than that in the Family Reunification Directive (see below), in this historical moment, Ukrainian nationals have broader and faster access to family reunification than most nationals of non-EU countries and non-Ukrainian nationals displaced from Ukraine (Carrera & Ineli-Ciger 2023).

⁴ Or Free Movement Directive.

⁵ This creates reverse discrimination, whereby an EU Member State may treat its own nationals less favourably than EU citizens from other Member States who reside there and benefit from EU free movement rules (see De Groot & Gerard 2024; Groenendijk 2014).

⁶ For LGBTIQ+ families and the right to free movement (De Groot 2023).

Despite the stated objective of promoting family unity and the acknowledgement that family reunification is a key factor for ‘integration’ (Recital 4), the Family Reunification Directive adopts a restrictive and conditional approach to the right to family life.⁷ By making eligibility conditional on income levels, housing, residence status, mandatory integration courses and a narrow definition of ‘family members’, the directive and its implementation at the national level put certain groups in an unequal situation, for example, low- and medium-income families, people engaging in unpaid care work and other informal activities, as well as non-traditional household structures (Cortinovis et al. 2023). As a result of these requirements, family members who fail to meet formal criteria risk losing their residence status or remaining separated for prolonged periods (Carrera & Shabbir 2024).

Additionally, while the Family Reunification Directive applies to anyone regularly residing in a Member State, including refugees, it explicitly excludes recipients of subsidiary protection and allows Member States to adopt more restrictive approaches (Radjenovic 2025). This results in a **hierarchical protection of the right to family life that is ultimately contingent on migration or residence status**. It produces heightened risks of dependency and irregularisation for specific groups, particularly women.

When it comes to children,⁸ the 2021–2027 EU Action Plan on Integration and Inclusion – which formally covers only third country nationals with regular status and EU citizens with migrant backgrounds – explicitly foresees an exception for children ‘regardless of origin, ability, socio-economic background, legal and residence status [to] have equal access to the same set of rights and protection’. However, limited attention has been paid to how restrictions imposed on irregularised adult members of households may undermine the rights of children. Fear of being detected, reported and deported generates mistrust towards authorities and reluctance to use the services available to children, therefore, in practice, undermining the best interest of the child (Carrera & Colombi 2025, 28). This also means that minors can ‘age out’ of these protections and lose access to services as soon as they become adults (Council of Europe 2023).

2.2. Family life under pressure: Exclusionary practices in European migration policies

In practice, access to the right to family life is secured differently in the studied I-CLAIM countries. In Finland and the Netherlands, there are salary requirements for the sponsor of family reunification but also the requirement to apply for the residence permit from one’s country of origin or a country in which there is an embassy and in which they need to reside regularly when filing the application. Travelling to a country with an embassy where they can file an application makes it impossible in practice. Finland and Germany have also introduced a three-month time limit for family reunification for sponsors who have received asylum in Germany and international protection in Finland, after which income requirements apply. This three-month temporal threshold might be, in practice, impossible to meet for individuals who come from conflict zones (Näre 2020).

⁷ The Family Reunification Directive refers to a ‘right to family reunification’, yet EU primary law and European human rights law do not recognise family reunification as an autonomous fundamental right. The ECtHR and the CJEU interpret family reunification as an aspect of the broader right to family life, protected under Article 8 ECHR and Articles 7 and 9 CFREU. It’s worth noting that Article 14 of the Family Reunification Directive recognises the right for family members to access, in the same way as the sponsor, education, employment and self-employment, vocational guidance, initial and further training and retraining. Member States are granted the right to decide which family members may exercise employment or self-employment, may examine their national labour market situation before allowing these activities, and may restrict labour market access for optional family members admitted under Article 4(2), such as dependent parents or adult unmarried children.

⁸ A child is to be understood as ‘any human being below the age of 18’ in line with the UN CRC. See European Commission, n.d.

In Germany, family reunification also requires that family members have acquired language skills unless the applicant has received asylum and applies within three months of receiving protection. The possibility of accessing language education requires sufficient income and literacy. Common to both Finland and Germany is also the strong evaluation of family life being real and marriage being 'authentic'.

Family permits may create **situations of dependence**, as spouses' residence permits rely on the continuation of the family unit. This is particularly problematic in the case of violent or abusive domestic relationships.

In particular, in Italy and Finland, asylum and other residence permit processes can be very long, leaving people trapped in lengthy bureaucratic processes and unable to regularise their stays. This negatively affects family members, and children risk losing their status if their parents lose theirs (Merikoski et al. 2024; Palumbo & Marchetti 2024).

In many cases, **men are at a disadvantage** and men's right to family is less recognised than women's right, and their role in the family unit may not be perceived as essential. For example, the experts and stakeholders interviewed in Finland shared a worry about irregularised men's right to family and recounted numerous cases in which fathers were denied a residence permit and perceived as deportable, even if they had family members in Finland. In contrast, mothers are very rarely separated from their children (Merikoski & Näre 2025a).

Some social and welfare rights that irregularised migrants are entitled to are gender-specific, such as pregnancy and childbirth-related services, which are covered in all I-CLAIM countries. Moreover, irregularised pregnant women may usually obtain temporary residence permit during their pregnancy and some months after birth. However, in many I-CLAIM countries, residence permits based on pregnancy cannot be converted to another residence permit, and this may end up discouraging many women from applying for this type of permit. For instance, in Germany, pregnant women may obtain a temporary tolerated status (*Duldung*) that expires six months after birth. Therefore, unless the father of the child holds German citizenship, the mother will be required to leave Germany with the child. Consequently, the rights of both the mother and child in this scenario, including access to a birth certificate, are very precarious (Rheindorf et al. 2024).

In Italy, a residence permit must also be granted to the cohabiting husband of the pregnant woman for the same duration, but it is not possible for the mother or father of the minor to convert this permit into a residence permit for work purposes. However, this permit can be converted into a residence permit for family reasons, provided that the income and housing requirements for family reunification are met.

While the **rights of children** are secured by legislation in all studied countries, and they include all children irrespective of their or their family's residence status, in practice, restrictive migration policies require children's access to basic rights and public services. Many studied countries specifically target irregularised migrants in ways that impact the lives of children. The 'hostile environment' policies adopted in 2012 in the United Kingdom are an example of delegating migration control across society and to public and private actors, such as social and welfare services, banks, landlords and universities, in ways that have a direct impact on children's and minors' basic rights, such as the right to education (Piemontese & Sigona 2024). Similar reporting obligations are found in Germany, where a section of the Residence Act (*Aufenthaltsgesetz*) obliges public authorities to report irregularised migrants to immigration authorities, including in healthcare contexts and previously in schools. Although schools and educational institutions have been exempted from reporting obligations since 2011, school staff can continue, in practice, to assume that irregularised children do not have the right to education (Rheindorf et al. 2024).

3. Gendered narratives and perceptions of irregular migration

Public narratives and perceptions attached to irregular migration and migrants are typically gendered and racialised. Migration scholars have demonstrated that the discourse around deservingness is a gendered one, in which women are often perceived as vulnerable and deserving of protection, welfare provision and rights (e.g. Griffiths 2015; Mavroudi et al. 2025; Ratzmann et al. 2024). Our research conducted on public narratives and perceptions in the six I-CLAIM countries and on the level of EU narratives supports these earlier arguments and reveals that often, gender is used to construct moralising narratives about deservingness. Gendered stereotypes are also strongly visible in narratives of victimhood and threat. Moreover, gendered narratives are closely intertwined with racialisation, which is particularly visible in the way in which racialised young men are depicted as threats in the media and anti-immigration politics. In the narrative construction of deservingness, children emerge as a category that deserves to be included and protected, which also reinforces gendered stereotypes. However, we found that migrant families are categorised as deserving of inclusion and rights, as well as problematic. In what follows, we present some key themes emerging from the research conducted on the discursive and narrative construction of irregularity in the domains of media, politics and civil society, drawing on examples from the studies conducted in the six I-CLAIM countries and at the level of the EU. While the broader migration-related narratives are relatively similar in the six countries, the comparative analysis also reveals differences and national nuances when it comes to the gender and family perspectives of the public narratives.

3.1. Gendered deservingness and vulnerability in the media, politics and civil society narratives

Women and men are perceived differently as migratory agents and workers in the public domain. Vulnerability and/or susceptibility to violence and crime is a theme often associated with migration, especially in media narratives, and it is constructed in relation to gender. Across the public domains examined in this research, themes such as work and crime typically emerge in connection with men, while victimhood and vulnerability are depicted as female. For example, in the European parliament's discourses, gendered differences are evident. Women are associated with victimhood, exploitation and gender-based violence. In contrast to some national contexts, children are the most frequently discussed demographic group at the EU level, with emphasis on protection, rights and welfare (Colombi 2025).

Feminine migrant figures are typically considered vulnerable or even victimised. This leads to the perception of the legitimacy of refugees being feminised. The idea of vulnerability conflicts with culturally dominant perceptions of masculinity, and the figure of a 'bogus asylum seeker' is typically associated with gendered suspicions and expectations regarding agency (Griffiths 2015, 473). In contrast, male figures appear in clearly pejorative narratives more often than women, such as the 'bearded children' that Finnish anti-immigration politicians have labelled underaged asylum-seeking male youth (Merikoski 2025).

Similarly, in Polish public discourse, gender and racial markers are visible when contrasting vulnerability and threat. Help towards migrants is justified in the case of mothers with children fleeing the war in Ukraine or migrants in need of medical care at the Polish–Belarussian border. However, male migrants from Asian or African countries were associated with threat and aggressiveness despite being in a vulnerable situation (Homel-Ficenes & Grzymała-Każłowska 2025).

For example, the analysis of British media reveals a prevalence of narratives that reproduce the imaginary of racialised young men with a propensity for sexual violence and criminal activities visible in the use of terms such as ‘groped’ or ‘rape’ (Piemontese 2025). Women, in contrast, are more associated with terms that reflect victimhood, such as ‘trafficked’. Similarly, in the German media discourse, prominent gender markers are used only in narratives of crime or problematic behaviour (‘young men become criminal/create problems’) and in narratives depicting suffering (‘women from Ukraine have lost everything’) (Rheindorf & Vollmer 2025b, 12). In addition, in public discourses concerning labour markets, irregularised migrant women are more likely to appear in victim roles than agential ones. In the Italian study, a comparison between the male and female forms of the word ‘worker’ reveals that the figure of a migrant woman worker appears more strongly in narratives that talk about exploitation, whereas men appear more in connection to narratives dealing with migration, irregularity and specific working sectors (Carofalo Geymonat 2025).

In general, men are less explicitly discussed in EU policies than women or children. This may reflect the assumption that the figure of an asylum seeker or irregular migrant is, by default, a man; thus, there is no need to specify gender. Moreover, it may reflect a wider tendency to associate public debates with men. Men are in public discourse – still – the norm, and only when the topic concerns ‘others’ with specific needs (i.e. women and children) is a gender specifying word such as a girl or woman added.

The figures of irregular migrants in public narratives need to be analysed intersectionally, considering racialisation alongside gendering (Rheindorf & Vollmer 2025c). There is a difference among the studied contexts, however, in how explicit the racial lens is. For example, in the context of the United Kingdom, the analysis of words associated with ‘women’ or ‘men’ reveals significant disparities in the narrative construction between them. Men are predominantly framed through the lens of race, with associated words such as racialised, brown, stereotypes, colour, orientalist, white, Muslim and black (Piemontese 2025). The intertwining between racialisation and gender was also apparent in the I-CLAIM survey. The respondents were asked who among fictional persons they would hire as employees, and a significant proportion expressed hiring preferences mediated by racialised and gendered hierarchies (Lessard-Phillips & Sigona 2025).

3.2. Family perspective in public narratives

Our analysis revealed that the migrant family is a figure that is often featured in public narratives on migration, sometimes in a humanitarian context and at other times through problem-centred framing. The family has a dual meaning when discussing societal issues related to irregular migration. It can appear as an agent in a story, especially in the case of media narratives, or as a concept or context in policies or laws, which is more common in political and civil society discourse. Women, family and children are a particular focus in civil society’s rights-based discourses. For example, in Finnish civil society discourse, children and families often appear alongside words that echo a heavily rights-based discourse, such as ‘children’s best interest’, ‘rights’, ‘UN’ and ‘right to life’ (Merikoski 2025). At the EU level, irregularised children are the only group of irregularised migrants that consistently appears in integration and inclusion discourses, particularly in relation to rights, protection and welfare (Colombi 2025). Referencing the EU Comprehensive Strategy on the Rights of the Child, the EU Action Plan on Integration and Inclusion (2021-2027) states that ‘all children, regardless of origin, ability, socio-economic background, legal and residence status have equal access to the same set of rights and protection’ (European Commission 2020b, 9). In the political domain of the United Kingdom, family often appears as an abstract construct because political discourse predominantly focuses on family as a context and area of intervention, rather than as an actor in migration discourses. Moreover, in all societal domains, family is strongly perceived as a domain of women, whose reproductive roles and labours are often discussed, while men appear detached from the idea of family (Piemontese 2025).

Although, across the studied countries and societal domains, there is a strong presence of rights-based discourse when it comes to children, the question of irregularised children's rights is also complicated. For example, in the Netherlands, the public debate around irregularised children's right to regularise their status is divided. The political left in opposition frames it as a question of children's rights and solidarity, while the government perceives it as a policy that might 'fuel false hope for asylum seekers who have exhausted their legal options' and not offering the regularisation option for children is part of measures preventing irregular stays. Moreover, the discourse shifts blame for children's irregularity to parents for remaining in the country irregularly (Hajer 2025, 16).

Irregularised migrant families are thus presented in public narratives in a contradictory light; they are both perceived as a problem yet simultaneously as more worthy of inclusion than migrants without families. In the survey, the respondents were asked to evaluate fictional cases and judge whether they were integrated into society. In the UK survey, perceptions of integration revolved around the usual markers of belonging, especially English fluency, as well as the presence of family and friends in the United Kingdom. A migrant seems to be more accepted into the community when they are a part of a family unit and has social relations.

4. Conclusion

The findings discussed in this I-CLAIM report reveal that irregularity is not merely a fixed legal status but a dynamic condition of administrative precarity and lived experience that varies across nationality, gender, age and social class. Irregularity affects men and women differently because migration, labour markets and family life are all structured by gendered divisions of labour, differential valuing and recognition of work, leading to uneven labour protections. Division of labour along gender lines is visible in the overrepresentation of women in domestic and care work – sectors undervalued, underregulated and often excluded from basic labour protections – and men in physically demanding sectors, such as food delivery work and certain agricultural jobs. Due to restrictive residence permits, legislation that ties residence and rights to legal status makes migrants dependent on employers, sponsors and intermediaries and vulnerable to exploitative labour conditions. The position of migrants in the labour markets is characterised by various degrees of unfreedom, depending on legal status and working conditions. The gender pay gap, occupational segregation, undervaluation of feminised labour sectors, such as domestic work, and the uneven division of childcare responsibilities exacerbate these conditions of vulnerability for women by making it more difficult for women to meet the economic thresholds attached to residence permits, renewals and family reunification. Strict residence permit conditions such as minimum income, suitable housing and secure employment contracts function as mechanisms of exclusion and create conditions of vulnerability to exploitation, as periods of inactivity may and often lead to losing residence permits. These thresholds disproportionately disadvantage women, low-paid workers and families with children. They have a direct impact on the right to family life – formally guaranteed in EU and international law – transforming into a privilege accessible only to the well-off.

The empirical research conducted in I-CLAIM demonstrates the significant deteriorating impact precarious work has on family life. Migrant workers working in agriculture, domestic work and food delivery sectors report long hours, unstable income and limited access to childcare or housing, which strain relationships and limit the possibility of family formation or reunification. The research reveals contradictory experiences when it comes to the role that families have in migrant workers' lives – on the one hand, providing for family

members locally and transnationally is a reason for migrating and, on the other hand, adding to the stress and pushing individuals to continue working in precarious and even exploitative conditions.

Our empirical research reveals that gender-based violence and harassment are recurring features of irregularised and feminised work. Women working in the privacy of households or in remote agricultural settings face risks of sexual harassment, abuse and coercion, compounded by dependence on employers for income and housing. However, harassment is not limited to isolated working contexts – food delivery workers also report racist and sexist harassment in public spaces. These findings emphasise how the intersections of gender, race and legal status shape exposure to exploitation and violence.

The report discusses that rights to family life and children's protection, formally enshrined in international and EU law, are undermined and, in practice, subordinate to the migration status a person holds. The Family Reunification Directive and national family reunification legislations make rights contingent on income, housing and integration criteria. This leads to hierarchies of deservingness. Some groups – such as Ukrainian beneficiaries of temporary protection – gain swift access to family reunification, while others face years of separation. In all I-CLAIM countries, restrictive policies and bureaucratic delays result in prolonged insecurity for migrants in precarious and low-income jobs.

Migrant irregularity is also produced and reproduced in public narratives, as our work conducted across I-CLAIM contexts reveals. The findings from the study on narratives in media, politics and civil society suggest that the discourse around migrant deservingness is strongly gendered. Migrant women and children are perceived as vulnerable and deserving of rights, while men, especially racialised young men, are depicted as threats and associated with criminality in many I-CLAIM countries' public narratives. Migrant families, especially those with young children, are often depicted in these narratives as deserving of certain rights secured by laws and policies, which is evident, for example, in the EU's rights-based discourses. However, the public perception of migrant families is a conflicting one, as they are also discussed in a problem-centred tone, and restrictions on migrant families' rights are perceived as part of wider measures of controlling 'unwanted' migration. Moreover, media, politics and civil society narratives tend to address these perspectives differently. In all I-CLAIM countries, civil society actors tend to mobilise human rights and family-based arguments, but their impact is limited in the face of securitisation narratives.

Our findings point to the need to better recognise the gendered and generational consequences of restrictive migration policies, increased conditionality of residence permits, segmented labour markets and differentiated recognition of jobs. Migrants' right to family life, formally protected in international and EU law, is severely undermined by national migration regimes creating hierarchies of deservingness – hierarchies that are reproduced and sustained in public narratives. The policy implications of our research stem from the following findings:

- recognise care and reproduction as integral to migration and labour governance;
- decouple residence rights from income thresholds and employer dependency;
- ensure equal access to family reunification and protection irrespective of residence status; and
- extend labour protections and complaint mechanisms to domestic, care and seasonal workers.

Only by making such policy changes and addressing the gender and family dimensions of migrant irregularity and precarity in the labour markets can Europe uphold its commitments to equality, dignity and the right to family life for all.

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