

# Marginalization and Discrimination in Child Custody Arrangements: The Struggle of Latin

American Migrant Women in Family Court System



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**S♀EMPRE**  
Making Latin Women Visible

Migration is a complex and multidimensional social phenomenon in which gender becomes a crucial factor for analyzing women's mobility and experiences, which differ significantly from those of men.

Migrant women represent a vulnerable group, susceptible to gender-based violence, discrimination, and inequality, partly due to systemic obstacles within Belgian institutional frameworks. This is evident in processes such as family reunification, asylum, and transmigration, which affect the integration and acculturation of women and their children. These conditions undermine their independence and hinder access to essential rights, as their residence permits often depend on their sponsoring partner. This dependency can force immigrant women to endure domestic violence without the possibility of defending themselves, either legally or psycho-emotionally.

These women face numerous barriers that reinforce traditional gender roles and hinder integration, including restricted labor market access and linguistic obstacles. Such challenges reduce economic autonomy and limit access to educational benefits and public services. **SIEMPRE VZW**, through targeted support and case studies with migrant women in Belgium, investigates the gendered mechanisms of inequality affecting them in employment, domestic violence, divorce, and humanitarian asylum.

Deskilling, poorly paid or undocumented work, and the undervaluation of Latina women's labor perpetuate economic vulnerability and social exclusion.

These systemic issues reinforce stereotypes that cast Latin American women as caregivers. Paradoxical, stereotype contrasts with family court practices in Belgium, where Latina women often face custody denials based on claims of inadequate cultural adaptation or language proficiency. This overlooks systemic challenges, such as high immigration costs, protracted administrative procedures, and the absence of autonomous residence permits. Such institutional failures further marginalize them and compromise their children's well-being.

**SIEMPRE VZW** advocates against this patriarchal and colonial discrimination, promoting a child-centered approach that upholds the rights of migrant women and their children in custody disputes, challenging structures that perpetuate inequality.

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